HOUSE OF ASSEMBLY

Tuesday 25 February 1986

The SPEAKER (Hon. J.P. Trainer) took the Chair at 2 p.m. and read prayers.

PETITION: PORT AUGUSTA BOTANIC GARDEN

A petition signed by 151 residents of South Australia praying that the House urge the Government to establish an arid lands botanic garden at Port Augusta was presented by the Hon. G.F. Keneally.

Petition received.

PETITION: ELECTRONIC GAMING DEVICES

A petition signed by 1 179 residents of South Australia praying that the House legislate to permit the use of electronic gaming devices in South Australia was presented by the Hon. P.B. Arnold.

Petition received.

QUESTIONS

The SPEAKER: I direct that the following written answers to questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 8 to 34, 37, 41, 42, 44, 74 to 87, 89, 92, 96, 99, 103, 104, 111, 117, 118, and 120; and I direct that the following answer to a question without notice be distributed and printed in *Hansard*.

MR KEVIN BARLOW

In reply to Hon. P.B. Arnold (13 February).

The Hon. J.C. BANNON: I refer the honourable member to the responses given by my colleague the Attorney-General on 13 and 18 February 1986 concerning this matter.

PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. J.C. Bannon)—

Pursuant to Statute—

Judges' and Governors' Pensions Schemes—Report, 1984-85.

South Australian Superannuation Board and South Australian Superannuation Fund Investment Trust—Reports, 1984-85.

By the Minister for Environment and Planning (Hon. D.J. Hopgood)—

Pursuant to Statute—

Planning Act 1982—Crown Development Report by South Australian Planning Commission on proposed Construction Garage, Mount Gambier.

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

Pursuant to Statute—

Country Fires Act 1976—Regulation—Permits to Burn.

By the Minister of Forests (Hon. R.K. Abbott)—

Pursuant to Statute—

Woods and Forests Department—Report, 1984-85.

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

Pursuant to Statute—

Institute of Medical and Veterinary Science—Report, 1984-85.

South Australian Health Commission Act 1976—Regulations—Perinatal Statistics.

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

Pursuant to Statute—

Classification of Publications Board—Report, 1984-85.

Local and District Criminal Courts Act 1926—Local Court Rules—Service by Post.

Trade Standards Act 1979—Report, 1984-85.

PUBLIC WORKS COMMITTEE

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

Augmentation of the EL 2275 Water Supply Pressure Zone,

Black Forest Primary School (Replacement of Fire Damaged Facilities and Upgrading).

Ordered that reports be printed.

QUESTION TIME

The SPEAKER: I announce that the Deputy Premier will take questions normally directed to the Minister of Mines and Energy.

PAROLE LEGISLATION

The Hon. E.R. GOLDSWORTHY: Can the Premier say why the Government has broken its election promise to legislate immediately to toughen the parole laws? In the election policy speech delivered by the Premier he made a number of quite specific promises about the parole system. I will quote his actual words, when he said:

> We will act immediately Parliament resumes to toughen parole laws.

However, there is no reference to this legislation in the Governor's speech and no indication at all that the Government intends to proceed as promised in this session. This means that it will be late this year at the earliest before this legislation is implemented. The Premier also promised that his legislation would mean no automatic release for prisoners serving life sentences.

However, because the Government has not fulfilled its promise for immediate action, a convicted murderer serving a life sentence will be automatically released next month after serving only four years. I refer to the case of Patrick John Armstrong, whose impending release is causing serious concern to a family that has received threatening letters from this prisoner.

The Hon. J.C. BANNON: I thank the honourable member for his question. This issue of the parole laws and their application is an extremely difficult and complex one. It has been the subject of numerous debates and amendments in this House. It was an issue raised during the last election campaign. Indeed, I did make the statements that have been quoted by the Deputy Leader. We have not backed away from that promise. The Attorney and his colleagues are actively looking at this issue, as one would expect them to do but, as we have discovered on previous occasions in this place, it is not an easy matter to draw changes to these laws that both ensure that the laws have some justice and fairness in them and their application, and at the same time ensure that the type of protection that the public seeks is in place. The very complexity of that is thrown up when you get down to looking at specific amendments and how they—

The Hon. Jennifer Adamson: Well, why don't you act?

The Hon. J.C. BANNON: Indeed, that was one of the problems with the previous legislation. There was a gap introduced in it. It went through a process, as the House might recall, in another place where amendments were made that in some respects made something of a mish-mash of the legislation as it was finally enacted as a Statute, an inevitable result of the compromises that had to be reached—

The Hon. Frank Blevins interjecting:

The Hon. J.C. BANNON:—in another place and in conference. As my colleague interjects, we have still a body of law that is, in a sense, a compromise. It does not cover all those gaps. In the Government's investigations of how to deal with that, obviously we would want to try to ensure that we got it right. If that means—

The Hon. Jennifer Adamson interjecting:

The Hon. J.C. BANNON: Well, it is a question of what you call 'immediately'. The fact is that we are proceeding with this as a matter of priority.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: We are not able to present legislation in this present four-week sitting, but I assure honourable members that the matter still has a high priority and, most importantly, we want to get it right.

HOUSING TRUST RENTS

Mr RANN: Can the Minister of Housing and Construction inform the House whether the Government intends to raise reduced rents paid by Housing Trust tenants twice in the next three months? I have been advised that on the weekend the shadow spokesman on housing matters issued a statement which claimed that rents paid by tenants on a reduced rental basis would rise now and in three months time. According to media reports, the spokesman based his claim on a letter to one tenant from the trust advising of an increase in the reduced rental paid due to an increase in the tenant's income. I have received many calls from trust tenants in my electorate who say that they are confused and concerned by the spokesman's claim. I am aware that the Minister has refuted the claim in some of the media but could he again clarify the issue for the benefit of all members who, like me, have significant numbers of Housing Trust tenants in their electorates?

The Hon. T.H. HEMMINGS: I thank the member for Briggs for his question. He is not the only one who has been receiving urgent phone calls. My own office of housing was besieged on Monday and I am sure that members on this side who have large numbers of Housing Trust tenants in their electorates have been receiving the same kind of complaints and queries as has the member for Briggs. The simple answer is, 'No, we do not intend to do such a thing', but of course the member refers to that amazing piece of political grandstanding by the Opposition spokesman, the member for Hanson.

If ever there was an example of rushing into print without checking the facts, that was it. 'Publicity before all else', even if we dispense with or throw overboard that solemn thing that we all believe—truth. I think that the member for Hanson, if it would suit his ends, would even join the Flat Earth Society, become a life member, and then go out to the media and say, 'I almost fell off', if only just to get a story. The only conclusion that I can come to is that either he is as thick as two bricks or he deliberately chose to beat up an issue for his political benefit. He supplied the media with a copy of the notice from the trust to that tenant on whose case he based his statement. The notice clearly states that the tenant's reduced rent would rise because of an increase in income.

Here we have a situation where, after more than a decade as a member of Parliament and three years as Chairman of the Public Accounts Committee, the member for Hanson just cannot understand plain English in a form letter. This kind of letter goes out day in and day out to those people on reduced rent. However, he could not understand a pro forma letter. He deliberately chose to call a press conference and needlessly scare many people who are on reduced rents. That is the kind of person we are dealing with. I understand that, in the eyes of the media, he is now a laughing stock. I do not want him to be a laughing stock, because there is a place for the member for Hanson in this House. I do know, and I can advise the media if they want to take notice of me, that any other future press releases should be treated with caution and that, before making any comments, they should at least contact me, my officers, or the Housing Trust.

The entire Opposition should know (and we had this situation when we introduced the rent freeze) that this Government has consistently exempted trust tenants on reduced rents from general increases. When we introduced the rent freeze, the member for Light, who was then the spokesman, tried to blur the issue, but we managed to explain to the member for Light and his colleagues exactly what we were doing: that the rent freeze did not apply to reduced rents.

The reason is fairly obvious. Reduced rents are granted to tenants whose income is so low that public housing rents are a burden to them. Each tenant's reduced rent is determined on an established rent to income scale and is adjusted according to changes in household income. That is perfectly clear to me: it is perfectly clear to officers of my department, and I am sure it is perfectly clear to members on this side. People on reduced rents have their rent set as a proportion of income, and they pay no more than 25 per cent. The rent is income related and an increase in income means an increase in rent. That is fair, equitable and honest (and that is a word that I think the member for Hanson should look up in the dictionary to see what everyone means by it).

The member for Hanson will find that in the example he cited the person was paying 21 per cent of income in rent. She is not paying what a tenant on her income would normally pay. The trust has been cushioning her and staggering increases a little at a time. That is why the letter said that the rent would increase as from 1 March and again in three months. We are deliberately staggering the increase, because she notified the trust that there was a change in her income, and the trust reacted accordingly. However, the member for Hanson chose to go in with both feet and to shoot from the hip. If that is the kind of thing we will get for the next four years, Lord help people in the community who need at least some assistance from members of Parliament.

The unfortunate thing is that the member for Hanson, one of the bright new candles among the influx of talent onto the Opposition's front bench, has burnt himself out within the first two weeks of the sittings of this Parliament. That is what worries me, because I need the member for Hanson as the shadow Minister—if he is not the shadow Minister, the member for Murray Mallee might be, and that really frightens me. Therefore, I fully applauded the member for Hanson when he said publicly that privatisation of Housing Trust homes was a disaster. He did not go quite as far as saying that it was illegal, but he did say that it was not the kind of thing we should be doing and that if we privatised trust homes we would be reducing the number of Housing Trust stocks.

To help the member for Hanson (and I understand that he has asked for a briefing), I will patiently and carefully take him through the whole structure of Housing Trust rents. I will carefully explain what we mean by 'reduced rents' and the cost rental formula—things that will make his job a little easier. If he does not understand the first time, I will do it again and again, because it seems from his actions over the past weekend that his learning curve is very low indeed. I will help him; I am even prepared to write his questions to assist him. My advice to the member for Hanson is, 'Slowly, slowly, understand your area of responsibility. Don't work on the assumption that the more times you get your name in the paper the better it will be for you. Research your subject and, when you have done it well, then by all means put out press releases.'

LYELL McEWIN HOSPITAL

Mr OLSEN: Has the Premier been made aware of further evidence of serious financial mismanagement at the Lyell McEwin Hospital, and what action does the Government intend to take about it? Last year the Premier strongly defended the Minister of Health against allegations of a cover-up as it related to financial mismangement at the hospital. There is now further documented evidence that taxpayers' funds are being mismanaged by the hospital, and I refer to correspondence between the Health Commission and the hospital's Chief Executive dated 4 February this year. The correspondence relates to an estimated budget overrun by the hospital of $500 000. The Health Commission has advised the hospital as follows (and I quote from the letter):

> Sound financial management and control requires the continuous review of actual and committed payments against funds available. Unfortunately, this does not appear to be happening. It is alarming to be advised that you now estimate an overrun of $500 000.

The commission also notes that that overrun has occurred despite the fact that occupancy at the hospital is down 7.5 per cent. For a hospital so recently given a clean bill of financial health by the Premier and the Minister, the latest development raises serious questions about the management of this hospital and the guarantees that the Government has given about the use of taxpayers funds at that hospital.

The Hon. J.C. BANNON: As Treasurer I have not received further information about financial problems or otherwise at the Lyell McEwin Hospital. The matter can and will be referred to my colleague the Minister of Health. I make the point in responding to some of the points made in explanation by the Leader of the Opposition that one of the factors of hospital board autonomy and the independence within certain parameters given to the hospital—in which a previous and somewhat undistinguished Minister of Health was actively involved—is that from time to time there can be problems in administration.

The question always is whether those problems are counterbalanced by some of the obvious benefits that can come from a hospital board having responsibility in certain areas. I would have thought that the letter read by the Leader of the Opposition from the Health Commission indicated that the Health Commission (and, through it, the Minister himself) is being quite vigilant in these areas. He demonstrated that in relation to the Queen Elizabeth Hospital on a previous occasion, and has ensured in many areas that hospital administration and the ability to keep within budget have been greatly improved. The Minister has not shirked from that and, if there are further or continuing problems at the Lyell McEwin Hospital, I assure the House that they will be similarly dealt with.

METROPOLITAN RESERVOIR CAPACITIES

The Hon. J.W. SLATER: Will the Minister of Water Resources advise the House of the current holdings of metropolitan reservoirs and say to what extent they are being supplemented by pumping from the Murray River?

The Hon. D.J. HOPGOOD: I thank the honourable member for his question. Honourable members will recall the magnificent record of the member for Gilles when he was Minister of Water Resources in ensuring that our reservoirs were kept well topped up. On the one hand, I would like to compare his record with mine, but I remind honourable members that most of the water now being held in our reservoirs was put there during the time of his administration. In fact, so far my record for being able to achieve any sort of flow into the reservoir system has been pretty woeful, as perhaps these figures will indicate. The actual storage as at 8.30 a.m. today was 90 372 megalitres in the total metropolitan system, or 45 per cent of total capacity. The actual storage at the same time last year was 87 936 megalitres, or 44 per cent of total capacity.

The Hon. G.F. Keneally interjecting:

The Hon. D.J. HOPGOOD: Yes, but he put most of it there. I came in very late in the financial year. The actual details as to the individual reservoirs do not tell us very much because it depends on which pumps are being operated and for how long. For the record, Millbrook is sitting at 97 per cent capacity at present and at the other extreme Mount Bold is on 24 per cent. Consumption is perhaps worth having a look at because we are aware that it has been an unusual summer: on the one hand, it has been very dry and, on the other hand, it has been very mild. So, while there has been very little run-off into the reservoirs, consumption of liquids of all sorts—as I am given to understand by people in the beverage industry—has been down quite considerably. The maximum daily consumption for this month was 1 292 megalitres, but the daily average for the month is 855 megalitres.

Finally, the honourable member asked about pumping. The pumping for the last 24 hours was 347 megalitres. Cumulative pumping for this financial year is 66 475 megalitres, compared with cumulative pumping at 37 935 megalitres for this time last year. From all that, we can say that, given a reasonable winter season, we will have no fears about any problems with water next summer.

CHILD PROSTITUTION

The Hon. JENNIFER ADAMSON: Has the Minister for Emergency Services asked the South Australian police to inquire into allegations that a child prostitution racket is operating in all State capital cities and, if not, will he immediately do so? A report tabled in the Queensland Parliament last week by that State's Director of Public Prosecutions contains allegations that young boys aged 15 and under are being sold to child molesters in Brisbane for about $5 000 as part of a well organised slave trade.

The allegations have been made by a Victorian welfare worker, who has also said that this ring is operating in every capital city. He has alleged that it is organised from Melbourne and has involved the disappearance without trace of at least 100 children since 1983. I have been informed that Victorian police are investigating these allegations, and I ask the Minister, if he has not already done so, to immediately ask the South Australian police to investigate whether there is any evidence to show that this despicable and depraved activity is also being conducted in this State.

The Hon. D.J. HOPGOOD: The matter of child prostitution was raised publicly late last year when the House

was sitting during the term of the last Parliament. I immediately asked for a report from the Commissioner and obtained it. My recollection is that that report formed the basis of a question that I answered in this House. I will check that and, if that is not the case, appropriate information will be made available to the honourable member and to all honourable members. I do not recall that that report specifically raised the matter of trade as between the States. I have never been given any indication by the police that there is any significant trade.

The Hon. Jennifer Adamson interjecting:

The Hon. D.J. HOPGOOD: I do not think that last week's report really added to the information that was made available to the general community through the media last year. I immediately asked for a report from the Commissioner, and that report did not raise the matter of movement of children from this State to other States against their will for the purposes of prostitution. I am sure that, if that had been a significant problem as perceived by the police, that would have been referred to in the report. However, I am prepared to again discuss the matter with the Commissioner to determine whether that report should have raised that matter.

YOUTH UNEMPLOYMENT

Mr DUIGAN: Has the Minister of Employment and Further Education yet read the report of the Committee for the Development of Youth Employment which was reported on in the *Advertiser* of 30 January 1986 and which called on the Arbitration Commission to investigate the alleged link between junior pay rates and high youth unemployment, and can the Minister indicate what action is being taken by the State Government to lay to rest the myth that youth wages are responsible for youth unemployment?

Early in 1985 a report of the Committee for the Development of Youth Employment went to the Prime Minister and at that stage gained wide public attention. At that time and since, it has been rejected by all the organisations working in the youth welfare and youth employment areas, but it has continued to gain limited support in some areas. While the South Australian Government was establishing the YES scheme through the middle of last year, the Liberal Party was issuing a youth policy statement, picking up the general thrust of that report.

In the *Advertiser* of 1 July 1985, it was reported that action would be taken by a possible Liberal Government to ensure through the Industrial Commission that youth award rates did not price young people out of work. More recently, in January 1986, the issue was again given public prominence, and the recommendations of that report were again commented on in the *Advertiser*. Yet again, in yesterday's *Advertiser* further prominence was given to that report and its recommendations and, indeed, to the credibility of the link between youth wages and youth unemployment. The story in yesterday's *Advertiser*, said that the debate on youth wages, conducted largely by politicians, employer representatives, and so on, had been characterised by more rhetorical breast beating than by any attempt to assess the facts and evidence in a rational way. Will the Minister of Employment and Further Education give a rational account of the facts on this alleged link between youth wages and youth unemployment?

The Hon. LYNN ARNOLD: I shall be happy to give a rational account of the exact situation in this matter. The press reports that have appeared in recent days on this matter have contained a few inaccuracies or a few points unreported. I say that in the context of this being a rare example of some reporting not truly hitting the nub of the story, and I take this opportunity to put the record straight. The article that appeared on 30 January started by calling the Committee for the Development of Youth Employment an influential youth employment committee and said that that committee had urged the Arbitration Commission to conduct a study into the effects of youth wages. However, it is not an influential youth employment committee: it is not a non-aligned, disinterested or dispassionate group; it is very much a self-interested group, the composition of which is much distorted.

Among others, the committee comprises one church representative, the Victorian Police Commissioner, one unionist, one New South Wales parliamentarian, two retired public servants, two community group leaders, two academics, and 22 business representatives. When the Australian Council of Trade Unions was invited to participate on this committee to discuss the matter, it was happy to participate, believing that this was a genuine attempt to consider the serious matter of youth unemployment. At the first meeting ACTU representatives suggested to the committee that it would be a nice idea to have on the committee a youth representative, one of the youth unemployed who was one of the client group whose issues the committee was addressing. The committee's failure, indeed refusal, to accept that proposition resulted not only in there being no youth representative on the committee but in the ACTU not being invited to attend further meetings of the committee.

That is the so-called non-aligned group that was formed to discuss youth unemployment. The committee held some activities. Indeed, one was held in August last year, when a forum of young people was invited to express its views on youth unemployment, and those young people did that. The forum was attended by 110 young people, and the following conclusion was reached:

> The establishment of a youth wage that was less than the adult award wage for the same work was rejected by the majority of participants.

That is what happened at the first forum. That not being considered to be sufficient, the committee then organised a one-day forum in October last year, entitled 'Youth Employment—Beating the Barriers'. That forum was well publicised and people attended from various sections of the community. But, because it contained a diverse group of people reflecting diverse views, no recommendations were reached at that forum. On the issue of youth wages, the forum agreed that there was no clear cut conclusion, the invited participants having decided that. However, members of the Committee for the Development of Youth Employment took it on themselves to rewrite that scenario in what can only be described as a kind of Stalinist rewriting of the occasion.

They took some months to think about the matter—this group that said no conclusion could be reached—and reported at the end of January that in fact there were conclusions to be reached—there were 25 of them—in regard to youth employment. In fact, I understand that those conclusions were drafted by two committee members of that group, plus a representative of the Institute of Public Affairs. So, the 25 recommendations which came out of that and which are the substance of the report referred to were nothing other than the conclusions of, at least, a group of three people and, at most, a group of 32 people, but certainly not the outcome of the 'Youth Employment—Beating the Barriers' seminar that was held.

That is an outrageous way to promote debate on such an issue in this community. To then suggest that this influential group supposedly has sufficient credibility to have that issue taken up by the Arbitration Commission and the community is misusing every avenue of influence that it happens to have. The facts are that every credible report on this

matter has clearly indicated that there is no direct nexus between the two. This situation has been reported by, among others, the OECD and other groups that indicated that there is no nexus, as I have just stated.

However, the Confederation of Western Australian Industry is one group that has said that there is a nexus and that a 10 per cent cut in youth wages would result in a 15 per cent increase in youth employment. There is an illogicality in that. If one thinks about that for a moment and says, 'That is really good; if that is going to happen—if we can prove that it will happen—why don't we go for a 13 per cent cut in youth wages, because by deduction, that would wipe out youth unemployment?' That demonstrates the illogicality of that argument.

The fact is that employers do not simply employ more youths when youth wages are cut. In times of high unemployment many employers prefer to employ adults because they believe the productivity of a youth will not be as great as that of an adult. The point that needs to be made is that this Government has already put this proposition on a number of occasions. Indeed, in March last year we indicated to the national wage case that we did not support cuts in youth wages. We have had a consistent attitude trying to promote constructive youth employment opportunities and not to take part in a youth bashing exercise designed to take out on one section of the community various neo-classical viewpoints that economists tell us we should hold. Members opposite believe in those neo-classical viewpoints and, as a result, the Opposition is classical history.

HOUSING TRUST RENTS

Mr BECKER: Has the Minister of Housing and Construction commissioned an independent firm of chartered accountants to conduct a review into Housing Trust rents, and is a market research company being commissioned to help the Government sell those rent increases to the public? I understand that Touche Ross and Co. has agreed to conduct a review into trust rents for a fee of $54 000 and is due to report to the Minister or the Board in May this year.

I have been further advised that a market research company is being commissioned to determine the best way of breaking to trust tenants the bad news on rent increases. Apparently, this will be achieved by surveying some 500 trust tenants. I ask the Minister why it is necessary to use taxpayers' money in a futile attempt to sell his Government's unpopular decisions to the public.

The Hon. T.H. HEMMINGS: Does that not just prove what I said earlier? The member for Hanson has been doing his supergrass act, sniffing around and finding out that a group of consultants is looking at trust rents. The honourable member may recall that when the Premier announced a freeze on rents, which matter I went through a little while ago, as part of the Housing Trust triennial review we looked at the whole rent structure because, as a result of 50 years of trust involvement in this State, in many areas the rent structure has gone completely haywire. In addition, as part of the 1984 Commonwealth-State Housing Agreement, this Government agreed to introduce the cost rent formula.

The member for Hanson at that time was not interested in housing but was interested just in which Government car was out on a certain Sunday, and so on. He would not have known that we set up this review, and its report is due to come out. We have already had the initial report. Members of the media are well aware of that, because every fortnight they ring my office asking, 'When will the Government release the report of the review?' They see nothing sinister in that; no-one else sees anything sinister in that, but the member for Hanson does. When the report—

An honourable member interjecting:

The Hon. T.H. HEMMINGS: Yes, we did use Touche Ross—that is one of the best firms. Four consultants applied for the job, and Touche Ross was successful. There is one point on which the member for Hanson is completely wrong. When the consultants deliver their report to me, I will consider that report and then put a recommendation to Government. We will sell any changes—if there are any changes—to the general public. There is no question that we need to get Touche Ross to sample 50 000 people. If there is a need to make adjustments to Housing Trust rents, bearing in mind that they have had a freeze for 12 months, I am sure that I, as Minister, and this Government are fairly well able to present our case to the people, and to those Housing Trust tenants who are quite grateful, by the way, that we gave them a rent freeze. We do not need consultants to sell it to the public.

LOCAL GOVERNMENT PLANNING PROCEDURES

Mr GREGORY: Can the Minister of Transport, representing the Minister of Local Government, advise the House of the remedies available to people who have been aggrieved by corporations which do not carry out proper planning procedures? A constituent has approached me regarding a decision of a corporation to allow the erection of a galvanised iron shed 600 millimetres from his boundary fence, but abutting on to the common street frontage. Approval for the shed complies with the Building Act but was not referred to the planning committee of this corporation. If it had been, it is reasonable to expect that approval would not have been given to place the shed where it is. In view of the decision of the courts in relation to the additions to a Mr Wade's house in Melbourne, it would seem that in this case the constituent has no redress. It is the view of my constituent that there should be some redress, and I share that view.

The Hon. G.F. KENEALLY: I thank the honourable member for his question. I will be pleased to refer the matter to my colleague, the Minister of Local Government in another place, and I will ensure, as far as I can, that there is an urgent response to the question so that his constituent can be clear in his or her mind as to the remedies available.

BHP TAKEOVER

Mr S.J. BAKER: Does the Premier support the call by the New South Wales Premier (Mr Wran) for a public inquiry into the BHP takeover and, if so, is it his intention to press the Prime Minister for such an inquiry?

The Hon. J.C. BANNON: Not at this stage. I have had discussions with the Managing Director of BHP (Mr Loton) and with Mr Robert Holmes a Court, and I am awaiting further information from both sources. When I am in possession of that, I will be better able to determine a position on the matter of the takeover. Obviously, our primary concern is that the future of the steel industry and the city of Whyalla and its important role in that steel industry be protected. Whatever the outcome of takeover bids and matters of that kind, we as the South Australian Government will support those who are prepared to ensure that that industry is developed, that appropriate capital works and capital infusion are undertaken to preserve its long-term future, and that the company is seeking export markets to develop its range of products and its economic security. In all those circumstances, I think it is important that we not only monitor the situation but make appropriate represen-

tations, and we will do so as soon as I am in possession of the appropriate material.

TOWER SECURITIES

Mr FERGUSON: Will the Minister of Education, representing the Minister of Corporate Affairs, inform the House whether he is aware of correspondence from a company known as Tower Securities, based in Amsterdam, the Netherlands, offering South Australian investors incredible opportunities in stocks and bonds all over the world—not only in Great Britain, on the Continent and in the United States but also in Australia, Hong Kong, Japan, Mexico and wherever else there is a stock market? In its correspondence Tower Securities goes on to state:

> We will tell you what to buy, when to buy, how to buy, how much to pay—and, most important, when to sell. Buying right is often easy, but selling at the right time is most difficult for many investors. We take that burden off your hands.

Tower Securities at no stage provides its potential customers with a list of its charges. The Adelaide Stock Exchange has been contacted, and has given its opinion that the firm is unknown to it. Leading Adelaide stockbrokers have stated that they do not know of the firm involved and they advise their customers to be extremely careful about utilising its offers.

The Hon. G.J. CRAFTER: I can inform the honourable member that I am aware of these letters: I received one myself, and I was quite appreciative of that, because I collected the stamp. I also received a follow-up letter, and I understand that this correspondence was widely distributed to the community in South Australia and probably in other places in Australia. I will most certainly have the Minister of Corporate Affairs examine this matter, and I can only advise the honourable member to tell his constituents that, should they seek to make investments, they should contact reliable investment advisers, the Stock Exchange and other places before doing so.

DEBT REPAYMENT

The Hon. B.C. EASTICK: Will the Minister of Correctional Services review the administrative procedures by which debts can be discharged in prisons out of normal hours? I ask this question following a reported case at the weekend whereby a supporting mother was arrested at her home on Saturday morning and taken to the Women's Rehabilitation Centre for defaulting on rental payments. She was to be imprisoned for 10 days. The woman had to find temporary care for her two very young children.

After telephoning a number of friends in an attempt to raise the money required to pay off the debt, the woman was informed that, even if she was able to provide the full amount of the debt in cash, she would not be released until the following Monday morning, the reason being that no staff who were able to perform the necessary clerical work to ensure her release were available over the weekend period. What are the requirements for such paper work that it is so difficult that it cannot be performed by any competent officer in charge at the time of payment?

The Hon. FRANK BLEVINS: I will have the case investigated and bring back a reply. There are always problems with staffing on weekends. It is quite possible to staff the prisons fully at the weekends so that every eventuality is covered. That is not difficult, but it is horrendously expensive. I am sure that the member for Hanson and, in particular, the member for Todd would take me to task very quickly on the question of overtime. Certainly, in emergencies facilities should be available or people should be called in to enable particularly a parent with young children to make arrangements. However, I will obtain a full report for the honourable member.

WATERS OF SOUTH AUSTRALIA

Mr De LAINE: Will the Minister of Marine inform the House as to the popularity of the sesquicentenary publication *Waters of South Australia?* Late last year the Minister launched the Department of Marine and Harbors publication *Waters of South Australia* to provide for the people of South Australia and others a book containing coastal navigation charts and sailing directions with accompanying oblique aerial photographs covering the coastal and gulf waters of South Australia. As we are at the height of the boating season, I am interested to know whether sales figures for the book are good or modest.

The Hon. R.K. ABBOTT: I released the booklet *Waters of South Australia* in November last year, and am pleased to be able to report that sales have exceeded all expectations. Some 3 000 copies have been sold, and I understand that the sales are very steady. This popular booklet was a limited edition, in that 5 000 were printed on waterproof paper. The book contains some 47 navigation charts that were prepared on Royal Australian Navy and Royal Navy data. It also features, as the honourable member said, the aerial photography of South Australia's 4 000 kilometres of coastline, including that of Kangaroo Island.

Other details of interest include sailing directions and service information; pinpointing shore facilities, such as essential information to locate a doctor, dentist or hospital; and much more safety information such as the depth of water, and so on. A copy of this booklet was made available to the Parliamentary Library. I urge people who are interested in boating or marine safety to hurry and purchase one of these excellent publications before they are all sold.

SINGLE CROP RESEARCH

Mr GUNN: Is the Minister of Agriculture prepared to review his decision to establish the single crop research centre at Northfield in view of the great concern and public opposition to this proposal? As the Minister would be aware, Mr Jim Quirk, the Director of Waite, has put forward strong views on why this most important facility should be established at the Waite Research Institute, a body that has received international recognition for the work that it has done in the development of crops in South Australia. This work is essential to the wellbeing and continued development of varieties of wheat, barley and other crops that are so important to our agricultural industry.

I understand that the Waite Research Centre has land available at Strathalbyn. There is also land owned by the Department of Agriculture at Mintaro and at Bolivar. Of course, for many years the institute has been involved with the Department of Agriculture in utilising private landholders' land. In view of the strong opposition that is being expressed to this unfortunate decision that the Minister—

The Hon. Frank Blevins interjecting:

Mr GUNN: It is all very well for the former Minister to interject. He made an on-the-run decision prior to the election on this matter. As I understand it, the United Farmers Stockowners made a number of recommendations, and the Minister and his department sought the one that best suited to their argument. A number of people have contacted me about this matter expressing strong condemnation of the Minister. I therefore ask him to review his unfortunate decision. I hope that I have given the Minister time to look

up his brief. It looks as if he is having some trouble finding the right answer.

The SPEAKER: Order! The last remark is out of order.

The Hon. M.K. MAYES: I will ignore the honourable member's facetious remarks. Obviously, the honourable member and his colleagues did not take the trouble to read the Premier's statement on rural policy. On 25 November last year the Premier announced to the community that this project would be located at Northfield. As a consequence of that decision, when I was elected to the Cabinet I instituted discussions in the department. Yesterday I had a discussion with representatives of the United Farmers & Stockowners—

The Hon. Frank Blevins: You put out a joint press release.

The Hon. M.K. MAYES: Yes, I did indeed. A joint statement from the UF & S and me went out yesterday indicating our agreement on support for the establishment of a technical committee to advise me. It would comprise representatives from industry, the institutions—Waite and Roseworthy—and the Department of Agriculture, and would look at the possibility of an institution being established at Northfield.

Yesterday's discussions were most fruitful and beneficial, and we have full agreement. Obviously the honourable member has not taken the trouble to enlighten himself with the press release which went out yesterday as a joint press release between Mr Inglis and myself. The comments from Professor Quirk, to which the honourable member refers, astonish me, because I made myself available to Professor Quirk. I went out there just after I was elected and understood that we were going to discuss the issue. Everybody in the community, including me, clearly understood that the Premier had made a statement on 20 November. However, nothing came forward from Professor Quirk. The next thing I saw was an article in the *Stock Journal* where he attacked me for failing to consult with the Waite Institute. That is quite extraordinary, and I cannot really comprehend what actions he had in mind. I assure the House that the discussions yesterday with UF & S were very fruitful, and I can see this committee working for the benefit of the South Australian community.

SECOND-HAND MOTORCYCLES

Ms LENEHAN: Will the Minister of Education, representing the Minister of Consumer Affairs in another place, amend the regulations which are provided for by the Second-hand Motor Vehicles Act to include motorcycles? I was recently approached by a constitutent who told me that he had purchased a second-hand motorcycle for $2 250. He was told by the dealer from whom he purchased the motorcycle that he would receive a one month and 50/50 warranty but that the dealer was not obliged to give this warranty. My office checked up and discovered that there is no provision under the present Act for any warranties for motorcycles, as indeed there is no provision for warranties for either caravans or boats.

It has also been put to me that, as second-hand motorcycles are now in the vicinity of the cost of second-hand motor cars, this is something that the Government should be looking at. Would the Minister investigate and consider amending the regulations to cover motorcycles?

The Hon. G.J. CRAFTER: I thank the member for her important and interesting question. I will certainly put it to the Minister of Consumer Affairs in another place and ask him to give due consideration to her request.

AGRICULTURE MINISTER

Mr BLACKER: Because of the crisis in the rural community, will the Premier temporarily relieve the Minister of Agriculture from his other portfolios so that he can devote all his attentions to the problems of the man on the land? I am advised that the Victorian Government has taken all portfolios, apart from agriculture, from Minister Walker so that he can devote all his energies to the rural crisis. In the light of the crisis situation that is now being experienced by the farming community and, more particularly, the talk of the various actions that certain groups are proposing to take, I suggest that the Government look at this question seriously, and devote as much of its attention as possible to the man on the land.

The Hon. J.C. BANNON: I appreciate the thinking behind the honourable member's question, but I have not been made aware of any problems that the rural community has faced in getting access to, or great attention from, the Minister of Agriculture. On the contrary, he has flung himself into his portfolio with tremendous energy and vigor. Without casting aspersions across borders, looking at the relative age and length of time that some Ministers in other States have had in these portfolios, I think it is just as well that we have got someone with the fresh approach and vigor of the Minister. He follows in very good footsteps.

Indeed, a very sound basis was laid. It is worth remembering that this Government has always maintained strongly its support for the rural areas and that the Agriculture Department and its supporting and ancillary services have been maintained at a high level also. Major rationalisation and restructuring that was long overdue has taken place with the support of the rural organisations. Some of those organisations, in fact, did not wish to express their support too readily, but they knew that what was being done had to be done for the good of the future of the industry. All those problems were tackled directly, without vested interest, by the previous Minister, and that work is being carried on by the current Minister.

So, unless evidence is forthcoming that in some way the Minister of Agriculture finds it extremely difficult to attend to his duties (and there are no difficulties in that regard at present), I do not believe that the suggestion from the member for Flinders warrants further consideration. Other members of Cabinet, of course, maintain an interest in the rural and primary production area. For instance, I have always considered it, from the Government's point of view, not just a matter of administering various boards and other bodies and providing research and advisory services: it is part of the economic development of the State and, because of that, I have been and will continue to be directly involved in those areas of economic development that involve primary industry.

As well as my own involvement, the Minister of State Development has responsibility in various areas and exercises a similar interest and involvement. Throughout our years in Opposition, that same Minister shadowed the State development portfolio in this House, and he continued to represent the Minister of Agriculture (who was then in another place) when we came into Government until we were fortunate enough to have the Hon. Frank Blevins transfer to this House as the member for Whyalla. So, the active involvement of the Minister of State Development in agricultural legislation and his knowledge of primary industry is already at a high level. Therefore, in this House alone we have the former Minister of Agriculture, the current Minister of Agriculture, a Minister who has both shadowed and acted in the agriculture portfolio consistently for six years, and my own involvement, as well as that of certain of my colleagues at some stage, and I assure the member

for Flinders that the interests of primary producers will continue to be represented.

MARINE AND HARBORS DIRECTOR

Mr PETERSON: Will the Minister of Marine indicate when a Director of the Marine and Harbors Department will be appointed? It is now about six months since the previous Director resigned to take up a position in Western Australia, and it is rumoured that the continued role of the Acting Director is affecting the processes of the department.

The Hon. R.K. ABBOTT: The appointment of the new Director of the department is imminent. I appreciate that it has been a long time since the previous Director resigned, but members should realise that there has been an election and it would not have been proper to appoint a head of a department during an election period. The honourable member should learn about the appointment in several days.

TEENAGE DRINKING

The Hon. D.C. WOTTON: Will the Minister of Education take immediate steps to introduce extended programs through the Education Department to help curb teenage drinking problems in South Australia? Recently, I have been made aware of concerns that have been expressed by school authorities and parent organisations about the general drinking habits of some under-age students outside school hours. I am informed that it is a common sight, for example, to see under-age teenagers under the influence of alcohol arriving at evening functions organised by schools. Although this practice is obviously condoned by some parents, many parents are concerned about the situation. Anti-smoking and drug awareness programs are now available through the Education Department, but it has been put to me that a major problem that is not being adequately addressed through similar programs is that of alcoholism in young people.

The Hon. G.J. CRAFTER: I thank the honourable member for his question, which raises important issues not just for the education system but more importantly for the community at large, especially for parents of teenagers. As the honourable member knows, this matter was the subject of debate during the passage of the new licensing legislation in this House last year. The member for Davenport, too, has taken an active interest in this subject over a long period. The effect of the new Act in curbing teenage drinking and young people's access to alcohol is being watched closely, and the responsible Minister has made statements on the subject. I shall be pleased to obtain further information from the Education Department, but there is already in the curriculum much educational content on the consumption of alcohol and other drugs. I shall undertake to obtain that information for the honourable member.

However, there is a limit to what can be achieved in the school community and within the classroom to this end. Therefore, I suggest to the honourable member and, indeed, to the community that the first and fundamental responsibility regarding education on the responsible consumption of alcohol rests with the family and with the teenagers themselves. We need always to stress that responsibility.

The honourable member referred to situations outside the school where this problem is evident. I suggest also that other responsible members of the community have a responsibility to this end. It is always saddening to see intoxicated teenagers in public places, and we must all do what we can, whether through the formal education processes or through the less formal processes within the family and the community, to eliminate this to the extent that that is possible.

PUBLIC ACCOUNTS COMMITTEE

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

That, pursuant to section 15 of the Public Accounts Committee Act 1972, the members of this House appointed to that committee have leave to sit on that committee during the sitting of the House today.

Motion carried.

SITTINGS AND BUSINESS

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

That Standing Orders be so far suspended as to enable the introduction of three Bills without notice forthwith.

Motion carried.

BUSINESS FRANCHISE (TOBACCO) ACT AMENDMENT BILL

The Hon. J.C. BANNON (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Business Franchise (Tobacco) Act 1974. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

Modifications to the procedures for the licensing of tobacco retailers are necessary because of the opportunity which exists for the introduction into South Australia of tobacco products from interstate without payment of the appropriate licence fee. Existing legislation allows such products to be sold by a retailer for up to 12 months upon payment of only the nominal licence fee of $10.

Now that the majority of Australian States have adopted comparable licence fees, and the Commonwealth legislated in 1985 to levy a fee on tobacco products sold other than to Canberra residents, the avoidance/evasion of the licence fee is limited almost entirely to products brought in from Queensland. The Government is aware that there is some trafficking of tobacco products from Queensland but steps taken over the last 18 months following a substantial increase in the inspection resources of the State Taxation Office have curtailed these activities, and the measures proposed in this Bill will further enable the inspection staff to move against those operators attempting to defraud the revenue. None of the measures will impact upon those retailers who continue to purchase through regular channels from licensed wholesalers who are required to endorse each invoice issued by them with the words 'Sold by Licensed Wholesalers—Licence No. . . .'.

At present retail tobacconists licences are issued on an annual basis. All retail licences taken out or renewed during any year are in force until the 30th September following the date of issue. A licence fee of $10.00 is payable together with an amount equal to 25% of the value of any tobacco sold which has been purchased during the preceding financial year from other than a licensed wholesaler.

A retail tobacconist can therefore sell tobacco products purchased from an unlicensed person with immunity during the 12 month period of his licence because the Act does not vest in the Commissioner a power of revocation. The proposed amendments will enable the Commissioner to continue to grant and to renew annual retail tobacconists licences but such licences can be revoked and replaced by monthly licences. This will mean that the retailer will only be able to deal in illicit tobacco sales for a maximum of 1 month before facing revocation of his licence. The payment of a licence fee including 25% of the value of these sales is a much less financially attractive proposition than the present situation.

The Bill also proposes substantial increases in penalties for offences under the Act. The existing penalties are inadequate and do not act as a sufficient deterrent to persons undertaking or considering illicit trafficking between the States. The penalties included in the Bill are more consistent with those applying interstate, and also with those provided in recent legislation such as the Financial Institutions Duty Act.

Increased inspection powers similar to those introduced in 1983 in the Financial Institutions Duty Act are needed to help combat illegal trafficking in tobacco products and to provide some uniformity in State taxation provisions. Inspectors should, for instance, be empowered to apply for and execute a search warrant.

Reciprocal exchange of information between taxation authorities of all States, the Territories, and the Commonwealth will help counter tax avoidance and evasion and modified secrecy provisions similar to those included in the Bill are being adopted by all States. Legislation was adopted by the Commonwealth Parliament in 1985 to extend the provision of taxation information to State taxation authorities in those States where the legislation allowed information to be transmitted to the Commonwealth Taxation Commissioner.

Clauses 1 and 2 are formal.

Clause 3 divides retail tobacconist's licences into two categories, one being annual and the other being monthly. A retail licence in force at the commencement of the amending Act will be deemed to be an annual retail tobacconist's licence.

Clause 4 increases the penalty for hindering an Inspector from $250 or imprisonment for 3 months plus a $50 default penalty, to a single monetary penalty of $5 000. The penalty for an Inspector failing to produce his certificate of appointment is increased from $50 to $500.

Clause 5 inserts a new provision empowering an Inspector to break into premises and seize certain records for inspection and copying. This power may only be exercised upon a warrant issued by a justice of the peace, and the offence of hindering a person in the execution of such a warrant carries a penalty of $10 000. This provision is virtually identical to its counterpart in the Financial Institutions Duty Act 1984.

Clause 6 increases the penalties for the two main offences against the Act of selling tobacco without a licence from $1 000 to $20 000. The default penalties are increased from $200 to $2 000.

Clause 7 increases the penalty for selling tobacco in the course of intrastate trade without a licence from $1 000 to $20 000. The penalty for the lesser offence of carrying on a tobacco selling business at unlicensed premises is increased from $250 to $2 000.

Clause 8 provides for the fees payable in respect of a monthly retail tobacconist's licence. On the grant of such a licence, a fee of $10 is payable, plus 25% of the value of tobacco sold during the relevant period (as defined), being tobacco purchased otherwise than from a licensed wholesaler in this State. On the renewal of such a licence, a fee of $2 is payable, plus the 25% described above.

Clause 9 increases the penalty for failing to furnish the Commissioner with certain particulars from $2 500 to $15 000.

Clause 10 effects consequential amendments.

Clause 11 gives the Commissioner, once he has decided to grant a retail tobacconist's licence, an absolute discretion to grant either an annual or a monthly licence, irrespective of the kind of licence sought in the particular application.

Clause 12 gives the Commissioner a similar discretion when considering an application for the renewal of a monthly licence. The Commissioner may 'convert' such a licence to an annual licence, but in doing so must take into account, in assessing the fee payable for the annual licence, any amount already paid during the relevant period for that licence by way of the 25% component of monthly licence fees.

Clause 13 gives the Commissioner an absolute discretion to revoke an annual retail tobacconist's licence at any time and to grant the person who held that licence a monthly licence in its place.

Clause 14 increases the penalty for failing to keep certain records of tobacco sales from $1 000 to $8 000.

Clause 15 makes it clear that no appeal lies against the exercise of the Commissioner's discretion to grant either an annual or a monthly retail tobacconist's licence.

Clause 16 is a consequential amendment.

Clause 17 replaces the secrecy provision with a provision virtually identical to that provided in the Financial Institutions Duty Act 1984. Information can be divulged to State or Commonwealth officers involved in administering laws relating to taxation or to licensing tobacco sellers. The penalty for offending against this new provision is $10 000 (the existing penalty is $2 500).

Clause 18 increases the penalties for the offences relating to making false or misleading statements from $500 to $15 000.

Clause 19 increases the penalty for failing to endorse tobacco sale invoices with licensed wholesaler numbers from $500 to $8 000. For issuing an endorsed invoice without being a licensed wholesaler, the penalty is increased from $1 000 to $15 000.

Clause 20 increases the maximum penalty that may be prescribed for an offence against the regulations from $200 to $2 000.

Clause 21 makes a consequential amendment to schedule 1.

Mr OLSEN secured the adjournment of the debate.

AUSTRALIAN FORMULA ONE GRAND PRIX ACT AMENDMENT BILL

The Hon. J.C. BANNON (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Australian Formula One Grand Prix Act 1984. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The purpose of this Bill is to amend the Australian Formula One Grand Prix Act in relation to—

1. The redefinition and linking up of terms and definitions currently used in the Act;

2. The alteration of the reporting date and period within which the Australian Formula One Grand Prix Board must report to the Minister;

3. The insertion of provisions relating to the relaxation of liquor trading hours, limitations and conditions over the peiod of the Australian Formula One Grand Prix.

4. Provision for the reimposition of certain Acts at times during the 'declared period' that any part of the 'declared area' is opened to public vehicular or pedestrian traffic;

As Members would be aware, amending legislation to this Act was introduced by the Government in early September last year. Those amendments dealt with the protection of intellectual property rights and were introduced as a result of a series of events which potentially jeopardized the licensing program of the Australian Formula One Grand Prix Board, and as a consequence, an important source of revenue to the Board.

In 1985, the licensing and merchandising program attracted over $450 000 in revenue to the Board, well above original estimates. In future years, it is envisaged that this amount will increase substantially.

However, despite this amending legislation and the subsequent production of a graphic standards manual (which incorporated depictions and standards of use for the logo), confusion resulted from constant interchanging in use (by the Board, the media and others associated with the event) of the terms 'logo', 'Australian Formula One Grand Prix' and 'official grand prix insignia'.

'Australian Formula One Grand Prix' is defined in the Act as only the motor race itself, but throughout 1985, was consistently referred to by many (and perhaps associated by all) as the whole event taking place over four days.

Indeed, the Government's charter, and that with which it is charged with promoting, encompasses much more than laps of a formula one motor race. Consequently provision in the Bill has been made for the associated activities of the race itself to be incorporated under the new definition of 'motor racing event'.

Additionally, problems of definition can potentially arise from use of the terms 'official symbol' and 'official title'. It was initially felt that it was not necessary to define these terms, as they could be only one thing, that is, the logo and the name 'Australian Formula One Grand Prix' respectively, given the title of the legislation and the name of the Board.

However, the appointment of a major sponsor for the event, together with the fact that the sponsorship package entitled the sponsor to certain naming rights demonstrated the need for an 'official title' (which would encompass the corporate name of a sponsor), as well as a name.

Major sponsorship of the event is quite obviously a very large and important source of revenue to the Australian Formula One Grand Prix Board and will continue to be so in the ensuing years. The benefits of the proposed amendments in the Bill relating to this area are threefold in that:

(i) they will achieve the desired effect of textual consistency in the Grand Prix legislation through removal of potential ambiguities;

(ii) they will enable consistent use of the terms by the Board in all their negotiations, agreements, promotion and publicity with respect to the Grand Prix both in 1986 and in future years; i.e. in pursuance of that with which they are charged, which is the promotion and financial and commercial management of the event;

(iii) they will provide the much needed clarification of terminology for all those associated with the event, the media and the public at large.

2. A second aspect to this legislation relates to the time at which the Board must report to the Minister. Because of the variability of the date in any one year which might be allocated to Adelaide in respect of the Formula One series calendar, the imposition of a fixed reporting requirement is unsuitable and unworkable. The real purpose of the report in this case, is for it to be provided in relation to each event, rather than on a calendar or financial year basis.

The reporting requirement in this Bill centres upon the timing of the event in any one year with the period within which the report is to be prepared and tabled being six months, dating from the staging of the event in that year.

3. In addition, this Bill deals with the issue of the relaxation of liquor trading hours, limitations and conditions over the period of the Grand Prix event. In 1985, removal of certain restrictions relating to the sale and consumption of liquor during the period of the Grand Prix was achieved through amendment to the Liquor Licensing Act 1985, (Liquor Licensing Act Amendment Act (No. 2) 1985), the operation of which amendment is due to expire on 30 June 1986.

Rather than continue to legislate in this regard through the liquor licensing legislation, in the final analysis, it was considered the most appropriate course would be to adopt and incorporate the provisions of that amendment into the Grand Prix Act, so that matters pertaining to the Grand Prix can be found in one piece of legislation. The new 'Part IIIA' set out in the Bill, adopts almost word for word those which were used in the Liquor Licensing Act Amendment Act (No. 2) 1985.

4. Finally, last year, the closure of public roads in the declared area (in particular Bartels Road), over the period of the Grand Prix event caused considerable traffic congestion and inconvenience to the public, especially during morning and peak periods.

Given section 25 of the Act, which provided for, inter alia, the suspension of the operation of both the Road Traffic Act and the Motor Vehicles Act, the opening of roads created potential problems in relation to lack of traffic control and the fixing of liability in the event of an accident involving an uninsured vehicle or unidentified driver.

Although last year, regulations were made to overcome these problems, it is considered that legislative amendment to the Act itself is required to avoid similar problems in future years.

The amendments in the Bill will ensure the operation of the Road Traffic Act and the Motor Vehicles Act at any times any part of the declared area is opened. The only time they will not apply is when vehicles are being driven in a motor race or practice.

5. In summary, no-one can doubt the outstanding success of the inaugural Australian Formula One Grand Prix. At the very least, its success was reflected in the two awards of the Formula One Constructors Association being the award for the Best Organisation of a Formula One Grand Prix and the award for the Best Television presentation of Formula One Grand Prix. To receive such international accolade for an inaugural event is unprecedented in the history of Formula One racing.

Additionally, the growth generated to so many South Australian businesses and the increased awareness of our State, world wide, demonstrate but few of the benefits attracted by the successful staging in Adelaide of a Formula One Grand Prix in 1985 and in ensuing years.

Such success, however, does not come without advanced planning, attention to detail and sheer hard work. It is partly for these reasons that this Bill has been introduced into this session, so that those who are responsible for the continuing success of this the Australian Formula One Grand Prix can get on with their programs to achieve it, unhindered.

Clause 1 is formal. Clause 2 provides for the commencement of the measure. Clause 3 provides for the recasting of various definitions under the principal Act. The definition of 'Australian Formula One Grand Prix' is to be replaced by a separate subsection that defines the expression 'motor racing event' for the purposes of the Act. This expression will include not only the motor car race held for Formula One World Championship points but also associated races, practices and activities. The definition of 'official grand prix insignia' is to be recast and new associated definitions are to be inserted. New definitions will include the 'official symbol', being a combination of the logo and an official title, and 'official title', which will be a name or title of a major racing event, as declared by the Board in accordance with the Act (new section 3 (4) and (5)).

Clause 4 amends section 10 to delete references to Australian Formula One Grand Prix and substitute references to 'motor racing event'. Further consistency in expression is also introduced.

Clause 5 amends section 19 of the principal Act so as to provide that the Board should provide a report on its conduct of a motor racing event and the performance of its functions between events within 6 months of conducting a motor racing event.

Clause 6 amends section 21 of the principal Act so that the Act will provide that if the Board opens a road within a declared area for any part of the declared period then the road will be, while so open, a public road.

Clause 7 amends section 25 in relation to the non-application of the Road Traffic Act and the Motor Vehicles Act. It is intended that these Acts only not apply in relation to vehicles and drivers involving in motor racing events.

Clause 8 inserts a new Part IIIA in the principal Act. The provisions of the new Part are similar to those presently contained in the Liquor Licensing Act in respect of the week of the Grand Prix (See Act No. 94 of 1985). The provisions in the Liquor Licensing Act are due to expire on 30 June 1986. They are now to appear in the principal Act.

Mr OLSEN secured the adjournment of the debate.

RACING ACT AMENDMENT BILL

The Hon M.K. MAYES (Minister of Recreation and Sport) obtained leave and introduced a Bill for an Act to amend the Racing Act 1976. Read a first time.

The Hon. M.K. MAYES: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

It seeks to make three amendments to the provisions of the Racing Act 1976: firstly, to amend section 63 (1) of the Racing Act 1976, to give the Minister the authority to permit a club which conducts a race meeting to also bet on another form of racing, commonly known as cross-code betting. Secondly, to amend section 69 (2) of the Racing Act 1976, to provide for a fixed percentage distribution of TAB profits to the three codes of the Racing Industry. And thirdly, to amend section 70 (3) of the Racing Act 1976, to permit authorized racing clubs, when conducting approved charity race meetings, to offset operating expenses incurred in conducting the race meeting against the balance of totalizator commissions received by the club, in determining the net proceeds payable towards approved charitable purposes.

Section 63 (1) currently provides for cross-code betting on the on-course totalizator once racing dates have been granted. However, Ministerial approval for bookmakers to bet cross-code must be obtained, thereby creating an anomaly.

This Bill seeks to amend section 63 (1) of the Racing Act 1976, in order to alleviate the present anomaly that exists between the on-course totalizator and bookmakers with regard to cross-code betting, thereby granting the Minister the authority to permit a club which conducts a race meeting to also bet on another form of racing, commonly known as cross-code betting.

Section 69 (2) of the Racing Act 1976, currently provides that fifty per cent of TAB profits shall be paid to the Treasurer, to be credited to the Hospitals Fund, and the remaining fifty per cent divided amongst the three Codes of racing in proportion to respective TAB turnover shares.

Whilst profit allocations to each of the Codes based on this formula have increased annually, in varying proportions, to date, there exists a trend through the movement in turnover shares which, if maintained, will lead to reduced distributions in both real and absolute terms for the Harness Racing and Greyhound Codes. Over the past six years, for example, turnover shares of each of the three Codes have moved as follows:

	30.6.80	30.6.85
Galloping	67.07%	74.22%
Harness Racing	20.33%	16.89%
Greyhounds	12.60%	8.89%

The year ended 30 June 1980 is taken as a base in this example, as it was the last complete financial year prior to the introduction of after-race-payment of TAB dividends. This initiative resulted in a significant increase in TAB turnover, particularly for the Galloping Code.

Contrary to the argument that annually increasing TAB profits will offset declining market shares, the distribution received by the Harness Racing Code last financial year represented an increase of $50 491 over the previous year's receipts of $1 575 775, or a 3.3 per cent increase. This represented a decrease in real terms.

There are several other major issues which are contributing factors to the current proposal to amend the formula for the allocation of TAB profits, these include:

1. the number and category of meetings upon which the TAB agree to provide a betting service;
2. the hours of operation of TAB agencies;
3. Prime time exposure for the Galloping Code;
4. the extent and trend of TAB investments on interstate meetings; and
5. the relationship between on-course and off-course betting turnovers.

A Working Party, established by the previous Minister, was convened to formulate a recommendation on the future distribution of TAB profits. The Working Party comprised representatives of each of the Codes, TAB and officers of the Racing and Gaming Division.

The Working Party could not achieve a recommendation that was acceptable to each representative. It was unanimously acknowledged, however, that the Harness Racing and Greyhound Codes required additional funds to supplement decreasing distributions.

The most recent available statistics on TAB turnover shares (up to mid-January, 1986) indicate that the previously recorded rapid growth of the Galloping Code may have been arrested. This could be attributed to two major causes. Firstly, the Night Codes, particularly the Greyhound Code, have increased the number of meetings for which a TAB service has been given, and secondly, it could be considered that the Galloping Code has reached a saturation point or peak level of proportionate TAB turnover.

It is contended, however, that this position does not affect the need to amend the scheme of distribution. The present situation may only be a temporary circumstance and it is not supported by previous annual trends. In addition, it is a dubious practice for the Night Codes to have to seek more and more race meetings to be serviced by TAB in order to simply maintain turnover and therefore profit shares. This is particularly relevant when one considers that their ability to generate TAB turnover is inhibited by factors over which those Codes have no control.

Prior to the last financial year (ending 30 June 1985) it is considered that the present formula provided each of the Codes with an adequate and appropriate level of funds, and whilst it can be demonstrated that the racing Industry is enjoying a period of rapid growth, development and financial stability, it is essential that this position be maintained to promote further expansion and progression of the Industry.

In this regard, the projected trend of future market shares of TAB turnover is cause for genuine concern. A continuation of the rapidly increasing percentage share of turnover generated by and/or attributed to the Galloping Code will lead to reduced distributions available to the Night Codes—in real terms in the short-term, and in absolute terms in the medium to longer-term.

Whilst reduced distributions is not in itself sufficient reason to amend the formula, it must be acknowledged that a commitment exists to ensure the ongoing viability of each of the three Codes.

The Bill proposes that a fixed percentage distribution should be established on the basis of:

	Per cent
Galloping	73.50
Harness Racing	17.50
Greyhounds	9.00

The Bill also seeks to implement these percentage distributions during the current financial year. As distributions are paid to the Codes on a quarterly basis, adjustments to reflect the above fixed allocations can be made during the remaining third and fourth quarters.

Based on the estimated distributable profit of the S.A. TAB for the year ending 30 June 1986, distribution to the three Codes using the proposed fixed percentages, compared with last year's allocation, would be as follows:

	1985-86	1984-85	Increase	
	$	$	$	%
Galloping	8 283 818	6 946 686	1 337 132	19.25
Harness Racing	1 972 338	1 575 775	396 563	25.17
Greyhounds	1 014 344	830 463	183 881	22.14
	11 270 500	9 352 924	1 917 576	20.50

It is considered that the introduction of a fixed percentage distribution of profits to the three Codes will remove that anomalies associated with the present fluctuating turnover-based formula and provide to each Code a sound basis enabling accurate forward planning to be undertaken with confidence for the continued viability of the overall Industry.

The percentages as recommended have been determined in accordance with several factors including consideration of historical turnover shares; the making of allowances, or concessions for turnover shares which are not truly earned (e.g. interstate turnover), or which are inhibited as previously noted; and estimates of the levels of funds required by each of the Codes to remain competitive and viable.

One of the most controversial issues in the Racing Industry over recent years has been the scheme of distribution of the surplus from TAB. The primary purpose of this Bill is to resolve this problem in a fair and equitable manner by the establishment of a fixed percentage distribution.

This Bill also acknowledges that the financial needs and other circumstances within the Racing industry are sufficiently variable to warrant periodical monitoring, especially with respect to the increasing dependence by the Codes on TAB income. In this respect, the Bill seeks to establish an independent review of the impact of the fixed percentage scheme of distribution after a period of three years. This review will be undertaken by a committee of three people chosen by the Minister who will be independent of the Racing Codes.

Section 70 (3) does not currently provide for operating costs, or other losses, to be offset against the balance of totalizator commissions received by a club, in determining the net proceeds payable towards an approved charity.

In their interpretation of section 70 (3), the four clubs presently conducting approved charity race meetings have traditionally offset their operating expenses against the balance of totalizator commissions received, although this accounting practice is not currently sanctioned by the Act. If authorized racing clubs were advised to comply with the provision of section 70 (3) and to bear the operating expenses of conducting charity race meetings, it can be assumed that those clubs would discontinue the conduct of charity race meetings, which would result in selected charities being deprived of the income currently being paid to them.

This Bill seeks to amend section 70 (3) of the Racing Act 1976, in order to permit the fundamental commercial practice of offsetting expenses in determining the profitability of a charity race meeting and to overcome the problems associated with requiring racing clubs to comply with the provisions of section 70 (3), in its present form.

Clause 1 is formal.

Clause 2 provides for commencement of the Act. Subclause (3) makes the operation of clause 5 *(a)* retrospective to 1 July 1985.

Clause 3 amends section 63 of the principal Act. The amendment replaces a passage in section 63 (1) that has the effect of authorising cross code betting on the days of the annual racing program published by the Minister.

Clause 4 inserts new section 63a which allows on-course totalizator betting on other forms of racing with the approval of the Minister.

Clause 5 amends section 69 of the principal Act. Paragraph *(a)* inserts the percentages in which the three codes share the balance of TAB deductions. Paragraph *(b)* allows for adjustment of shares calculated under the previous system since 1 July 1985.

Clause 6 provides for the establishment of a committee to make future recommendations to the Minister as to the shares in which TAB deductions should be distributed.

Clause 7 amends section 70 of the principal Act. The amendment makes it clear that the balance of deductions retained by a club under section 70 (1) are to be included as part of the club's gross proceeds when determining what its net proceeds are under subsection (3).

Mr INGERSON secured the adjournment of the debate.

SITTINGS AND BUSINESS

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

That the proposed alterations to Standing Orders laid on the table of this House on 19 February be adopted.

Last week I made a ministerial statement on this matter, and I have no desire to go over that material again. What I really want to do at this stage is commend that ministerial statement to the House. The only other matter I want to

raise (of course, this has been informally raised) is that there should be some discussion in the lobbies as to the form in which this debate should take place. It may be appropriate that the motion be considered in a Committee context because, doubtless, there will be a good deal of discussion on detail that perhaps is best looked at in such a way rather than in a debate similar to that on a second reading.

The Government is only too willing to discuss informally, before the debate ensues next week, exactly what form that debate should take so as to expedite what after all is an important set of decisions that has to be taken about the future management of this place. As to the principles that underlie the motion, I can but refer the House to my statement of last week.

The Hon. E.R. GOLDSWORTHY secured the adjournment of the debate.

SUMMARY OFFENCES ACT AMENDMENT BILL (No. 2)

Second reading.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The new section 78 of the Summary Offences Act which gives police power to detain a person who has committed a serious offence for a period of 4 hours (extendable by a further 4 hours with the permission of a magistrate) after arrest before delivering the person into custody at the nearest police station, does not specifically refer to children.

The Crown Solicitor has advised that when a child is arrested, section 43 (1), of the Children's Protection & Young Offenders Act which directs that a child who is apprehended shall be delivered into the custody of a member of the police force in charge of any police station, will override the new power in section 78 (2) to detain for up to 4 hours prior to delivery to the police station.

The amendment made by this Bill coupled with amendments made by the Statutes Amendment (Children's Bail) Bill clarify that children may be detained after arrest in the same way as adults.

However, it was considered that if children are to be detained for questioning after arrest on suspicion of having committed a serious offence that additional safeguards should be built in to the current provisions.

When adults are detained after arrest they are entitled to have a solicitor, friend or relative present during any interrogation or investigation by virtue of section 79a of the Summary Offences Act.

This Bill provides that where a child is arrested on suspicion of having committed a serious offence and it is proposed to detain that child for questioning before committing the child into custody at the nearest police station, it will be mandatory for a solicitor, relative or friend over the age of 18 years, or a nominee of the Director-General of Community Welfare, to be present during any interrogation to which the child is subject whilst detained for 4 hours (or up to 8 hours if authorised by a magistrate).

Clauses 1 and 2 are formal.

Clause 3 makes an amendment to section 79a of the principal Act which deals with a person's rights on being arrested. The effect of the amendment is that when a minor is arrested, (a minor being for the purposes of the principal Act a person under the age of 18) any interrogation or investigation to which he is subjected while in custody must be conducted in the presence of a solicitor, a relative or friend of the minor, who is not a minor, or a person nominated by the Director-General of the Department of Community Welfare.

Mr S.J. BAKER secured the adjournment of the debate.

STATUTES AMENDMENT (CHILDREN'S BAIL) BILL

Second reading.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The Bail Act and the Statutes Amendment (Bail) Act resulted in a new scheme for the granting of bail in South Australia. The Statutes Amendment (Bail) Act repealed those sections of the Justices Act which dealt with bail. All applications for bail for adults are now dealt with under the Bail Act.

The Children's Protection and Young Offenders Act is read as one Act with the Justices Act and together these Acts provide the scheme for children's bail. With the repeal of the Justices Act provisions relating to bail there have been some problems for the Children's Court in relation to bail matters.

To clarify the position regarding children and bail the Bail Act is amended by this Bill to include specific reference to children and is modified when necessary to accommodate the special provisions of the Children's Protection and Young Offenders Act.

The Bail Act will then be the one Act in this State dealing with the granting of bail for all persons.

The Bill also includes consequential amendments to the Children's Protection and Young Offenders act removing provisions relating to bail and specifically apply the provisions of the Summary Offences Act to children.

Clauses 1 and 2 are formal.

Clause 3 makes a number of amendments to the Bail Act, 1985.

A definition of child, in relation to an offence, is inserted, being a person under the age of 18 on the day on which the offence was committed. a definition of the guardian of a child is inserted. A new category of persons eligible for bail is inserted, namely, a child who, having been arrested on suspicion of committing an offence, has been delivered into the custody of the member of the police force in charge of a police station.

A number of other amendments to the Bail Act, 1985 are included in the Bill and are consequential upon the application of the Act to children.

Clause 4 makes a number of amendments to the Children's Protection and Young Offenders Act, 1979, that are consequential upon the amendments to the Bail Act. Briefly, the provisions of the Children's Protection and Young Offenders Act, 1979, which currently relate to the apprehension and bail of children are modified or removed, and dealt with in the Bail Act by means of the amendments to that Act effected by clause 3.

Mr S.J. BAKER secured the adjournment of the debate.

STATUTES AMENDMENT (VICTIMS OF CRIME) BILL

Second reading.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The measures which I bring before the House today are a significant and far-reaching set of proposals designed to alleviate the trauma suffered by victims of crime.

For centuries the State has assumed responsibility for the administration of criminal justice in order to keep the peace and obviate personal retaliation. In common law jurisdiction this has made the criminal trial a State/offender relationship. The state, not the victim, is responsible for identifying, prosecution and punishing the offender; the principal parties are the offender and the state—each represented by others who speak for them. The victim's involvement is almost entirely limited to that of giving testimony.

Recent increasing attention on the needs of victims has arisen partly from such humanitarian reasons as concern for the victim's loss of suffering, partly from the view that the State owes an obligation to the victim and partly because the success of the criminal justice system is dependent upon the cooperation of victims and witnesses of crime.

Not only do the victims of crime suffer physically, emotionally, and financially, they can also suffer inconvenience, discourtesy and humiliation through their contacts with the criminal justice system. If the victim is required as a witness, he must undergo irksome and repeated questioning and will be involved in proceedings which, while they have long become routine to police, prosecutors and judges, are for the uninitiated difficult to follow and bewildering.

The private affairs of the victim are liable to be made public and his or her character may be called into question by cross-examination designed to test the credibility of his or her testimony.

Even though the system depends on the willing cooperation of victims to report crime and of witnesses to testify, until recently their treatment within the system often did little to inspire or encourage that cooperation.

The mandate of the justice system is to protect society and to deal with the offender. This has resulted in practices which have given little attention to the needs of individual victims of crime.

The need now is to identify those areas where the capacity of the criminal justice system to respond to victims needs can be improved without jeopardising the rights of the accused or, indeed, the integrity of the system.

The measures which I am about to announce achieve this aim. They constitute the most comprehensive proposals on the rights of victims of crime ever introduced in Australia.

Prior to his departure for the 7th United Nations Congress on the Prevention of Crime and the Treatment of Offenders the Attorney-General announced (19 August 1985) that Cabinet had agreed to a series of further initiatives for the victims of crime which would be the subject of further detailed consideration.

These included:

the development of victim impact guidelines for prosecutors;

legislation to enhance courts powers to order offenders to pay compensation;

extending and widening the law in relation to the confiscation of the assets of convicted criminals.

It was also announced that the State Government had agreed to fund the Victims of Crime Service and had allocated $8 000 to it for 1985-86.

A further statement by the Attorney-General on victim impact guidelines was reported on 4 September 1985, prior to his addressing the U.N. Congress.

I was therefore pleased to see that the Liberal Party, in announcing its policy on victims of crime that same afternoon, covered many of these proposals. This speech and the accompanying legislation gives detailed effect to the announcements made by the Government in August and September.

Declaration of Victims Rights

Perhaps the most important criticism of current law and practice is that victims are poorly informed about the process of criminal justice, both in general terms and as it affects them in their 'own' case. While those in the criminal justice system who come into contact with victims are generally sensitive to victims and their problems I think it desirable to formulate principles to be observed at all stages of the criminal process.

The Rights of Victims of Crime

The following principles accord victims rights at a number of stages of the criminal process and have been approved by Cabinet:

The victim of a crime shall have the right to:

1. be dealt with at all times in a sympathectic, constructive and reasurring manner and with due regard to the victim's personal situation, rights and dignity;
2. be informed about the progress of investigations being conducted by police (except where such disclosure might jeopardise the investigation);
3. be advised of the charges laid against the accused and of any modifications to the charges in question;
4. have a comprehensive statement taken at the time of the initial investigation which shall include information regarding the harm done and losses incurred in consequence of the commission of the offence. The information in this statement shall be updated before the accused is sentenced.
5. be advised of justifications for accepting a plea of guilty to a lesser charge or for accepting a guilty plea in return for recommended leniency in sentencing;
6. be advised of justification for entering a *nolle prosequi* (i.e. to withdraw charges) when the decision is taken not to proceed with charges. (Decisions which might prove discomforting to victims should be explained with sensitivity and tact);
7. have property held by the Crown for purposes of investigation or evidence returned as promptly as possible. Inconveniences to victims should be minimised wherever possible;
8. be informed about the trial process and of the rights and responsibilities of witnesses;
9. be protected from unnecessary contact with the accused and defence witnesses during the course of the trail;
10. not have his/her residential address disclosed unless deemed material to the defence;

11. not be required to appear at preliminary hearings or committal proceedings unless deemed material to the defence;
12. be entitled to have his/her need or perceived need for physical protection put before a bail authority which is determining an application for bail by the accused person, by the prosecutor (Bail Act s. 10).
13. be advised of the outcome of all bail applications and be informed of any conditions of bail which are designed to protect the victim from the accused;
14. be entitled to have the full effects of the crime upon him/her made known to the sentencing court either by the prosecutor or by information contained in a pre-sentence report; including any financial, social, psychological and physical harm done to or suffered by the victim. Any other information that may aid the court in sentencing including the restitution and compensation needs of the victim should also be put before the court by the prosecutor.
15. be advised of the outcome of criminal proceedings, and to be fully apprised of the sentence, when imposed, and its implications;
16. be advised of the outcome of parole proceedings;
17. be notified of an offender's impending release from custody.

These principles have been forwarded to all relevant Government departments with instructions to ensure that practices and procedures in departments comply with the principles. They will also be required to report on any deficiencies in the law from the standpoint of these principles.

Legislative Initiatives

I wish to turn now to the issues dealt with in this Bill. The Bill amends the Criminal Injuries Compensation Act, the Criminal Law Consolidation Act, the District and Criminal Courts Act and the Worker's Compensation Act.

Financial Compensation to Victims

Solatium

The Bill gives recognition to a claim for compensation for grief consequent upon the death, as a result of a criminal offence, of certain relatives. The provision is similar to the provisions in the Wrongs Act, 1936 which enable courts to award a sum of money by way of *solatium* in civil actions. In the case of an infant child wrongfully killed by the defendant, the court may award to the surviving parents a sum not exceeding $3 000 in aggregate, and in the case of a husband or wife (including a putative spouse) $4 200, as it thinks just. These amounts are the same as the amounts under the Wrongs Act which are awarded in case of death caused by negligence in, for example, a road or industrial accident.

At present parents and surviving spouses are not entitled to obtain compensation for the loss of their children or spouse under the Criminal Injuries Compensation Act unless they can show that they are dependants who have suffered financial loss or that they have suffered an injury, i.e. psychological harm beyond that normally caused by the loss of a close relative. This initiative will enable these relatives to receive some compensation for their loss without the need to show any injury other than the loss of their relative. This amendment, in recognizing that the death of a close relative as a result of a crime is in itself a traumatic experience, is in sharp contrast to amendments proposed by the Liberal Government in 1982 which imposed significant restrictions on victims rights. As drafted the 1982 Bill made it clear that it is only the person against whom the crime is actually committed who may claim compensation.

This included dependants of a deceased victim but would have excluded other relatives (such as parents for the loss of a child) from claiming for any mental injury as a result of the death. This proposal was defeated by amendments which I moved.

Ex Gratia Payments

Two other 1982 amendments restricted victims rights. Prior to the 1982 amendments 'offence' was defined to mean any offence:

(a) that would constitute an offence but for (the age of the offender), or the existence of a defence of:
  (i) insanity;
  (ii) automation;
  (iii) duress; or
  (iv) drunkenness; or
(b) that would constitute rape, but for the lack of *mens rea.*

This was amended in 1982 to provide that 'offence' only included conduct that would constitute an offence if it were not for the age of the offender or the existence of a defence of insanity. The change was apparently made because of the potential problems that might arise where the jury acquitted a person and there was no way of knowing whether the person was aquitted for one of the listed reasons or for some other reason.

The Government recognizes the inherent difficulties in the pre-1982 definition but at the same time recognizes that there may be cases where a victim is left without compensation when it is quite apparent that the victim should receive compensation. Accordingly the Bill provides that the Attorney-General may make an *ex gratia* payment to these victims.

Emergency Financial Support

Another important provision is the proposed section 11 (3) *(a)*. This enables the Attorney-General to provide interim financial assistance to crime victims in cases of bona fide emergency. This will do much to alleviate the difficulties faced by victims of crime who are without the resources to even, for example, pay for the funeral of their relative who has died.

The provision of financial assistance to crime victims in this way was one of the recommendations of the 1981 Victims of Crime Committee.

Criminal Injuries Compensation Fund

The Bill creates a Criminal Injuries Compensation Fund. The creation of the fund will not solve the problems of providing compensation to victims of crime on the same level as those injured in motor vehicle accidents. Those problems cannot be resolved in the absence of a national compensation scheme. However, the creation of the fund is a start.

I would like to draw particular attention to one of the sources of income for the fund, namely, money paid into the fund under the authority of any other Act. Shortly I will introduce another Bill providing in a comprehensive way for the confiscation of assets obtained as a result of crime. One provision of that Act will be that the proceeds obtained from the confiscation of assets from persons convicted of the offences specified therein will be paid into the Criminal Injuries Compensation Fund.

This is, as far as I am aware, a provision which does not exist anywhere else. It ensures that those who profit from crime pay for the harm caused by crime.

In addition Cabinet has agreed that a prescribed percentage of fines should be paid into the Criminal Injuries Compensation Fund. Any deficiencies in the fund would be made up from general revenue but any surplus would provide scope for improving the compensation payable.

The establishment of a specific fund for criminal injuries compensation will not unfortunately resolve all the prob-

lems of adequately compensating those who suffer injury, loss and damage as a result of criminal acts. However, it does provide specific recognition of the importance of such compensation and provide the scope for increasing it over time.

I should add that some of the research overseas indicates that it is not the quantum of compensation that is important to victims but the capacity to obtain it simply and expeditiously and also to be treated with dignity in the criminal system. These issues are covered in other parts of this package of proposals.

2.2 Legal and Court Procedures

Standard of Proof

The other 1982 amendment to which I want to refer is section 8. Section 8 was amended in 1982 to provide that no order for compensation shall be made unless the commission of the offence, and a causal connection between the commission of the offence and the injury in respect of which compensation is sought, are established beyond reasonable doubt.

The requirement that a causal connection between the commission of the offence and the injury in respect of which compensation is sought must be established beyond reasonable doubt has been criticised by the Law Society and individual legal practitioners. In a civil claim for compensation the causal connection between the behaviour complained of and the injury only has to be established on the balance of probabilities. The higher burden of proof imposed by section 8 places an additional burden on victims of crime. The deletion of the reference in section 8 (1a) to the causal connection between the commission of the offence and the injury in respect of which the compensation is sought will result in deserving victims recovering compensation who otherwise would not be compensated. The result will be that the commission of the crime must be established beyond reasonable doubt but that the injury sustained as a result of the offence will only need to be established on the balance of probabilities.

Streamlining of Claims Procedure

Several of the amendments in the Bill are designed to ensure that applications for compensation are disposed of as speedily as possible. The 1982 amendments to sections 7 (4) and 7 (4a) provided that the trial court could make an award immediately upon conviction of the offender if an application for criminal injuries compensation had been lodged before the trial.

These amendments have not been a success; they have been little used, and have led to confusion as to the proper court for the application. They have the potential to prejudice a trial when counsel suggests that the only reason for the victim's complaint of a crime is to receive compensation.

To overcome these problems it is proposed to create a Criminal Injuries Compensation Division of the District Court to hear all applications under the Act in an expeditious and simple manner. Amendments to sections 7 (5) and 7 (7a) are designed to avoid unnecessary adjournments and ensure a speedier settlement of applications.

Compensation by the Offender

The Bill also contains two other measures of great importance to victims of crime and are amendments to the Criminal Law Consolidation Act.

New section 299 takes a completely new approach to sentencing of offenders by requiring the court to consider, in the first place, the compensation of the victim by the offender before the question of the imposition of a fine.

There are presently many provisions scattered throughout the Statute Book empowering the courts to order the offender to pay compensation to a victim of crime for the loss he has suffered. These provisions are fragmentary and seldom used and will be replaced by the new section 299.

There are at least three potential benefits to be gained from requiring the offender to pay compensation to his victim.

First, is the provision of redress for the physical injury, economic loss, and the suffering experienced by the victim as a result of the offender's actions, with the aim of mitigating the harm sustained.

The second benefit is the symbolic recognition directly by the offender, and indirectly by the community, that the victim has been wronged.

The third potential benefit of compensation is that it promotes the rehabilitation of offenders through the admission of personal responsibility for an unjust act.

Victim Impact Statements

Principle No. 14 of the Rights of Victims, which I have just enunciated, is that the court should have before it information on the effect of the crime on the victim. Thus the court will have the necessary information before it to enable it to make a compensation order.

The Bill in addition takes principle No. 14 further by ensuring that whenever a court has before it a structured report on the offender (a pre-sentence report) the report will also contain information about the effect of the crime on the victim.

This amendment may have resource implications as there could be additional duties imposed on parole officers in obtaining information about victims. It is therefore proposed that this amendment be proclaimed once any additional staff resources needed have been identified and obtained.

This amendment is separate from and additional to the Rights of Victims which I enunciated earlier and which have been issued to the Police and Crown Prosecutor to adhere to in the conduct of cases. Pending proclamation of this amendment information about victims, including where a pre-sentence report is ordered, will be put to the court in accordance with principle 14.

3. Administrative Initiatives

Funding for the Victims of Crime Service (V.O.C.S.)

I have already mentioned the decision taken by State Cabinet in August last year to provide $8 000 for the V.O.C.S. for 1985-86.

This grant for administrative support will assist the organisation in being able to continue its very fine community service to people traumatised by crime. This financial support will be a continuing commitment by the Government.

Research Study

In August, State Cabinet agreed to commission a special survey into the needs of victims. No such study has been conducted in Australia and it should prove of immense benefit to Government in identifying further initiatives that should be taken both of a legislative and administrative kind as well as to victims organisations and others involved in this area.

The study will be undertaken through the Office of Crime Statistics. At the moment the Director of the Office, Dr A. Sutton, is examining the material and the many research papers presented at the 5th World Symposium on Victimology held in Zagreb in order that the survey that is conducted in South Australia is equal to the best of the surveys done elsewhere in the world. Preparatory work will be done this financial year and funds will be considered in the next budget.

Information for Victims

The Government acknowledges the tremendous work done by the V.O.C.S. in assisting victims through the courts and helping them in their personal tragedies.

V.O.C.S. has already produced a pamphlet containing information on the criminal process. Police provide victims with a copy of this pamphlet.

However there is a range of Government services which are also available for use by victims.

It is the Government's intention to produce a resources pamphlet for victims to supplement the work already done by V.O.C.S.

Members of the executive of V.O.C.S. will of course be consulted about the pamphlet and the survey of victims' needs and will be asked to participate in the preparation of both.

Police Training Curricula

It is probably fair to say that the South Australian Police Force has the best record of any force in Australia for their sensitivity to the plight of victims and the help that they are prepared to give. The curriculum for police training includes lectures on victims.

Nonetheless, particularly in view of these proposals being put before Parliament, it will be necessary to review the series of lectures to ensure that the curriculum is adequate and police are familiar with the new administrative and legislative measures.

These initiatives are innovative. This is the first time in Australia that such a comprehensive package of measures on victims of crime has been introduced. Many of them will need monitoring and improvement and changes will undoubtedly have to be made. The funds from the confiscation of profits will not be a panacea in terms of providing additional funds and will need a reorientation of police investigation methods. However the Government believes that these measures represent a significant step forward in granting substantial rights to victims of crime.

4. *South Australia's Record on Victims of Crime*

South Australia's record in the area of addressing the rights of the victims of crime is well recognised both nationally and internationally.

Initiatives have been taken in the following area.

Financial Compensation to Victims

Much has already been done in this State in recognising and alleviating problems faced by victims of crime, beginning in 1969 with the passing of the Criminal Injury Compensation Act, which provided for a maximum of $2 000 to be paid to a victim who suffered personal injury as a result of a criminal act. In 1978 the amount was increased to $10 000.

Sexual Assault Victims

One of the most injurious and humiliating offences on the Statute Book is rape. Victims of rape and other sexual assaults have been the focus of Government attention for some time.

South Australian police introduced mixed (male and female) patrols on a limited basis in 1973; where possible mixed patrols are despatched to the scene of a reported rape. In 1975 a Rape Inquiry Unit was established within the Major Crime Squad. The female officers attached to the unit conduct initial interviews with sexual assault victims, inform them of procedures to be followed during the inquiry and trial, and are available to accompany the victim during the subsequent investigation and court proceedings.

The Sexual Assault Referral Centre at the Queen Elizabeth Hospital provides specialised medical treatment for victims and has developed refined procedures for the collection of forensic specimens.

The Government also provides financial support for the Sexual Assault Referral Centre ($305 500 in 1985-86, an increase of 300 per cent over three years) and the Rape Crisis Centre ($158 000 in 1984-85, also an increase of 300 per cent over three years).

In 1976 the Evidence Act was amended to prohibit the publication of the indentity of a person alleged to be the victim of a sexual offence. Further amendments to the Evidence Act in 1984 provided that the court may, in order to prevent hardship or embarrassment to any person, order the court to be cleared, to forbid the publication of specified evidence or the name of any party or witness.

Non-disclosure of the address of a victim is particularly important when the victim, in order to escape from, for example a violent spouse, moves. Often the only place a victim of domestic violence can find safety is a women's shelter. Government support of women's shelters is evidenced by the $1 150 100 provided to fund women's shelters in the 1985-86 financial year.

Victim Impact Statements

As I have already said the effect of the crime on the victim needs to be taken into account at all stages of the criminal justice system. Crown prosecutors have been instructed to be alert to the necessity of calling evidence, if necessary, as to the effect of the crime on the victim. Where the effects are substantial or involve residual disabilities, Crown prosecutors are instructed to bring the matter to the judge's attention. In particular, I have instructed the prosecutors that close attention must be given in the area of sexual assaults and domestic violence.

The more comprehensive approach I have outlined today will supplement markedly the instructions already given.

Court Procedures

Several measures have been enacted to ensure that the inconvenience and disruption associated with attendance at court are kept to a minimum and unnecessary distress to the victim avoided.

One such measure is section 106 (6a) of the Justices Act enacted in 1976 which provides that the alleged victim of a sexual offence shall not be examined at the committal proceedings unless the justice is satisfied that there are special reasons why the alleged victim should be examined. While the victim of a sexual assault is almost inevitably going to have to give evidence and be cross-examined the trauma for the victim is lessened if the victim is not required to disclose irrelevant details of past sexual experience. Amendments to the Evidence Act in 1976 and 1984 ensure that irrelevant information cannot be elicited from the victim.

Victims reporting an offence may fear that they are in danger of further harm in the form of retaliation from the offender. Administrative measures have been taken to ensure that addresses of victims and witnesses are not included in depositions made available to the accused before or at committal proceedings. Witnesses are no longer required to state their addresses when being sworn in as witnesses in court.

The Bail Act provides for the prosecutors to argue that bail be refused where an alleged offender would cause a victim or the community concern and alarm if released on bail.

Police Training

Police recruit training covers aspects of community service and crisis intervention and includes talks from members of the Victims of Crime Service. Vocational training in the Prosecutors Course, Detective Courses, Sex Crime Investigator's Courses and Refresher Courses include input from the Victims of Crime Service as well as sessions covering rape trauma and child sexual abuse. Seminars on domestic violence have been held as part of the Country Training Program.

Training programs ensure that police officers are aware of the services available to assist victims of crime and assist all officers to carry out their duties in crisis situations in a sensitive manner. Members of the Police Force also provide

victims of crime with a pamphlet, prepared by Victims of Crime Inc., which contains information on the services available to victims of crime.

5. *The United Nations Declaration on Victims*

I would like to take this opportunity to report briefly on the recent 7th United Nations Congress on the Prevention of Crime and the Treatment of Offenders held in Milan from 20 August to 6 September last year. The Attorney-General was part of the Australian delegation and was the Australian spokesperson on the issue of victims of crime and abuse of power.

One of the non-government organisations involved in preparatory discussions on a draft resolution was the World Society of Victimology on which Mr Ray Whitrod, the Executive Director of the Victims of Crime Service here in South Australia, serves as an Executive Member. A number of the members of the World Society of Victimology acted as experts to the U.N. during these preparatory discussions.

It was because of the involvement of the World Society of Victimology that the Attorney-General took the opportunity, prior to attending the U.N. Conference in Milan, to participate in the 5th World Symposium on Victimology in Zagreb.

One striking aspect of the symposium in Zagreb was meeting with the extensive network of people involved in what has become a world-wide victims movement. The victims movement is represented by a number of predominantly non-government welfare and community organisations dealing with the victims of criminal assault and criminal injury and a large number of academics and criminologists who have taken a special interest in the rights and the plight of victims. The issues go beyond victims of national crime and also encompass victimisation by abuse of political and economic power and human right standards.

There was widespread recognition amongst participants in the symposium on the position that had been adopted particularly by South Australia in the area of services for victims of crime. The inquiry into victims of crime established by the Labor Government in 1979 and taken up by its Liberal successor preceded inquiries in France, Canada and the United States.

There is no doubt that the issues of concern to victims of crime here in South Australia are similar to those of victims everywhere—no matter what their system of justice. They are all anxious to ensure that they have rights in the criminal justice system; programs to assist them; laws that allow for compensation and restitution; court processes that are accessible by the victim or at least ensure that the victim's needs and conditions are brought before the court, particularly before sentencing; and the right to information about the progress that the law is taking against the offender.

A draft declaration on the rights of victims was passed by the 7th Congress and has been adopted by the General Assembly of the United Nations.

I am pleased to report that Australia, in association with France, Canada and Argentina, played an important role, both in the drafting group, as well as in subsequent discussion leading to the adoption of the resolution sponsored by Australia.

Much of the discussion and the reason why extensive negotiation was needed was because of the scope of the topic and the definition of the term 'victim'.

The debate centred around whether 'victims' should be defined by reference only to prevailing national criminal laws including abuse of power proscribed by national law or whether the definition should be much broader and include persons adversely affected by breaches of international criminal law or violations of internationally recognised standards relating to human rights, corporate conduct or abuses of economic or political power.

It was finally decided that the remedies for each bid of victimisation were different and the declaration that was adopted by the Congress dealt with these different views by a single document with two parts.

The first part dealt with the victims who had individually or collectively suffered harm, including physical or mental injury, emotional suffering, economic loss and substantial impairment of their fundamental rights through acts or omissions which were in violation of national criminal laws, including illegal abuse of power.

The second part dealt with victims, being persons who individually or collectively suffered harm, including mental or physical injury, emotional suffering, economic loss, substantial impairment of their fundamental rights through acts or omissions which do not yet constitute violation of national criminal laws but which constitute violations of internationally recognised norms relating to human rights.

In addition to the general Declaration on the Rights of Victims, attention was given to the victimisation of women. It was generally agreed that women tended to be victimised by inequitable treatment and by camouflaged abuses such as those frequently occurring in situations of domestic violence. It was pointed out on a number of occasions that reducing domestic violence greatly reduces the violence against women in general, and the Government is actively pursuing this.

The Congress adopted a resolution on domestic violence co-sponsored by Australia which invited member States to enact laws to protect the victims of domestic violence, to initiate preventative measures and counselling for families, and to provide services and facilities for research.

6. *Community Concern about Crime and Victims*

Participants in both the Zagreb Symposium and U.N. Milan Conference all acknowledged the increase in the level of crime. This was obviously leading to an increase in the number of people who were suffering injury and trauma as a result of criminal attack and was making even more urgent the need for victims rights to be acknowledged.

It was for this reason that the draft declaration passed by the Congress and adopted by the General Assembly of the United Nations has been described in the Criminal Justice Newsletter (of the United States) as, 'a substantial moral victory for the Crimes Victims Rights Movement'; 'a loud shout that victims will be accorded the respect, dignity and compassion that they deserve', and 'a landmark in the Crime Victims Movement'.

However, the problem of increasing crime and the way in which societies deal with the rising crime rate is a world-wide problem.

It is not a problem confined to Australia, it is not a problem confined to North America, to Europe, to Asia, to Africa. It is a world-wide community problem that every community in the world is having to deal with.

The Government is deeply concerned about this world-wide community problem. On the one hand it has taken strong action against criminal behaviour. This has included action against lenient sentences, increases in penalties for offences under the Police Offences Act, clarification of police powers of arrest and detention, giving the prosecution the right to review bail decision, supporting the National Crime Authority, introducing comprehensive anti-drug legislation, broader rape laws, the abolition of the unsworn statement in all but exceptional cases, broader trespass laws, support for the Police Strategic Plan including the neighbourhood watch programs. On the other hand it is seeking to redress the balance of the criminal justice system so that victims are accorded greater status within the criminal justice system.

Unfortunately it seems that one of the concomitants of an increasingly urbanised and increasingly complex world,

where a sense of neighbourhood and a sense of community is harder to establish, has been an increase in the incidence of criminal behaviour.

This has occurred irrespective of Governments and in all States of Australia and overseas.

It is therefore important to view the crime rate in Adelaide in this perspective.

In June 1979 South Australia was the State with the second highest per capita rate of break and enter offences. In 1980 and 1981 it was the highest and in 1983 and 1984 it had dropped to the fourth.

This State had the lowest homicide rate in June 1979 but the second highest in June 1980, and the third highest in June 1983. Homicide in fact is one offence which has not shown a marked increase in South Australia in recent years. It is worth noting that over the past 15 years the figures for homicide in South Australia have been seven times above and eight times below the Australia-wide figures. Robbery and assault offences, while increasing as they have in all States, have remained pretty constant over the past five to six years.

It is therefore of absolutely no value at all for any political Party to try and make political capital out of crime rates. Every statistic that can be used to show an increase in the crime rate during one Government can be met by statistics that show a similar increase under another Government.

For example, the former Liberal Government prior to the election in 1979 made much of increases in a variety of offences yet crime rates increased substantially during its term of office.

Governments of both political persuasions have over the years attempted to do what was in their power to address the problem of increasing crime. They have introduced new laws and tougher penalties; they have established new sentencing options and new treatment programs in prisons; they have supported new programs to deal with offenders and new community policing policies; they have appealed against sentences; increased the resources for enforcement agencies; and funded research.

We are fortunate in Australia that the crime rate has not yet reached the somewhat epidemic proportion that it has in American cities of similar size.

There were many speeches given at the United Nations Congress in Italy. The overwhelming theme of the major speeches given to the plenary session was for the need to look to the fundamental values of society in the fight against crime. The principal argument was there there needed to be stability in society's major institution and a shared vision of the future for there to be any hope of long term social cohesion.

It was in this context that strong emphasis was placed on the neighbourhood and on the family as the prime policy focus of Government's attention.

This focus has been accepted by successive South Australian Governments and a number of Government departments are working with this objective in mind.

The broad general objective of this Government is that citizens in a free democratic society must be able to go about their daily business free from criminal activity; but that a civilised society must also acknowledge that victims of criminal injury must be compensated.

I believe that the action taken by this Government will enable us to maintain a strong and stable society where people are free from harassment and free from criminal attack; but where that should occur, our society should be just enough to treat offenders fairly but humanely and generous enough to support and to provide protection for the victims of criminal assault and criminal injury.

Clauses 1 and 2 are formal.

Part II amends the Criminal Injuries Compensation Act.

Clause 3 is formal.

Clause 4 amends the long title of the Act to reflect that, in addition to providing compensation for persons who suffer injury as a result of the commission of an offence, the Act now provides compensation for certain persons who suffer financial loss, and the Bill provides compensation for certain persons who suffer grief, as the result of the death of a person arising out of the commission of an offence.

Clause 5 provides that the only court to which applications for compensation under the Act can now be made is a District Criminal Court. (The Act currently provides that, in certain circumstances, application can be made to the court before which an alleged offender has been brought to trial.)

Clause 6 amends section 7 of the principal Act which provides for applications for compensation. The amendment extends the range of applications for compensation to include applications for *solatium* by a spouse and any putative spouse of a person killed by murder or manslaughter, and by the parents of a child killed by such an offence. The measure is similar to that in the Wrongs Act, in respect of wrongful deaths. The Bill provides that where a spouse and putative spouse, or where both parents, apply, any amounts awarded must be aggregated so as not to exceed the monetary limits on orders of $4 200 for spouses and $3 000 for parents. Orders from compensation for injury or grief must be aggregated for the purposes of determining the monetary limits in subclause (8), so that the one claimant cannot be awarded more than $10 000 in total. (An order for compensation for the financial loss of a person who is a dependant is in addition to any other order for compensation of that person made under the Act.) The amendment also extends the time within which an applicant for compensation must serve notice on the parties to the proceedings, from 14 days to 28 days. The amendment also provides that an order for compensation may be made by consent where a party, although served with the application, fails to appear at the hearing of the application. The court will not be empowered to make an order in respect of those hospital or medical expenses which would be covered by insurance if an award under this Act were not made.

Clause 7 provides that the causal connection between the commission of the offence and the injury or death in respect of which compensation is sought need only be proved on the balance of probabilities. The standard of proof of the commission of the offence remains as proof beyond reasonable doubt.

Clause 8 amends section 9 of the principal Act which provides that only one order for compensation may be made in respect of an injury suffered by a victim in consequence of an offence committed by joint offenders or in consequence of joint offences. The amendment extends this provision to orders for compensation made in respect of financial loss or grief.

Clause 9 amends section 9a of the principal Act to provide that the only appeal Court for appeals against final orders made under the Act is the Full Court of the Supreme Court.

Clause 10 amends section 11 of the principal Act which provides for the payment by the Attorney-General of orders for compensation made under the Act. The amendment provides that the claimant must lodge a copy of the order with the Attorney-General and that payment must be made within 28 days of the day on which the copy was lodged or if an appeal has been instituted, the day on which the appeal is withdrawn or determined, whichever is the later. The amendment provides that the Attorney-General, in determining whether to decline to make a payment or to reduce a payment under subclause (2), may take into account payments that would be likely to be made to the claimant if he were to exhaust all available remedies.

The amendment also introduces a system whereby the Attorney-General may make interim payments to applicants in necessitous circumstances and *ex gratia* payments to persons where an offender is acquitted. If it appears to the Attorney-General that acquittal, in the case of rape, was on the ground of lack of *mens rea* or in any other case, was on the ground of a lack of *mens rea* because of duress, drunkenness or automatism. The subsection dealing with subrogation is deleted as it is to be incorporated in the next section.

Clause 11 inserts a new section 11a to provide for the right of the Attorney-General to recover moneys paid under the Act. This section replaces section 11 (3) and (4) of the principal Act. The provision dealing with subrogation is amplified to subrogate the Attorney-General to the rights of a claimant as against, for example, an insurer, or an employer. The new section provides that the Attorney-General may recover from an claimant an interim payment where no order for compensation is subsequently made, or may recover the excess of an interim payment over an order for compensation for a lesser amount. The Attorney-General may also recover from a claimant who has received a 'double payment', e.g. a claimant who receives both an award under this Act and under the Workers Compensation Act, provided that the subsequent award was not reduced because of the payment under this Act. The new section also contains certain procedural provisions to enable enforcement proceedings to be taken to recover payments from offenders. An order under this Act may be registered as a judgment in an appropriate court. This will be an easier system than the summary procedure currently provided.

Clause 12 substitutes section 12 of the principal Act which provides that any moneys recovered by the Attorney-General are to be paid into General Revenue. The substituted section provides for the Treasurer to establish a Criminal Injuries Compensation Fund. The Fund is to consist of amounts recovered by the Attorney-General under the Act; amounts provided by Parliament for the purposes of the Act; amounts required or authorised to be paid into the Fund under any other Act; and a percentage (prescribed by regulation) of all fines paid into General Revenue in each financial year. The Fund is to be used exclusively for payments of compensation made under the Act.

Part III amends the Criminal Law Consolidation Act.

Clause 13 is formal.

Clauses 14 to 24 all remove provisions for payment by a person convicted of an offence of compensation or an amount in respect of any damage done as a result of the offence. These amendments are consequential to the general provision for compensation proposed by clause 25.

Clause 25 provides for the repeal of section 299 which is a general provision empowering a court to order a person convicted of a felony to pay compensation for loss of property by a person affected by the offence. The clause replaces this provision with a much wider provision for compensation for any injury, loss or damage resulting from an offence, whether an indictable or summary offence. Under the new provision, a court convicting a person of an offence or adjudging or finding a person guilty of an offence may order the offender to pay compensation for injury, loss or damage resulting from the offence or any offence taken into consideration in determining sentence. The order may be made either on application by the prosecutor, or on the court's own initiative, and instead of, or in addition to, dealing with the offender in any other way. Subclause (3) is intended to ensure that compensation may be ordered although the precise amount of the injury, loss or damage is not established by evidence specifically adduced for that purpose. The subclause provides that compensation may be of such amount as the court considers appropriate having regard to any evidence before it and any representations made by counsel or the offender.

Subclause (4) provides that damage done to property while it is out of a person's possession as a result of an offence is to be treated as resulting from the offence. Injury, loss or damage that is caused by, or arises out of the use of, a motor vehicle, however, is not to be compensable under the provision except in the case of damage that is treated as having resulted from an offence by virtue of subclause (4). The court is, in determining whether to order compensation, or in determining the amount of compensation, to have regard to the offender's means so far as they appear or are known to the court. Where the court considers that the offender should be ordered to pay both a fine and compensation but considers that the offender has insufficient means, the court is to give preference to the making of a compensation order. The provision limits the compensation that may be ordered by a court of summary jurisdiction to an amount not exceeding $10 000. The clause makes it clear that the power conferred by the provision may be exercised notwithstanding that there is some other statutory provision for compensation more specifically related to the offence or proceedings for the offence. Any compensation ordered under the provision is to be taken into account is assessing compensation to be ordered in any other proceedings. Under this clause, an order for compensation is to be enforced in the same way as a fine. The final subclause makes it clear that 'injury' extends to mental injury, pregnancy, shock, fear, grief, distress or embarrassment resulting from the offence.

Clause 26 provides for the insertion of a new section 301 requiring that pre-sentence reports include information about the effect of the offence upon any of the victims of the offence. Under the proposed new section, any written report on the character, antecedents, age, health or mental condition of an offender requested by a court to assist it in determining sentence is to contain particulars of any injury, loss or damage suffered by any person as a result of the offence. The report need not contain particulars already known to the court or not reasonably ascertainable by the person required to prepare it. The provision is not to apply to a report prepared by a medical practitioner. The provision applies to any offence whether an indictable or summary offence. 'Injury' is to have the same extended meaning as that provided for in the proposed new section 299. The provision is to apply to such court as the provision is declared by proclamation to apply.

Part IV amends the Local and District Criminal Courts Act.

Clause 27 is formal.

Clause 28 inserts a new section that provides for each District Criminal Court to have a Criminal Injuries Compensation Division. The jurisdiction conferred on a District Criminal Court by the Criminal Injuries Compensation Act is vested in this new Division.

Part V amends the Workers Compensation Act.

Clause 29 is formal.

Clause 30 amends the section of the Act that deals with the situation where a worker has a claim for both workers compensation and for damagaes from some person other than the employer. The section currently provides that any moneys received by the worker by way of such other damages must be paid to the employer, thus rendering a Criminal Injuries Compensation Act award a 'subsidy' to the employer. The amendment excludes a payment of compensation made under the Criminal Injuries Compensation Act from the operation of this section.

Mr S.J. BAKER secured the adjournment of the debate.

STATE GOVERNMENT INSURANCE COMMISSION ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 19 February. Page 323.)

Mr OLSEN (Leader of the Opposition): The Opposition supports this legislation, which seeks to clarify the SGIC's powers to invest in existing companies. Until 1979, SGIC's investments comprised a mix of bank deposits, debentures and mortgage loans. At that time, it was decided that the commission needed to adjust its investment portfolio so that it provided not only an income flow but capital appreciation of its financial assets. During that year the commission became a substantial shareholder in the Adelaide based investment company, ARGO Investments Limited.

According to the commission's latest annual report, its investment in public companies has now lifted to comprise 21 per cent of its total investments and 17 per cent of total assets, with a share portfolio spread across 66 companies. The commission holds the view that it should be free to invest in those areas which, in its judgment, offer the best risk and return combinations to maximise the commission's income and which promote the economic development of the State. Whilst this legislation seeks to further that objective, in Committee the Opposition will move amendments to ensure that this is done on a proper basis, with full disclosure to the public and to Parliament.

In relation to clause 4, we are concerned that this may be open to abuse. It gives the commission the right to delegate any of its powers to any person in a way which is no longer limited to officers or employees of the commission, but which is extended to a company in which the commission has shares. In the past, control of SGIC's power to invest in shares has been exercised through guidelines set down by Cabinet. The Liberal Party will move that new section 16a be amended to require that the Treasurer shall within six sitting days after setting any guidelines for the purpose of the commission's investment policy cause a copy of the guidelines to be laid before each House of Parliament.

Currently the commission's investments in public companies comprise 17 per cent of its total assets, as compared with a ratio of 15.8 per cent for all public sector insurance offices and 10.2 per cent cent for private sector companies for the year to June 1984.

As the value of the commission's share portfolio as a percentage of total assets has increased significantly (from 4.2 per cent in 1981-82 to 17 per cent in 1984-85), it is appropriate that, in terms of clause 6 subsection (4), a full disclosure of all SGIC's share holdings be incorporated in future annual reports, not only for the benefit of this House, but to provide a full disclosure to its shareholders, the people of South Australia. We will be seeking to amend the legislation in that respect. The general direction and thrust of the legislation is such that the Opposition supports the measure before the House.

Mr LEWIS (Murray Mallee): I do not rise to repeat the sort of information that the Leader of the Opposition has given the House about the Opposition's views in relation to this matter, but rather to focus attention on the matters contained in the last clause of the Bill, particularly as they relate to the capacity of the commission to invest in any business enterprise it chooses without disclosing the fact that it has done so, so long as it does not have more than 9.9 per cent of its shareholdings in that business. I do not think that that is good enough. I believe that with a monopoly of the kind that the State Government Insurance Commission is, subject to covert coercion if not overt coercion from political influence, the Government of the day and other clandestine elements, it should not be possible for investments from such a body corporate to be made in business of any kind anywhere without them having to be disclosed in law to the Parliament.

I think that my Leader has made that point quite clear and I want to place on record my concern about the way in which we as a Parliament ought to be alert to the implications of including something like this in an Act establishing or changing the terms under which the establishment has already been made of a monopoly QUANGO. I do not by my remarks imply or impute any misconduct or other questionable conduct of any of the members of the present Government or the board of directors of the State Government Insurance Commission. I merely believe, as I have stated in this place before and will state again, that any law we make ought not only to put temptation out of the reach of people charged with the responsibility of administering this law, but must be seen to have put it out of reach of those people. Quite clearly, the measure as it stands before us and the way in which SGIC has been able to conduct its business in the past does not do either of those things.

The Hon. J.C. BANNON (Premier and Treasurer): I appreciate the indication of support given by the Opposition to this measure. There is commonsense in the Bill. It is not seeking to do anything which goes much beyond the current powers and authority of the commission. I note the foreshadowed amendments and obviously I will undertake to give them consideration when we reach the Comittee stage. I would just like to comment that the SGIC, while a statutory body and therefore of course answerable to this Parliament, operating under the authority of an Act of Parliament, is also involved as part of its undertakings in a number of commercial activities which are of course to the benefit not only of the State but those who write policies for insurance with the SGIC. To the extent that disclosure is desirable, then obviously disclosure of transactions, holdings, and so on, will be made. One must also bear in mind the commercial confidentiality of any of those transactions and strike some sort of balance between them. That is a matter that will be addressed in the Committee stage, no doubt in response to any amendments that the Opposition seeks to raise. I commend the Bill to the House.

Bill read a second time.
In Committee.
Clause 1 passed.
Progress reported; Committee to sit again.

TECHNOLOGY PARK ADELAIDE ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 19 February. Page 326.)

Mr S.J. BAKER (Mitcham): The Opposition supports this Bill with one reservation, which will be addressed during the Committee stage and which I will mention in my speech. It is appropriate that with this Bill before us we reflect on the contribution to this State and to this Parliament of the former member for Davenport, because it was his vision and energy which enabled the establishment of Technology Park. At the time it received very lukewarm support from the then Opposition (the present Government). He pursued his ideal of providing a centre of technological excellence and innovation for the future of South Australians. He pursued this dream, this vision, and it came to reality with the Bill that was put before us in 1982. I do not think that anybody can undersell the efforts made by the then member for Davenport because, despite some dif-

ficulties, he was single minded in the way that he determined we should have a centrepiece for technology in this State. Indeed, I would say that one of the great highlights of the Tonkin Government's achievements was the establishment of Technology Park.

If the former member for Davenport was here today and if we were in government, I have no doubt that he would be addressing the questions of greater support for the centre and involvement of larger numbers of enterprises. I congratulate the Government on the way in which it has taken up the challenge. It has supported the concept of Technology Park and we are now getting to the stage where we can see something of which we can be justifiably proud in future years.

I understand that there are 22 tenants at Technology Park, most of them being housed within the multi-accommodation centre. A variety of industries has been set up. After this four weeks sitting I intend to take the opportunity to look at the centre and discuss with the Executive Director and his staff some of the things that are happening there.

However, I have reservations about the fact that, in the second reading explanation, the Minister informed the House that the membership of the corporation would be increased by two people but he took the trouble to explain the reason why only one of those new members would be appointed. Further, in the employment arena I question the amount of input the Minister will have regarding the staffing of the corporation. The Opposition realises that this is a mechanical update Bill. It addresses only two areas—first, the size and composition of the corporation and, secondly, the powers of the corporation to appoint its own staff. We support the Bill with the reservations to which I have referred.

Mr LEWIS (Murray Mallee): Again, my purpose is not to repeat what the lead speaker for the Opposition has said on this measure but rather to add an additional dimension to the debate about Technology Park. In the first instance, I acknowledge the very considerable foresight and insight demonstrated by the former Minister of the Tonkin Government, Mr Dean Brown, who made possible the establishment of Technology Park. The Tonkin Government, as is now widely recognised (and it ought to be totally recognised), was responsible for the innovation and the establishment of Technology Park. Having said that, I also want to pay credit to the Minister for Technology, the Hon. Lynn Arnold, for his actions in the last Parliament in taking up this matter.

The Hon. E.R. Goldsworthy: He picked up the ball and ran with it.

Mr LEWIS: He did indeed. He took up the proposal and continued to ensure not only that Technology Park could develop but that public awareness of its presence and benefit to the South Australian economy was developed. There has been a measure of bipartisan support for Technology Park to the extent that we now find ourselves well placed in relation to the other States of the Commonwealth of Australia.

That brings me to the substantive point that I want to make about Technology Park. Just recently, as members would be aware, I undertook a study tour to the United States. Among the five things that I set out to investigate specifically was the adaption and development of automatic data processing technology for educational purposes in the United States, in particular in primary and secondary school situations. I thought that that task might be somewhat difficult and my initial inquiries of officers of the Pentagon as well as other State education officials tended to confirm that impression, until I was given the name of Pat Sturdivant and Patsy Rogers, who had come together in Houston, Texas, in the Houston Independent Schools District, to establish a think tank cell, and immediately got on with the job of the development of programs using computers as the basis upon which teaching could be introduced into the primary and secondary school systems.

I was quite excited when I met those two people and saw what they had achieved in the very short time that they had been working in that division of the Houston Independent Schools District. Incidentally, I guess that the Houston Independent Schools District would be the equivalent of one of our areas under the new departmental structure here in South Australia. The district contains households that have as a first language 97 languages other than English. That may come as a surprise to most members of this Parliament, but it is a fact. When I questioned these two people, who had worked for Dr Billy Reagan (and he is no relation to Ronnie), who had established the scheme, they replied that the most successful program in the short time in which the division had been established in that district was a program called ESL—English as a second language.

Can one imagine computers alone teaching English, not only written English and grammar for these households and the children coming from them who speak 97 languages other than English as the first language but also the correct pronunciation of the words? The computers teach grammar and diction—there is no teacher involved in either action. They use program authoring technology that involves the integration of the computer program with videotape, and in future with videodisc, as well as computer program controlled voice reproduction. It is not the sort of voice that one would expect: it does not sound like an R2D2 voice or the voice of one of the other Star Wars characters or space figures that one sees in comic strips and films.

I want to communicate to the House what I consider to be the importance of Technology Park in South Australia as a part of this continent, this nation and this part of the world, to take up the challenge which is obviously there and the opportunities which obviously exist so that we can get beside the Houston Independent Schools District and develop computer based learning programs relevant to use in primary and secondary school situations, primarily in isolated rural communities. I hope that the additional board member referred to in the Bill will be someone who has an insight into and commitment for the development of that kind of educational innovation. This will not only widen the full spectrum of curriculum options available to children in isolated rural communities who have to attend area schools or primary schools that have a small number of teachers but it will be cost efficient. It will be a tremendous advantage to South Australia.

It will enable those children who have never had a fair go before to get the same, if not better, options in the subjects and instructors available to them than they have ever had before by comparison with their more fortunate city cousins. It will also be at a cost benefit that is more than competitive than by attempting to do it through the traditional teaching methods using classroom settings where teachers interact with students. I support the remarks that have been made by my Party's spokesman and shadow Minister as they relate to this measure.

Mr S.G. EVANS (Davenport): I support the remarks that have already been made and the Bill, which is a small update on what we already have. I appreciate the enthusiasm that the previous member for Davenport, who represented an area that in the main I do not now represent, put in to fight for Technology Park. It was a policy of the Liberal Party, to which I belonged, and it was the member for Davenport's responsibility, as Minister, to promote his Party's policy and endeavours. At the same time, I recognise those people who made representations to the Dunstan

Government and the Liberal Opposition, as well as to subsequent Governments, until the Liberal Government introduced Technology Park. Many people made representations to the different Parties and said that Technology Park had been needed for possibly 10 years. If we had moved earlier in this area, we would have been a lot further down the track.

I believe that money was available during the mid 70s, when money flowed freely, if we had wanted to take up this challenge. I acknowledge the effort of the Hon. Dean Brown as spokesperson for the Liberal Party, to which I belong, in carrying out his responsibility with enthusiasm. I appreciate that within the Liberal Party's structure at the time other members were as enthusiastic in putting forward their thoughts, ideas and endeavours in that field and appreciated that the then Minister carried forward the Party policy until it came to fruition.

I also recognise the amount of effort that the Hon. Lynn Arnold put into this field when he was the Minister in the previous Government. I hope that Technology Park expands even more rapidly in the future. If it does not do so, we will fall behind, because technology is moving at a rapid pace. We might call this field a tertiary industry, and we need to put much effort into it. We can create exports in this field if we are quick, smart and enthusiastic enough to encourage people and give them every opportunity to develop their resources at Technology Park.

The Hon. LYNN ARNOLD (Minister for Technology): I thank honourable members for their contributions to this debate and for the comments that they have made with respect to the support they have given to this important development by various members of Parliament over the years. It has been a pleasure for me to have been personally involved in this arena previously as Minister Assisting the Minister of State Development and as Minister for Technology when I had a role in supporting the Premier, who was directly responsible for Technology Park Adelaide. Now, as I am Minister of State Development, Technology Park Adelaide comes directly under my ministerial auspices.

It had also been my pleasure to be involved in actively supporting this matter between 1979 and 1982 when the Act was introduced by the former Government. As one of the local members of the area, I was very keen to see this important initiative supported and grow. That feeling has been strongly supported by all members in the area, including me and my colleague, the member for Playford; and now we are joined by the member for Briggs, who has been an active supporter of the concept of Technology Park and who also wants to see it grow.

Mention has been made about the work of the Hon. Dean Brown, the former Minister responsible for Technology Park, and certainly I must pay a tribute in this respect. It is true that he did a lot of work to take what had been a germ of an idea that had surfaced through a lot of thinking processes in Government circles by 1979, and then developed that germ into an actual park with an enabling piece of legislation. We then saw the process of enterprises moving into the area. I guess that at the initial stage there was some concern that it had been a little slow in moving.

Now we believe that it is well and truly up and running. In many ways a key element in getting that next phase of development on from beyond the establishment of the park, its enabling legislation, has been the creation of such facilities as Innovation House, Innovation House West (which now has its first tenant in occupancy and a number of other tenants ready to move in when it is finished), the construction of Endeavour House, which provides accommodation facilities of a type that are not available elsewhere, thereby enabling small, fledgling companies that have products that they wish to further develop do so within a very congenial technological environment. It has been the creation of those facilities that has seen a massive increase in the number of companies present at Technology Park. The next phase is the development of bigger enterprises on that site.

I again thank the members for Mitcham, Murray Mallee and Davenport for their comments and indication that they intend to support the amendment that is before the House. One other thing which we believe will be very important and which I believe in part may address the concerns raised by the member for Murray Mallee—although of course I will draw his concerns to the attention of the Minister of Education for further consideration—will be the proposed establishment by the Government of the School of the Future at Technology Park. This will be an exciting opportunity to offer access to technological education to all young people in South Australia. It will not be a school designed to meet the needs of the purely elite students who are going on to highly advanced academic careers in technological sciences. Rather, it will be there to give opportunities to all students in our system, and it will be very firmly in the minds of the Education Department and the Minister of Education that that will meet the needs of country students as well.

The member for Mitcham foreshadowed one question, and I wish to briefly comment on it. It had been a concern of members of the Technology Park Corporation board for some time that they did not have direct State development representation on the board. They believed that they should have that and indeed, made the recommendation to the Government. They also wondered why, if the Act was to be amended, and if we were to go through all the processes of introducing an amending Bill, we should not leave the flexibility there to appoint other representatives if they felt that there was a need.

The Director of State Development, on an approach from the Technology Park Corporation, wrote a memo to the Premier in April last year suggesting that it would be appropriate for the board to be increased by two members: one being a representative of State Development and the other an additional industry representative. Further consideration by the board over an intervening period after April last year resulted in the Technology Park Corporation suggesting an amendment to the Act. It suggested that at that stage the Department of State Development's representative be Lincoln Rowe, a position that at that stage he held ex officio. It then suggested that a further recommendation would be made to the Government on passage of the Act, and that it had not firmed up as to whom it might be.

Later discussions by the corporation and the Department of State Development made the point that there could, from time to time, be a need for increased industry representation or tertiary education representation, and that other members' positions on the board would determine how that eighth position would be filled. In considering this matter, Cabinet resolved that, because there could well be an increase in links with industry and tertiary institutions, it should create two positions rather than one. We cannot nominate a person to that position until the Act is passed and proclaimed, and we will await the advice of the Technology Park Adelaide Corporation as to names that it thinks we should consider.

They will be proposing names, in both the industry and tertiary education spheres, and I have no doubt that they will put their views as to which of those areas should fill the position at this juncture. They may well have a different view later on, as the membership of the board changes, and they may want to nominate someone from tertiary education or vice versa. I really feel that we must await the advice

of the TPAC on the two nominations made. I hope that answers the questions asked by the member for Mitcham.

I thank members opposite for their support. Indeed, I thank members generally for their often expressed support for this very important development in South Australia. It has been very worthwhile having that approach. It has resulted in Technology Park Adelaide being proclaimed not just by those of us who have a vested interest in so proclaiming, but by people who are involved in this field all over Australia, as being the Technology Park that has reached the greatest stage of advance, and in terms of providing the best support for companies in the area of new technologies.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Membership of the Corporation.'

Mr S.J. BAKER: I appreciate the Minister's explanation about the reason for providing for two people, as that information was not provided in the second reading explanation. From comments that I have received, it would seem appropriate that there should be some real business acumen on that board. I do not reflect on any of the current members of that board, because they are each making a contribution to Technology Park. It would seem that the missing link, besides the State development representative, would be in the business area, so that it involves some high pressure salesmen (if the Minister can forgive me for saying 'high pressure'). That is why I foreshadowed that question.

One of the difficulties that we have with legislation such as this is that we cannot give *carte blanche* to anything that people dream may or may not be useful in future. We accept the Minister's explanation, and hope that, if indeed business acumen could be upgraded with the addition of a particular person, that is the course that will be followed.

The Hon. LYNN ARNOLD: The membership of the board already has some very high powered business acumen there, in the persons of David Pank, as chairperson of the corporation, who is clearly internationally well respected for his role in the application of innovation and new technology to enterprise, and turning that into wealth generation. The fact that Sola has achieved the international acclaim that it now has, being the world's largest producer of plastic moulded lenses, is indicative of that. Also, I refer to Ian Kowalick, who is on the board, although that is not the reason for his initial appointment. He was not initially appointed as somebody from the business sector, because at that stage he was in the Department of State Development. He is now a leading person within AUSTEK, which is a very exciting high-tech company, which is a spin-off from CSIRO and which is doing some very exciting things.

In the tertiary education arena, Dr Trevor Greenwood from the Institute of Technology is there as the only representative of that sector. We will await what TPAC comes back to us with in terms of its views on the matter. We will give that considered investigation and then determine the nominations that will be used. Clearly, as the member understands, it is a device to give an extra opportunity to meet the needs of that corporation in fulfilling its charter—in going out and aggressively marketing the opportunities for further technological investment in South Australia.

Clause passed.

Clause 4 passed.

Clause 5—'Employees of corporation.'

Mr S.J. BAKER: The clause provides that the appointment of staff shall be within the province of the corporation and the Minister's sole responsibility will be to appoint the board. Will the Minister explain this provision?

The Hon. LYNN ARNOLD: The provision removes the requirement for sending appointments to the Governor in Executive Council. That is not only a lengthy process: it is considered unnecessarily burdensome. This is not a selling out by the Government of the opportunity for the Minister to be concerned about what is happening in the corporation, because such powers exist under other provisions of the principal Act. The Technology Park Corporation is already subject to the direction and control of the Minister of State Development under section 5(4). Further, any expenditure by the corporation is subject to the approval of the Minister of State Development and the Treasurer under section 16(1) of the principal Act. Therefore, the Government believes that those two sections of the principal Act enable the exercise of the degree of control that might be considered necessary for the Government to maintain. The provision that the Bill removes is considered unnecessarily burdensome.

Clause passed.

Title passed.

Bill read a third time and passed.

INDUSTRIAL RELATIONS ADVISORY COUNCIL ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 19 February. Page 326.)

Mr S.J. BAKER (Mitcham): The Opposition supports the Bill and believes that it is up to the Government to make its own arrangements concerning consultation. In 1983, when the Government saw fit to set up the Industrial Relations Advisory Council (commonly known as IRAC), Opposition members expressed reservations on how the council would work. Indeed, the Deputy Leader of the Opposition, in raising issues about the future of the council, questioned whether it would work to the benefit of South Australia. Some matters that were raised at the time related to issues of public importance that were being debated in the community. It was considered that, because the council comprised representatives of employers and employees, agreement in principle could be reached without all the bodies that were affected being involved. Concern was also expressed that IRAC would be used as an imprimatur for Government initiatives. Indeed, we realised that, although the number of employer and employee representatives was even, the Minister would have the final say, so there could develop a catch 22 situation: the council would consult, but the Minister would make the final decision. That provision could be used wisely or unwisely, therefore, the Deputy Leader of the Opposition expressed reservations in that regard.

In explaining the Bill, the then Minister of Labour and Industry (Hon. Jack Wright) gave reasons for the setting up of IRAC and referred to the contents of the Cawthorne report. Mr Wright explained what the council would be able to do, and today it is interesting to reflect on some of the points that he made. On that occasion, Mr Wright said:

> He (Mr Cawthorne) stresses that a consensus view is especially necessary in industrial relations matters, and that any imposition of changes without widespread acceptance is doomed to failure. This point once again emphasises the dangers of imposing unilateral decisions on the community without the appropriate degrees of consultation and discussion as a necessary preliminary to any legislative or other policy action. As far as industrial legislation is concerned, the Labor Government specifically included in its election policies the promise that consultation would become the paramount feature. To this end, this Bill seeks to entrench the principle of consultation and advice in the industrial legislative process and to establish the machinery through which such consultation is to take place.

It was also stated that there would be a two-month period between the introduction of the legislation and the initial

consultation with IRAC, but in that regard the Minister was allowed some discretion.

In supporting the Bill now before the House, the Opposition would be remiss if it did not remind the present Minister of Labour that he has not lived up to the expectations of the former Minister. Indeed, recently in a number of instances the faith of employers has been dented by the Minister's actions. He will recall that he had the opportunity to refer to IRAC the amendments to the Workers Rehabilitation and Compensation Bill, but he said that, because of the urgency of the matter, it was impossible to do so. However, had the Minister been serious at the time about giving IRAC the opportunity to peruse the changes made from the draft Bill to the final Bill, he would have outlined those changes to members of IRAC. Indeed, it was his responsibility, but he failed to do so. It may not have made any difference to the final document, because the Minister was adamant that the Bill should go through. This illustrates one of the dangers of IRAC: that at the end of the day someone must make a decision and the Minister becomes the final arbiter. He could have chosen to live within the terms of the original legislation that set up IRAC, but he has not done so.

The employers have expressed extreme concern on that matter, but I do not know whether they have conveyed their concern to the Minister or the Premier. Employers believe that the process has been diminished by the actions of the Minister of Labour in respect of the legislation to which I have referred. Concern has also been expressed that the agenda of a meeting of IRAC may be changed on the eve of that meeting and that members arrive at the meeting to find that they must consider new items. If IRAC is to fulfil the promise that the previous Minister of Labour suggested it would, there must be faith on both sides and the same treatment must be accorded employers as is accorded employees. To suggest that the employer organisations were upset about recent events would be an understatement. They believe that the Minister could have taken the opportunity to transmit to them, through IRAC, those changes in the Bill that were important to them.

The Minister did not take that up and, as a result, there is great distrust about the way in which consultation shall take place. It is no secret to the Minister that the Opposition believed that IRAC was not the best body to undertake the consultation process. We believe that consultation is important, but we did not believe that a formalised body like IRAC was necessary. However, the Opposition recognised that it was the wish of the Government of the day, and in a way we applaud the former Minister for the steps he took.

It is important in industrial relations matters that the two parties get together behind closed doors to exchange ideas, express concerns and discuss a whole range of matters that do not necessarily get aired on the industrial front. It is common in industrial relations that confrontation be the order of the day rather than sitting around the table and sorting out the problems before they arise.

I believe that IRAC has made a contribution to the State, but in recent years—as I will be indicating when I come to a later Bill—some of the undertakings given have been broken. The potential of IRAC has been somewhat dissipated because the Minister did not stick to the rules that Jack Wright laid down. It is disappointing for those people involved, and it must be a disappointment for the community at large that this has taken place. As we are all agreed, there is much sense in getting together before fighting in the open.

We support the Bill to enable IRAC to proceed for another three years. The Opposition recognises that it is the Government's mechanism for consultation. We realise that the taxpayer has a price to pay, but it will be a very small price if the processes that Minister Wright outlined in the first place are actually adhered to. In some way the present Minister stands condemned for his lack of consultation in this area. We trust that in future he will take the opportunity to try to stick by the rules a little better than he has in the past. Also, we trust that, if relationships between the two groups become strained, or if the Minister is unable to use it as an effective body, one side will opt out, and it will then be a matter of a Bill coming before the House through the Minister or a private member. We support this measure and look forward to IRAC's working effectively.

The Hon. FRANK BLEVINS (Minister of Labour): I thank the member for Mitcham for his contribution, although I was somewhat surprised at his reference to IRAC, workers compensation and the attitude of employers. Let me say at the outset that as Minister I did not break any rules of IRAC or do anything against the spirit of IRAC. The honourable member does not know what he was talking about. I explained in response to a question a few days ago that workers compensation was before IRAC for a long time.

The significant differences between the final Bill and the white paper were conveyed to IRAC in October last year, from memory, so if we are talking about two months, the period was well and truly exceeded. As was conceded by the honourable member, even if it had been before IRAC for 12 months it would not make any difference—there was never going to be final agreement in IRAC about workers compensation. If anyone had wanted to waste more time on workers compensation, and I suggest that eight months is a fair time, we could leave it with IRAC for another 20 years and we still would not have agreement. Let there be no question or doubt that the Minister in any way went against the spirit or letter of IRAC—

Mr S.J. Baker interjecting:

The Hon. FRANK BLEVINS: Just hang on a minute.

The SPEAKER: Order!

The Hon. FRANK BLEVINS: I will write to employers enclosing the second reading response by the member for Mitcham and ask them whether they have the problem outlined by the honourable member, because they have certainly not conveyed that to me. When I discussed workers compensation with IRAC, there was no complaint that the matter had not been before IRAC long enough, because it had been. If IRAC wanted more time, I made it clear that the Government had a view on workers compensation, and the employers made it clear to me that they had a view on workers compensation . In some areas our views did not coincide. There is nothing against the spirit or letter of IRAC in that regard in the legislation under which IRAC is established. It will happen from time to time, and the employers in this State, like the Government and the UTLC, are mature enough to cope with it. In regard to the extension of IRAC, had there been any reservations from employers, they were perfectly free to put them formally in the IRAC meeting or approach me privately. Of course, they did not.

Mr. S.J. Baker interjecting:

The Hon. FRANK BLEVINS: I am not talking about you but about the employers. Had employers any reservations about IRAC or my role in IRAC, they were perfectly free to express them. As I said, I will ask employers if they wish to make any comment on the second reading response made by the member for Mitcham on behalf of the Opposition, and I will be delighted to discuss that matter with employers. The measure is worth while. The Government has a strong commitment to IRAC, which is a useful tool in support of industrial relations in South Australia. I regret that the Opposition still has reservations about IRAC, but I thank it for its support in continuing the council for another four years.

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

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 19 February. Page 326.)

Mr S.J. BAKER (Mitcham): The Opposition supports the Bill. We realise that there will be some changes in arrangements as a result of this Bill and that in some areas those changes will indeed cost dollars. As most people would understand, when a small business changes hands there is no right for employees to retain their sick leave credits. From my limited research of industrial matters around Australia in the field of sick leave, it would seem that the amendment is quite fitting. I understand that a similar provision applies in the Queensland legislation, and that a number of awards within South Australia and the other States provide for sick leave to flow over on the sale of a business. We know that, if such provisions exist in one area and not in another, anomalies are created. It is in keeping with the general change in work force conditions that sick leave credits of longstanding employees should be retained. I am unaware—and perhaps I will ask the Minister when we get into the Committee stage—of the position when some awards specify a ceiling as to the amount of leave that can be held in credit and whether this amendment allows for unlimited credit to be accrued.

It is important that the business community is aware of the change that is about to take place. I know that generally employers are not too unhappy with this provision, although they do understand that in certain areas it can have a fairly substantial impact. The Minister might understand that, in the case of a small business employing two or three people, the carryover of a sick leave credit of, say, 90 days can be quite a heavy impost on that business in the event of sickness. By the same token, if that person had been sick, the business would have had to wear that liability.

In the ultimate, it is important that when a business changes hands the new purchaser understands all the liabilities that the business has incurred. One such liability to be adopted by the employer in this situation is sick leave, so I will be seeking some assurances from the Minister on that subject during the Committee stage. I also signal that it is the intention of the Opposition to canvass one other matter at that time.

The Hon. FRANK BLEVINS (Minister of Labour): I thank the member for Mitcham for his contribution and for his expression of support. The question of publicity is one with which I cannot really help him. I certainly have no intention of advertising far and wide that this change has taken place. It is up to any person purchasing a business to use a little acumen and find out precisely the liabilities of the business being purchased. I would imagine anyone purchasing a business would do that as a matter of course. One would hope so; I would be suprised if they did not.

I also point out that this measure has gone through IRAC. Certainly, the peak employer bodies in the State are aware of this provision being inserted into the Industrial Conciliation and Arbitration Act. It is significant for those involved that very few firms in South Australia do not act now as if the provision was in the Act. Only very few firms try to take advantage of what is a loophole in the Act. The overwhelming majority behave in a proper manner and discharge their obligations. The obligations were always only moral, but now they will be legal. Again, I thank the honourable member.

Bill read a second time.

Mr S.J. BAKER (Mitcham): I move:

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

Motion carried.

Mr S.J. BAKER: I move:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider a new clause relating to tort actions.

I understand that it is acceptable to the Government that we consider this clause, albeit very briefly, during the Committee stage. It is of great import. Members will recall that, during the industrial disruption by the Builders Labourers Federation, the Opposition signalled that it intended to raise the matter in Parliament. This is an opportunity when we can do so and we intend to take up the time of the House but briefly to explore this possibility as a means of providing a stronger industrial balance within the State.

Motion carried.

In Committee.

Clause 1 passed.

Clause 2—'Sick leave.'

Mr S.J. BAKER: During the second reading stage I mentioned that employers needed time to adjust to this measure. Will the Minister say what is the scheduled timetable for the introduction of this measure to allow the various employer bodies to be able to ensure that as many businesses as possible, particularly small businesses, are aware of the changes that are taking place?

The Hon. FRANK BLEVINS: It is the Government's intention that this proposition will operate as soon as practicable.

Mr S.J. BAKER: In that event, I have been asked by an employer body whether a three month grace period could be granted so that the business sector of South Australia can be appropriately informed.

The Hon. FRANK BLEVINS: Had the business sector of South Australia wanted three months grace, it could have asked for it.

Clause passed.

New clause 3—'Prevention of conduct causing substantial loss.'

Mr S.J. BAKER: I move:

Page 2, after line 5—Insert new clause as follows:

3. Section 143a of the principal Act is repealed and the following section is substituted:

143a. (1) Subject to this section, a person shall not, in an attempt to affect the outcome of an industrial dispute, engage in conduct that has or is likely to have the effect of causing substantial loss or damage to the business of an employer who is a party to the industrial dispute.

Penalty: $5 000.

(2) Subsection (1) does not apply in relation to conduct undertaken in accordance with an order of the court or the commission or undertaken with the approval of the court or the commission.

(3) Where a person is convicted of an offence against this section, the court by which the person is convicted may, in addition to imposing a penalty on the offender, order the offender to pay, within a specified period, to any person who has suffered loss or damage as a result of the commission of the offence, such damages as it thinks fit to compensate that person for the loss or damage so suffered.

(4) The Supreme Court may, on the application of an employer, grant an injunction to restrain a breach of this section.

(5) The provisions of this section do not derogate from any other action or remedy that exists apart from this section.

As members would realise, until 1984 any person injured in an industrial action had the right to pursue tort action. In 1984 the Government saw fit to change the rules. It has been said, unkindly, that the Government has changed the

rules to suit the union movement and that there is now no real defence against action that can cause massive disruption to industry. I realise that we spent a great deal of time debating this issue in this House. It was the subject of a fiercely fought amendment to the Industrial Conciliation and Arbitration Act in 1984, but the Government was not persuaded to change its mind. I believe that recent events suggest that the Government must change its mind.

For some 40 years businesses have had this right. A person who suffered damage has had the right to pursue action in court. If someone runs over a person with a motor vehicle, the injured person can seek damages. If a person has trespassed and damage is caused to property, the owner can also seek damages in the courts. However, in the industrial area under the 1984 amendments it was no longer possible for aggrieved parties to pursue such action. The Minister might recall that those amendments made the process so tedious and difficult that it is no longer possible for people to claim damages if they are severely affected in an industrial dispute. The Minister might say that that is for the sake of industrial peace, but I remind him that, during the Playford era, South Australia stood on top of the pile of industrial harmony.

Ms Lenehan interjecting:

Mr S.J. BAKER: A great deal of noise is made in this House about the fine industrial record of South Australia, but if we go back and look at the record we find that it started with one person—Sir Thomas Playford. He set the industrial scene. In those eastern States where there is far more disruption than in South Australia we find that the Governments of the day failed to achieve that sense of peace and harmony. That is the important point. The situation is a product not of recent Labor Governments here in South Australia but of our historical ties and the extent to which former Premier Sir Thomas Playford brought about consultation and to a large degree achieved industrial peace in this State. Industrially, South Australia is the envy of the rest of Australia.

It may be only a coincidence that in recent months we have seen the rise of the BLF in this State. One would be cynical to suggest that the 1984 amendment had anything to do with the events we see today but, to my mind, if there is no ultimate power to stop people who wilfully disrupt enterprise in South Australia, disruption will continue. It is all very well for the Minister to say, 'We will continue to negotiate for peace', but in some cases that is impossible. Our amendments seek to insert section 143a, thereby restoring the initial position.

Another point that should be made in this debate is that, as the Minister and all other members would be aware, there are inconsistencies between the Federal and State jurisdictions as a result of the 1984 amendments in that certain actions can be pursued at the Federal level under section 45 of the Trade Practices Act but cannot be pursued in South Australia. In some cases there is recourse under Federal awards but not under State awards. Despite what I have said about the BLF, I realise that this is an area only of last resort. It would be foolish of employers to use this as the battering ram when there is a disputation on the shop floor. For the past 60 years every individual employer has had the right to pursue that action. If industrial peace has been possible in South Australia during that time, conditions will not alter because of the reinsertion of that provision, and thus we are providing a safeguard that was taken out by a Labor Goverment. We bitterly opposed that deletion at the time and we do so now. It is important that that safeguard be reinserted.

I have referred to the recent example of the BLF, and there may be other examples in years to come. Parties in that dispute went back and forth to the Industrial Commission and orders were made, and broken. The Government made no real attempt to come to grips with the damage that was occurring and, under the 1984 amendments, the right of the employer to seek redress had disappeared. Whether the use of section 143a would have led to a speedier conclusion is anyone's guess. The BLF has had a very poor track record of obeying court orders and paying fines and the like, but there are certain circumstances where certain things must be done (or tried) to end a dispute. We are not proposing anything beyond what existed until 18 months ago. This device must be available to employers in this State, because, without it, their ability to seek the ultimate damages which should be available to them no longer exists.

It is important in industrial relations, as the Minister would recognise, that there is a balance of power. The Minister said in relation to workers compensation that there are only two players in the system—the employers and the employees—and we agreed on that principle. It is exactly the same with industrial relations. On various occasions the Government may be able to intervene to bring the parties together through the auspices of the Industrial Court, and so on, but ultimately the ability to achieve industrial harmony depends on two things—first, whether the people are talking to each other and can accept each other's point of view and, secondly, an ultimate sanction in the system, which was available to enterprises in South Australia for as long as I can remember. It is no secret that the 1984 amendment coincides with the increase in industrial muscle of the BLF.

There was a similar situation in the Mabarrack dispute. We are talking about extraneous circumstances and the ultimate weapon that must be used wisely. Members should take care to read the amendments, because it is very important. It does not merely say that the existence of a loss means that civil proceedings can follow: there has to be a motive. This provision will come into force in very few circumstances—only in those areas where secondary boycotts are used and where it is plain that the bodies involved are destroying for the sake of destroying.

It will do the Minister no good to say that we are trying to promote industrial disruption. We are restoring a situation that has existed in this State for many years. This State can stand proudly on its record. It previously had that provision available to it, and I believe that the loss of that provision in 1984 has resulted in some of the antics of the BLF in this State. There will be other occasions where certain bodies will take actions far beyond what I and most persons on both sides of the Chamber believe are necessary to achieve some improvement in conditions, or whatever. I commend the amendment to the Committee.

The Hon. FRANK BLEVINS: It will come as no surprise to the Committee that I oppose the amendment. We are dealing with an amendment which involves a very major principle being moved to a Bill that has absolutely nothing whatsoever to do with that principle. I will not dignify the amendment with a detailed debate. However, I will say that the Government opposes the use of torts in industrial disputes because we believe that industrial disputes are solved in an industrial arena only and not in the civil arena, and that is where it should start and finish. If the member for Mitcham brings in a Bill to do what he wishes—and he is entitled to do that—I will be happy, as I am sure other honourable members on this side of the Chamber would be, to debate the issue with him. Certainly, this is not the appropriate piece of legislation in which to tack on a very important debate such as this. I oppose the amendment.

Mr PETERSON: This is a direct copy of the system that was applied in Britain, when the coalminers, with this sort of action, really caused such a disruption to the economy that no-one knows how long it will be before the damage

to businesses and the economy is overcome. Does new section 143a(1) mean that each and every person involved in a stoppage of any kind would be up for a fine of $5 000? Also, what happens if there is a valid reason for the action? New subsection (2) in part states:

. . . to conduct undertaken in accordance with an order of the court . . .

I do not know how one obtains an order from the court. I worked in the stevedoring industry, where safety was always the issue. If there was any danger to the men or to the wellbeing of persons working in the area, there was an automatic stoppage. Obviously, one cannot work in dangerous conditions, whatever industry is involved.

Mr S.G. Evans interjecting:

Mr PETERSON: I know that I am not supposed to listen to interjections, but I think I heard the member for Davenport refer to four drops of rain. I know that many people believe that the stevedoring industry stops for any reason, and rain was one of those reasons. When one comments like that one should consider the nature of the industry. The hold of any ship contains all sorts of materials. Ships carry almost everything that is imported into this country. The stevedoring industry did stop for rain, and it could have been because of a matter of safety. The goods in the hold of a ship must be protected from damage, and rain can cause damage. Also, many materials that are affected by rain can create a dangerous situation. For instance, carbide comes to mind. Only the master in charge, the hatch master or the deck officer of the day know what is in the hold of a ship. So, rain could create a dangerous working surface, for instance.

Dangerous materials carried in the holds of ships include carbide, loosely stowed steel or randomly stowed timber. When water is involved, these things can cause dangerous situations. If a stoppage were to occur because of rain or any other situation, would the fine of $5 000 apply? Does this fine apply for 12 months or 10 years? What is its term?

Mr S.J. BAKER: Section 45D of the Trade Practices Act 1974 deals with secondary boycotts. The honourable member will see that the combination of two people is sufficient to create conditions for tort.

Mr Peterson: What if one man stops?

Mr S.J. BAKER: I will come to that. Section 45D(1) states:

Subject to this section, a person shall not, in concert with a second person, engage in conduct that hinders or prevents the supply of goods or services by a third person to a fourth person . . . or the acquisition of goods or services . . .

That is quite plain. It does not matter what the motivation was; it involves the mere existence of the secondary boycott. What we have tried to provide—and it is important that the honourable member read this carefully—are conditions under which the sort of things that the honourable member is talking about will never be discussed or followed up. This provision contains a motivation which is different from that existing in the Industrial Conciliation and Arbitration Act, so some proof has to be given to the courts not only that loss has taken place but that the action was designed to create loss.

Mr Peterson interjecting:

Mr S.J. BAKER: That is the legal interpretation.

The Hon. Frank Blevins: Is the penalty $5 000 per person per day or what?

Mr S.J. BAKER: Under normal legislation, as the Minister would well know, having been through the legislative process a number of times, if a person on whom a penalty of, say, $2 000 or $5 000 is imposed does not comply with a court order, he is again fined another $2 000 or $5 000.

An honourable member interjecting:

Mr S.J. BAKER: That is, the individual or the association itself. Those are the conditions that previously prevailed; $5 000 is the maximum figure.

Mr Peterson interjecting:

Mr S.J. BAKER: Yes. We have two elements in this area. One is for a fine for the person's destructive tendencies against the general rule of law. That could mean either a $1 fine or a peppercorn rental, if you like, or he could finish up with a very high fine, depending on his actions.

Mr Peterson: It's a one off fine.

Mr S.J. BAKER: Yes, until the person involved repeats the action. That is the normal rule of law. You take the circumstances to the court—

Mr Peterson interjecting:

The CHAIRMAN: I would appreciate it if the member for Semaphore would leave his comments until he has the proper opportunity. He is still allowed to speak twice in this debate, if he so desires.

Mr S.J. BAKER: There is a difference between the Australian and the English coalminers legislation. The presumption of guilt is on the other foot: the mere existence of the Act allows the Government, the employer or whatever to take the appropriate action. This is a much softer approach, which is really in keeping with what has been there for the last 40 or 50 years, and I think that is important. We are going no further, because we can understand the risk of that, than what existed until 1984. In an industrial disputation situation, the valid reasons obviously do not come into play under this legislation.

The Minister said that he did not want to take up the Committee's time in considering this amendment. I agree that the Minister has a very valid point. It is an amendment which has considerable impact and which is perhaps inappropriate for this Bill, given that we are dealing with sick leave. However, I would remind the Minister that private members' time is being taken away from all members of this Parliament during this sitting of four weeks. So, the ability of the Opposition to put forward its Bill is being diminished.

It may be that next week we will follow up and introduce a Bill so that the Minister can have a look at it over the long break between now and August, and consider it in the light of the sort of things that are happening on the industrial scene. That may be a more appropriate time to consider it. However, it should be remembered that we signalled our intention to introduce this measure. We understand that the Labor Party and the Labor Government are totally opposed to the proposition. Nevertheless, if we do not do what we believe in, we have diminished ourselves. I commend the amendment to the House.

Mr PETERSON: I stand suitably chastised and apologise to the Chairman for my digressions. I have just asked around, and it seems to me that this legislation was applied only once. If it was so critical for the well-being of South Australia, why were not the effects of this, or similar legislation, applied prior to 1984? If it was only applied once in its life, why is it so critical now? The ramifications of this are horrendous.

Mr S.J. BAKER: I think this is probably the end of question time, and, if the member wishes to advance the cause of his understanding of what we have done here, we can certainly do it outside. It is quite clear that the Government does not intend to accept the amendment. I simply say to the member that there has been recourse under the common law.

Mr Peterson: Why wasn't it taken?

Mr S.J. BAKER: The reason is obvious: there was no need to take it. In the case of Mabarrack, much damage was caused, but the firm is still operating, although at the time it seemed that it would fold because of the strike.

Occasionally, no agreement can be reached in a dispute and there must be another force of law. Such a process takes months and a firm may be seriously affected. This amendment is a sanction provision that can be applied in the BLF situation. It is important that that sanction be incorporated in the legislation. State awards have always provided for the right to pursue an action at common law, but limited use has been made of that provision.

Mr S.G. EVANS: I support the amendment. The Minister said that there would be other opportunities to debate the issue, but I point out that limited time is available to discuss private members' business. Further, it is virtually impossible under the present system to have a rational discussion of a matter in Committee. The Minister's suggestion sounded good, but under our parliamentary system such a course of action would be impossible. This week and last week, Government business has taken precedence of the Address in Reply, and that has further limited the opportunity for private members to talk about matters that affect them.

The Minister said that his Party objected to industrial matters being decided in a civil court, but I cannot accept that statement. The mere fact that someone belongs to a union and is involved in the industrial field should not exempt such a person from having action taken against him or her in the civil court if they are acting in such a way as to prevent someone else from getting a livelihood because of an illegal strike. The circumstances leading to an illegal strike are hardly democratic. When a similar provision was taken out of the law in 1982, it had not been used, but its very presence would be a constraint if that were necessaryy. At present, people are going on to building sites and telling the subcontractors that they and the people working for them must join a union and contribute to the superannuation fund. If they do not, the site will be closed by a strike. The people causing the strike can now say arrogantly that the Government, the Parliament, and the courts can do nothing. Recently, the Minister said that, if anyone tried to get tough with the unions, the unions would ignore such action and there would be a general strike. Surely, if the Government or Parliament does not have the power, it should be given to the courts.

The Hon. Frank Blevins: How about the Industrial Court?

Mr S.G. EVANS: That is hopeless. I do not believe that any major dispute has been solved by the Industrial Court to the advantage of the community generally. The court usually comes down on the side of the employee rather than acting for the good of the community. I support the amendment strongly, and I believe the Parliament should debate it now. There is plenty of time for Government business over the next four years. Indeed, Parliament can sit for more than four weeks in this session. The unions told the Government to strike out this provision in 1982, and we should debate the matter now.

Mr S.J. BAKER: I thank the member for Davenport for his support. I shall not divide the Committee on the amendment but I will introduce a Bill later.

Mr S.G. Evans: You won't get it debated.

Mr S.J. BAKER: If we do not get it debated before Parliament rises next week, we will get it debated in the budget session.

New clause negatived.

Title passed.

Bill read a third time and passed.

POTATO MARKETING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 19 February. Page 329.)

Mr GUNN (Eyre): This legislation has had a fairly chequered career. It comes to the House on this occasion after the Government last year introduced a Bill to abolish the Potato Marketing Board. That Bill gave the board time to wind up its operations and it gave the opportunity to growers to be aware of what would take place. Following that action, the Government, in the heat of the election campaign and in an attempt to win the seat of Mount Gambier, opted for this proposal (the Humphries protection measure) with a view to winning Mount Gambier. However, that effort was a dismal failure.

When the ramifications of this Bill are studied and understood, it will be obvious that there are a number of flaws in it. The Bill leaves much to be desired. Several matters have been raised with me by concerned members of the industry who have shown clearly that the Government has not paid proper consideration to the representations made to it. Indeed, the Government is risking large amounts of money that belong to potato growers in South Australia.

In my discussions with members of the potato industry, much concern has been expressed in opposition to the proposal to wind up the Potato Marketing Board before the expiration of the sunset clause. Indeed, the Government has gone back on a number of clear undertakings that the previous Minister gave. Growers are concerned that funds presently controlled by the board—its assets when sold—will not be made available to the industry to continue its program of promotion, development of new technology and encouraging other innovations in the industry. I have been approached by Mr Clark, of district 5 the board, who says this:

> With reference to the proposed legislation to terminate the Potato Marketing Act coming before the House in this session, I would like to place before you the following facts. The area I represent would like to see the sunset clause run its full term until 30 June 1987. At that time growers be given the opportunity to democratically be allowed to determine their own destiny in regard to orderly marketing.
>
> Should growers then decide to retain orderly marketing, the assets of the board be used as a starting base for this operation. The assets of the board have been built up from growers' funds by means of charges and levies. Attached is a summary setting out the possible future of the potato industry in South Australia and its effects on the State economy for your information.

The funds to which reference is made belong to the growers of this State, who contributed to the board. Certainly, those funds are not Government funds, because the Government has not been involved.

The second matter I raise involves legal opinions that have become available suggesting that there is some doubt that the board had the authority to collect those funds. Indeed, I have been given a legal opinion by a QC to that effect, and I understand that the Minister has an opinion from the Crown Solicitor in support of that. I understand that new subsection (3) limits the liability of the Government in case someone takes legal action in this matter.

Growers have expressed concern to me that at the time of the winding up of the board the Government might transfer employees to the Public Service, pay them at a lower rate but have their salaries topped up from the board's funds. It was the Government's decision to take that course of action and get rid of the board. That decision was not taken by growers: there was no referendum. The Government should be responsible, and growers' funds should not be watered down in such a manner.

Thirdly, as the Minister said, employees were sitting around for a month doing nothing while being paid. Growers want those funds transferred in their entirety to the horticultural industry in order to establish a properly constituted trust fund so that the funds can be administered by growers elected to that trust fund committee, with the Department of Agriculture having one nominee. Those funds

belong to growers and, therefore, they should be used in a manner that will enhance the industry.

It is not only unfortunate but quite wrong of the Minister to set out on the course of action that has been adopted. Indeed, I have been given a detailed submission by the Horticultural Society. It is a copy of the submission that was sent to the Minister, although I do not know whether the Minister has responded to it, but it contains a most reasonable suggestion that would get over the current problems.

True, the board did a number of things that were quite foolish, and in my judgment it left much to be desired. It became bureaucratic and in many cases lost touch with reality. The Opposition believes that the potato industry should be able to look after its own affairs and, therefore, if the Government will accept the amendments that I intend to move in Committee, we would be willing to support the Bill. However, if the amendments are not supported, the Opposition will have no alternative but to oppose the third reading, because we believe the Government is avoiding its proper responsibility in supporting the needs and desires of the industry. The Horticultural Association of South Australia Inc.'s submission to the Minister states:

Because of the complications involved in trust funds the CPIC asked that the legislation drawn up in regard to the assets of the [board] allows flexibility in control of money in order that the industry may use the funds for a diverse range of purposes for the benefit of the industry.

The submission suggests that it be a controlling committee, comprised as follows:

The Chairman of CPIC who is elected on an annual basis by the delegates from each branch of CPIC.

The Chairman of the branch in each of the four geographical areas of the State, i.e. Adelaide Plains; South-East; Northern and Central Hills; Southern Hills and Lakes.

Each of these people is elected by members within their area on an annual basis, therefore the people in control of the assets will revolve on a regular basis and at all times will have the support of their local growers.

One ministerial appointee, possibly with a horticultural background within the Department of Agriculture, in order that there be information supplied both to and from the Minister.

Secretarial services and accountability can be provided by the Horticultural Association of S.A. Inc. and the use of the association's auditors . . .

I hope that when the Minister responds, he will clearly explain to the House what the Government envisages, because I am looking forward to his supporting my amendments. The submission continues:

The potato industry will face many problems over the coming years as it has in the past in the areas of research into diseases, irrigation techniques, improved fertiliser and chemical useage, varieties, etc. Research into all of these areas is considered by CPIC to be of the utmost importance, therefore will be a very important priority in the use of these funds. Promotion of the crop produced is extremely important to the future viability of the industry as through the excellent promotion that has taken place over the past few years, the consumption of fresh potatoes has increased at a faster rate than that of other States where the same level of promotion has not been possible.

The submission then talks about the method of raising funds, as follows:

An acreage levy on the growing of potatoes within South Australia is seen as a vital area if the industry is to maintain viability.

It goes on:

It is vital that the acreage levy is part of the industry use of assets legislation as the funds would soon be eroded through inflation and those involved in the industry wish to maintain the principal sum in real terms in line with future inflation.

When the Minister replies to the debate, I hope he will explain exactly what the situation is in relation to the moneys already collected by the board, and say whether the Government is concerned about whether funds were legally collected and whether the QC's opinions are in line with the information that has been provided to the Government. I request the Minister to indicate clearly to the House where he stands in relation to these assets which have been built up by the board over a long period and which undoubtedly have been dissipated by the Government's actions. The real concern is that the board has not been trading for a month, yet the salaries of employees have been paid. Any surplus cash on hand could be swallowed up. Indeed, when assets are realised extra moneys will be required to top up those salaries. If, when those people were transferred to the Public Service, they did not receive the remuneration they were receiving prior to the abolition of the board, then the board's funds would be used to top up their salaries. That is a matter of concern.

The potato industry is important to the State. A number of growers, who have large investments in the industry, have provided for many years a high quality product to the consumers of South Australia, and it is the Opposition's belief that the industry should be encouraged to continue its record of producing high quality products. The proposition put forward by the Horticultural Society of South Australia is, in the view of the Opposition, a reasonable request, since the Government has gone back already on a number of clear undertakings that have been given. I sincerely hope that the new Minister, who has not been involved in the controversy which has taken place over a considerable length of time, will see his way clear to support the propositions which the Horticultural Society presented to him in a letter dated 31 January 1986.

I have on file an amendment to set up this trust fund. I have not moved to impose a levy because, as an ordinary member, I thought that I was not in a position to do so. If I were, I would move that amendment. Further, there could be other problems in imposing a charge of that nature; I am not sure whether it is possible. However, I believe that the Minister administratively could assist the organisation to overcome any problems if there is goodwill on behalf of the Government. The Government has created this difficult situation, and it is now up to it to show a bit of commonsense and fair play to rectify the problem. I will support the measure at the second reading stage but, if this amendment and those undertakings are not given, the Opposition will have no hesitation in strongly opposing the third reading.

The Hon. TED CHAPMAN (Alexandra): I rise to support the remarks of the member for Eyre. I do so because the sum of approximately $1 million to which he referred, held by the board and now under the care and control of the Minister of the moment, is really growers' money. As he explained to the House, it should be placed in a trust account and used for the purposes dictated by the growers rather than by the Government or any other authority.

I want to remind the new Minister of Agriculture of a couple of matters that have occurred in recent times relating particularly to this potato marketing procedure in South Australia. I do not want to go too far back into history. The Act is some 38 years old and, according to some, has run its useful course and is no longer required. I remind the Minister and those assembled in the House that a lot of potato growers who produce small crops in the broad acre arena would not agree with that, and that some 200 of those growers are in the practice of planting about 20 acres (8 hectares) a year.

That planting is a significant ingredient in their farming practice and represents a significant part of their family income. Whilst growing that relatively small acreage, they have been reliant upon a broker or an agent—in this case the marketing board—to receive, prepare and market their product. When I say they are 'reliant' on them, I mean that those small growers do not have contacts within the retail

marketing arena. They do not enter into contracts with supermarkets or the vegetable marketing chains at any other level, but simply arrange for delivery of their products to the organisation, the marketing board, as they have done over the years, and rely on that arm of the industry to carry out the function of selling their produce. I know that a lot of those people are in quite a panic at the moment, because the very structure of their marketing organisation within the industry, set up and financed by their own levies to the system, is in the process of being dismantled. It is that latter aspect in particular to which I address my remarks.

On 15 May 1985, the Hon. Mr Blevins, the then Minister of Agriculture stationed in the Legislative Council, introduced a Bill whereby he put in the Act a sunset provision identifying his Government's intention, if in office, that from 1 July 1987 the Act would be dismantled, and accordingly the structure of the board would tumble at the same time. I remind the House that when he introduced that Bill, he stated:

> The purpose of this Bill is two-fold. First, and most significantly, the Bill proposes the insertion in the principal Act of a sunset clause which would render the legislation inoperative on and from 1 July 1987. In providing for the cessation of the statutory marketing of potatoes on that date—

Now, there were no ifs or buts, no suggestion in that other than that the Government proposed to act. The Minister continued:

> the Government is not convinced of the continuing need to intervene in the marketing of potatoes. The Government in arriving at this decision—

that is, the decision to cease the statutory marketing of potatoes on 1 July 1987—

> has taken into consideration a number of factors.

I do not want to canvass all the factors that led the Government to that decision. My colleague has already indicated that it was a Humphries protection measure, and all sorts of other titles have been given to the then Minister of the day, and on 7 December they fell apart.

But in my view that is history. We are almost at the stage, apparently, where the board and its structure are history. I am not proposing in this debate to stand up and say that the board should be reinstated in full colour and indeed operate as if nothing had occurred in the meantime. As I understand it, it is virtually dismantled at the moment. What I criticise is the action of the Government prior to the last State election in giving an absolute undertaking that a certain life tenure of the board was to occur, having it introduced into the Act by way of an amendment, seeking and gaining the support of both Houses of Parliament, and indeed at no stage during those debates implying that, if anything else went wrong in the interim, the board would be dismantled.

Let me go a little further and quote from the Minister's remarks on 15 May 1985, when he said:

> The Government has doubts whether problems with the current marketing system can be resolved by the proposed changes; however, if proposals are made which can satisfy the interests of the industry and of consumers then it may be that a modified Potato Marketing Act can be retained.

The Minister led the industry on by those encouraging remarks. In other words, he threw down the gauntlet and challenged the industry to straighten up its outfit and perform, otherwise it would be dismantled by 1 July 1987 in accordance with the Act that was subsequently proclaimed. He went on to say (and this further confirms the commitment made):

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

In other words, the Minister gave an absolute undertaking to the public, the potato growers, the marketers of that product, the merchants, the employees and the consumers—so everyone knew where they stood. We on this side had reason to oppose that Bill, and we gave our reasons for opposing the Minister's action and the way in which he handled the matter. However, we lost, the Government won the passage of its legislation through both Houses, and it was proclaimed. Then the Government won the election, and now, after the election, we are faced with a further departure not only from the undertaking but also in this instance from the law.

The Hon. M.K. Mayes interjecting:

The Hon. TED CHAPMAN: The new Minister interjects and says it was before that he sent out his signal. Of course it was: it was a few weeks ago that the new Minister made noises about what he intended to do, and now he has introduced legislation to endorse those remarks and to fix things up.

The Hon. M.K. Mayes interjecting:

The Hon. TED CHAPMAN: Of course, prior to the last State election the Minister gave an indication—there is no question about that—and since then it has been publicly signalled again. Now in order to confirm all those political undertakings and public statements of the kind mentioned, the Government has introduced the Bill. All of that is bad enough, but in the second reading explanation the Minister said not 'For political reasons we have dumped the Act and sabotaged the undertaking we gave to the community', but that:

> In making the amendment to the Potato Marketing Act, the Government made it clear that if there was evidence that the highly regulated potato marketing system was not working, an earlier move—

that is, earlier than 1 July 1987—

> would be made to disband the board.

I challenge the new Minister to report to this Parliament the line, paragraph, phrase or announcement in which either he or his predecessor on behalf of the Government prior to the election or during the passage of the last Bill said that, if the Potato Marketing Board did not perform satisfactorily in the interim (that is, from 15 May 1985 until now), he would take action to disband the board in the meantime. The Minister can run off to Gary Oborn or any other officer of the department if he likes, but I have read *Hansard* and I was directly involved in the debate of 15 May 1985, so I know what was said. I know the Minister's undertaking: indeed, it is clearly recorded that the potato growers in this State, the industry, and the community at large had a two year trial period in which to lift their game and raise the standard of their operation to the satisfaction of the Government, otherwise on and after 1 July 1987 the Potato Marketing Board as we know it, under the canopy of legislation, would go out the window.

In the meantime, the Minister can rustle around. I understand that there are three or four other speakers on this side, so the Minister has plenty of opportunity to muster the details so that he can tell us, and put on the record, where he or his predecessor had signalled their intention, according to the *Hansard* record, to disband the board prior to 1987 in conflict with the undertaking given on 15 May 1985. There are a number of circulars floating around amongst members on both sides, one signed by Mr Brian Clark who is and has been for some years a member of the South Australian Potato Board. He is a dedicated representative of the potato industry and I have a very high respect for his concern expressed in the circular and its attachments dated 18 February 1986.

I will not go through all the detailed arguments that he presents in his efforts to preserve the current board struc-

ture, or that which has operated for many years. I believe that in practice and in reality the function of the board has run down. It has been driven out of business by some people who have opposed its function from within the industry, helped along for political reasons by the Minister's predecessor and the Labor Government generally, more especially during the lead-up to the last State election.

Be that as it may, I am not seeking to restore the board as it was or indeed as it ought to be, except that I take this opportunity to criticise the Government for giving an undertaking to the industry and then, immediately it was convenient and on the eve of the last election, giving an undertaking to a certain section of the community that back in office it would disband the board. Now the Government has its licence (its mandate, I suppose) to do that, but that does not alter the principles involved or the dishonesty of the way in which the Government went about its activities.

I really think that our rural industries generally are having enough trouble without a little disruption in the industry being further cultivated and, in this instance, aggravated by a Government or a Party in office that really underneath it all has no regard for the little growers. The new Minister, recently installed in the position, would have to know, if he has been around the country at all (and he purports to have done that), that the vast majority of the 370 growers or thereabouts in South Australia are cultivators of the potato plant on very small areas only and, indeed, are totally reliant on brokers and agents to handle their affairs. In the present competitive climate and more especially in the oversupply situation as it applies interstate, those people have no hope. The sharks in the industry will move in and gobble them up. The Minister knows that as well as I do. From the reports we are receiving, that is already happening.

The returns that those growers are receiving this year as against their returns before the activities of the Minister's predecessor show that they are receiving about half the sum for their potatoes in comparison to the situation six months ago. The rot has already set in. To manipulate and organise a situation that gives the top few big growers the opportunity of becoming bigger, where the mass of little growers is destroyed in such a cruel way, is, in my view, unacceptable.

There are differing arguments: one group of growers will be rotten on the Government for the action that it has taken, and another group five miles away will be very happy, because they must have a contractual arrangement with a merchant where they are guaranteed an outlet for their produce for the time being. The latter group then thinks that the Government has done a great job. They could, however, have a snout about one or two members on the board or the manager, or they could complain about being unable to deliver produce when they wanted to or, having done so, finding that the price had been dropped from what it was previously.

It is true to say that the industry is divided. The Government and the previous Minister of Agriculture, in particular, exploited the situation that was prevailing last year, swooped in and took it up for political purposes. It conned the departmental officers into putting this into effect—and I know what it is about. I was there between 1979 and 1982, and the same sort of proposals were put to me by the same agitators. The same few officers came along and told me about all the crook things that applied in the board and how I should watch this one or that one. When we appointed a new Chairman to the board they said we should be careful not get one out of this camp because this was the wrong group and that we should get one out of the other camp. They warned me about how cautious I should be about appointments to the board and where I should go. In fact, they even suggested at one stage that I should be careful about going to Mount Barker to open up a washing facility, and that it might rebound because there were a few crooks on the board.

I have been there and done that. I am aware of what has happened in the field and in the department and the sorts of pressures that are put on Ministers, particularly new Ministers. One knows how the heads of departments come in with their recommendations and try to thrust them on one. So, I have some sympathy for the new Minister, who has inherited this mess. However, I have no sympathy for people who twist the truth—and the truth of the matter is that no warning was given to the growers in the potato industry or to the members of the board that, if they failed to do exactly what the Government wanted them to do or continued with the practices that they were previously performing and did not amend their ways in the period between May 1985 and 1 July 1987, the Government would move in and cut the ground from under their feet. It has done that.

I support the member for Eyre in his attempt to recover the money which, as far as I am aware, belongs to the growers and those who have contributed, and to ensure that that money is not spent on topping up wages for public servants or for any other purpose that is not approved by those who have made the contributions over the years.

As to the legality of collecting those levies, I am not really abreast of the opinions of QCs and other opinions that have been expressed in recent times. I have no contribution to make on that part. When farmers' money is paid in good faith for a purpose and that purpose dissolves and when there is no longer a requirement to expend in that direction, the destiny of those funds and the determination in relation to that money should be made by the growers—in other words, those who pay are those who say.

Mr M.J. EVANS (Elizabeth): It is clear that members opposite have canvassed many of the issues involved, and I will speak from a personal point of view, largely because of my interest in this matter last year when this Bill came before the House in its first form, which proposed that the industry should be given two years in which to reorganise itself, and for the board to be phased out over a dignified period of time. The Minister on that occasion gave some fairly specific and long-term assurances about the period of time involved, and gave specific undertakings in *Hansard* that the industry would be given two years in which to adjust to the proposed new regime.

At the same time the Minister also removed from the Act most of the substantive penalties against contravening provisions of the Act. Of course, it was clear at the time that to some extent that established a self fulfilling prophecy mechanism: that, if one removed from the board the powers that the board might have used to enforce its policies, the board would naturally become ineffective over a very rapid period of time and people would ignore and flout its rulings. Therefore, it was reasonably obvious on that occasion that the board would very rapidly find itself backed into a corner where people would, on a large scale, begin to ignore the marketing regime that had existed for many years.

I personally agree to a very large extent that we should free up the agricultural sector. Members opposite espouse the virtues of a free market economy on many occasions, and I think that it is never more true than it is true of the agricultural sector. As has been widely recognised in Australia recently, the Australian agricultural industry is one of the most efficient in the world—and that has been recognised by the Prime Minister, among others. However, agrarian socialism is alive and well, no matter what we do to the Potato Marketing Act, and that will continue to be the case. A number of other agricultural marketing authorities will remain in existence, and it is surprising that the Gov-

ernment has singled out this one for such special attention when all the others have been left largely untouched, either in a practical or philosophical sense.

The Government has not put forward an alternative to the broad range of agricultural marketing regimes that are in place in this State and in Australia, but rather it has singled out one of those and sought to remove it. We have not really had a rationale for that. I accept the principle involved that we should remove as many of these marketing regimes as possible, and I accept that in the vegetable industry this is the only one that remains. However, the vegetable industry is but a small subset of the agricultural industry as a whole. Rather than singling out that aspect of it, although I support the principle involved, I would have thought that the Government might present a broader philosophical attack on how it intends to reform agriculture in South Australia if this is to be part of that plan.

Be that as it may, the Government did undertake to give the industry two years. It abruptly cut that short just before the last election, for reasons which were never entirely clear to me. It is said that potato marketing order No. 17 of the board and its subsequent revocation was such a disastrous administrative policy decision as to warrant the immediate execution rather than the slow and dignified demise of the board. Why that was the case I do not know. The order did not appear to have catastrophic effects on the industry. The board has been making orders for many years, and the order was subsequently revoked, anyway. Why that warranted the immediate demise of the board in the face of the Minister's previous assurances that it would last for two years was never made entirely clear.

What really concerns me, given that I support the long-term phasing out of it and given that through a mechanism of legislation through press release we have really guaranteed the demise of the board regardless of what the Parliament might say, to oppose this now would put the board and industry into an absurd position. It is quite right that it should now be removed. The board has, I understand, virtually wound itself up and is in the process of paying its creditors and establishing itself into a position where it can simply go out of business on the day specified in the Minister's press release, regardless of what the Parliament might say.

However, it seems to me that we must clearly support the legislation now because to do otherwise would simply be absurd and would leave the industry in an even worse position. What really concerns me in the long term is the need to establish an effective research and promotion regime for the industry, and we have not really had the Government's intentions in that area spelt out very clearly, either.

The legislation vests the assets of the board in the Minister. That is a perfectly reasonable thing to do, provided that adequate guarantees and proposals have been set down as to what the Minister will do with that funding, and how that will be used to directly benefit the industry (which, after all, contributed every cent of those funds). I think the industry would be a lot more comfortable with the proposal to vest funds in the Minister if it had a clear-cut plan before it as to how its funds would be used in research and development and promotion of the industry as a whole—a very important aspect which we have yet to have put fully before the House.

The $1 million in assets that is now available, largely tied up in a single property, I understand, would form a very good basis for a research, development and promotion fund, administered by some sort of agency, whether statutory or otherwise, in which the department, the Minister and the growers would be represented. It is only a start, and it is my own view (and that of some growers to whom I have spoken) that certainly in the long term the levy system will be necessary, and whether that is to be on a voluntary basis or on a legislative basis again is not clear.

It could be said that all this should probably be left to the industry, and normally I would support that view. However, this industry has been heavily regulated since 1948, and we cannot expect it simply to walk into the harsh sunlight of deregulation overnight. Given that the legislation does vest the funds in the Minister, it is also very much the case that the ball is in his court. If the legislation vested the funds in the industry, it would be entirely up to it to determine its future. However, it does not do so. The legislation proposes to vest the funds in the Minister exclusively. Therefore, it is up to the Minister to come forward with his proposals so that the industry and Parliament may comment on them. It is not enough simply to vest them in the Minister without a clear-cut explanation of the future that is intended for those funds.

While I would normally support an industry based scheme, we have a situation where the Minister is appropriating those funds to himself. Therefore, it is really his position and not that of the industry, to explain the future intentions. It would be a valuable addition to this debate if, when closing the second reading debate, the Minister could share with the House his thoughts as to the future of the research and development funding. I am sure that that would make honourable members more comfortable in voting for the legislation, and the industry more comfortable in seeing it passed by the Parliament.

Mr S.G. EVANS (Davenport): I would like to see the Bill after the amendments proposed by the member for Eyre have been considered. I want to speak on the overall issue, as have other members, of why we find ourselves in this position. It is true that the Act was introduced in 1948, when the growers requested it, immediately after the war. Many of them had contracts with Government agencies during the war, and modern methods of planting and harvesting (modern in those times, anyway) were just starting to come on to the scene in this State. This occurred at the time when road transport was only starting to become available for those in the South-East and in the wider fields in a way that made it easier for them to bring it through the improved roads. So they were more able than they had been in the past to venture into the South Australian market from the South-East.

Up to that time, a lot of the products which were produced went to Victoria. Indeed, that still happens to this day. It was not such a big potato growing area, nor was the Virginia area: it was more the southern Hills. The growers requested that a board be set up to enable some form of orderly marketing to occur. At that time, already starting to move into the industry were those people we might call the supermarket-type of operators—the bigger operators in the retail area. They were beginning to try during the Second World War to get people to sign contracts in a way that the Government was doing before the war effort. Some of those contracts were fairly ruthless, and only the suckers or the desperate signed them between 1945 and 1948.

Then, the marketing was a problem because anyone would sell at any price. Even though potatoes were not perishable in the short term, they had a reasonably long life and it was possible to get some form of orderly marketing. Indeed, the only reason why we have not introduced orderly marketing schemes for certain other vegetables is that most have only a short life. Admittedly, some vegetables such as peas and beans can be deep frozen, packaged, and marketed later. Be that as it may, the example exists here to show how a multinational can take over an industry and exploit the grower.

Like people in the potato industry, I fear that the same kind of exploitation will occur here, where $1 million of

growers' money is involved. That money belonged to a group of people who established an asset. Many of those people are far from rich: they live on an income that is way below what many Labor members would suggest was a fair annual salary. Indeed, federal Labor members show, by producing statistics, that many of these people on the land are not clearing as much as $7 000 a year, so why do we say that this $1 million, which is really their money, should not be made available to them?

If one wanted to plead a case similar to that pleaded by the Government occasionally on behalf of disadvantaged people, one could pursue that line. After all, many of these people are disadvantaged and will become more disadvantaged in the future. In these circumstances, one would say that this $1 million should be set aside for welfare benefits to help the growers get over their difficulties when they are forced out of the industry by the exploiters. That would be just as good a judgment as to say that it should go over to the employees whom the Government has the responsibility to transfer to other employment, when it says, 'We want to use the money to ensure that these employees end up with a reasonable salary or retirement allowance.'

I do not object to the growers getting compensation, but it is the Government's responsibility to use Government money, not the growers' money. After all, this could be considered as another form of tax. In effect, the Government is saying to these people, 'We know that you put in this money to build up the Potato Board's assets, and we will tax you that extra $1 million for the few people concerned in South Australia because, as a Government, we cannot afford to guarantee the employees against transfer in employment or total loss of employment.'

That is what we are voting on at this stage. When the member for Elizabeth indicated earlier that this was one of the few areas of controlled marketing in the vegetable growing industry, he said that it should be a free and open market. I agree with that basic philosophy but, once we start to introduce control into a free trade area, there must be a form of orderly marketing. It does not finish only with what happens in the potato industry, and it happens in the wage structure also. If a person is forced to pay a high price for irrigation equipment, a harvester, or an employee to work the machine, one is interfering with the free market and, if the industry is to be saved by subsidising it so that it can compete with oversea producers, there is interference with the free market. That does not affect the potato industry as much as it affects some other areas of free markets. Immediately these markets are interfered with, there is this problem.

The board has lost its powers. The Government gave a guarantee until 1987. When the legislation was passed, this side of politics did not agree. The Government should have realised, if it did not know, that the powers of the board were weakened. It could not operate effectively and its ineffective operation gave the Minister the chance to say, 'The board is not operating effectively, so we will abolish it earlier.' What a double cross!

Apparently, the Government's word cannot be accepted, and we have a clear example of that here today. Let us be sure in our minds that certain people will now move into the potato industry. I do not believe that the Minister can do anything with the $1 million to help the industry. He may talk about research and advisers who will tell the growers how to plant their potatoes or with what to spray them. That would be wasting the growers' $1 million because the big operators, such as Coles and Woolworths, would be able to move in, put in a washing plant, and get the suckers and the desperate growers to sign contracts at low rates. The Minister may argue that that would be good, because it would mean a slightly cheaper product for the consumer, but such benefits are passed on to the consumer only until the big firms get control of the industry.

Then they exploit it. That is why I have always opposed any monopolistic system, and why I still do. Organisations will set up the plant, and some operators who have washing plants and who agree that the Minister's move is a good one might feel the pinch, but dozens and dozens of small growers will go down as well. These are the sort of people whom members on both sides of the House say they support, that is, until it comes to the crunch, and we leave them in the gutter because of a few of the power machines—not always individuals, but the machines that are sometimes greater than individuals—move in and say to Ministers and political Parties, 'If you go in this direction, we will look after the industry and you will have cheaper products, in addition to fewer problems in Government.'

The industry asked for this operation in 1948—38 years is not a bad record. I have sold both within and outside the board, and I know a bit about the industry. These people are in the industry but, when one tries to put them together collectively, there will be problems. That is understood, because inherent in the free nature of their activity is that independence. We should learn to understand that because, if we destroy it, we bring everyone back to the lowest common denominator, and thus also reduce the quality of the product. I say to the Minister that there will not be the incentive in future to produce top quality products. It will not be there because growers will not have to achieve that standard: they will have to produce only a quality that is acceptable in the market at the lowest possible price.

The main problem we have confronting us tonight is that of a group of growers in the South-East who believed that the board was a serious disadvantage to them, although they saw both advantages and disadvantages. Geographically, because of their position in Australia, their advantage was their closeness to a market of about 10 million people in Victoria and New South Wales—an advantage over growers closer to Adelaide, especially in view of their proximity to the Victorian market.

In terms of their communications—radio and television—they were more in contact with Victoria than South Australia. The disadvantage confronting them was that when there was a slump in the eastern States through oversupply, and because there was not the same sort of marketing board that we have here, those growers encountered difficulties marketing their products. They were then forced to lean more upon the South Australian board in Adelaide.

In other words, when markets were tough interstate, especially in Victoria, they felt the pinch worse than local growers closer to Adelaide, because they had to fall back on this market. However, when the Victorian market was good and when they obtained higher prices, they were happy and there were no complaints. That is what it boils down to. Suddenly, we are going to throw everything out in this one move. I ask the Minister to indicate how he is going to use the money remaining. Will employees go into jobs from the Potato Board on salaries lower than they are getting now, and then from the growers' $1 million will he top up their salaries? Is that part of the deal? If it is, it is grossly unfair. Is the Government going to offer any assistance in monetary terms to growers forced out of the industry if they can show that they have been forced out by monopolistic operators who have come into the game, or will it say that they are just a few more who will have to go on community welfare and social security payments? Will the Government like that and say that the more people they have on those payments the more votes it will get?

I say to the growers that I respect them for the way that they have in the main stuck to the board for 38 years. I respect the way that they have developed the industry in

this State to a point where—and the Minister cannot deny this—we grow the best quality potatoes in Australia, especially in keeping quality (due in some part to the type of soil and weather conditions). To those growers who will go by the board, I ask them not to blame me; I know they will be crushed but the people in power who have guaranteed salaries—whether it be public servants or others—are not really worried. They thought they had a free market, and it would be much better for everyone—including the Government, which would not have to worry—if this change were instituted.

However, I predict that future Governments will have a problem with this industry, and that there will not be continuity of supply as there has been in the past. Growers will move in and out of the industry and, if they have a bad year, they will not know what will happen the next year, and they will stay out. There will be greater price fluctuations than we have ever encountered before. That will be of concern to both growers and consumers. I do not support the Bill in its present form, and I will be interested to see what the end result may be after discussion in Committee.

Mr BLACKER secured the adjournment of the debate.

SECOND-HAND MOTOR VEHICLES ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

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

That Standing Orders be so far suspended as to enable the introduction of a Bill without notice forthwith.

Motion carried.

PAY-ROLL TAX ACT AMENDMENT BILL

The Hon. LYNN ARNOLD (Minister of State Development) sought leave and introduced a Bill for an Act to amend the Pay-roll Tax Act 1971. Read a first time.

The Hon. LYNN ARNOLD: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

That the South Australian Government agree to exempt employers of approved trainees from the payment of payroll tax on behalf of these trainees.

On 9 April 1985, State Cabinet approved the development of traineeships for young people in South Australia from 1986.

Since that time, there has been prolonged discussion with the Commonwealth to agree on the basis for the implementation of traineeships throughout Australia. At the same time, employers, union representatives and Government officers have been working together in Industry Working Groups to develop firm proposals for the implementation of traineeships in particular industries or occupational areas.

The Commonwealth Government is seeking to reach a formal Agreement with each State and Territory Government outlining the nature of traineeships, agreeing on conditions for Commonwealth Government support, establishing approval mechanisms in accordance with State legislation, agreeing the respective roles and functions of Commonwealth and State Governments and agreeing on a level of State Government financial commitment to the development and implementation of traineeships. This will take the form of a Memorandum of Understanding to be reviewed on an annual basis.

Agreement has been reached on the framework, administrative and approval arrangements for the development of traineeships in this State.

On 10 January 1986, the Federal Minister for Employment and Industrial Relations stated that, 'the Commonwealth considers a commitment on payroll tax and workers compensation exemption an important element of State and Territory Government contributions to the implementation of traineeships'. In accordance with this, the Commonwealth Government has indicated in the agreement that, 'the South Australian Government is contributing to the Australian Traineeship System by forgoing revenue through waiving of payroll tax'.

The South Australian Government has progressively raised the payroll tax threshold and decreased the rate of payment of payroll tax for small employers. In addition to this, the South Australian Government already exempts employees of Local Government, many workers in the human services area and apprentices employed in Group Apprenticeship Schemes from the payment of payroll tax.

In discussion with other States, it has been ascertained that the Western Australian, Victorian and New South Wales Governments have already made provisions to exempt employers of all approved trainees from the payment of payroll tax and that the Queensland and Northern Territory Governments have the intention of doing so. The Tasmanian Government has decided that it will offer $1 000 incentive to employers for each trainee hired rather than offer any exemptions. It is further understood from discussion with Commonwealth officials that the banks and large retail chains which are reaching national agreements for traineeships will offer traineeships in a State on the basis that the State Government provide this type of exemption.

Given the widespread exemptions already existing under the Payroll Tax Act and the position adopted throughout Australia, it would assist the development of traineeships in this State to offer a similar exemption. This could be restricted, however, to apply only through the three year development phase, with a review occurring during 1988/89 when the Australian Traineeship System becomes an established part of labour market arrangements.

It is thus necessary:

to amend the relevant Clause of the Payroll Tax Act, 1971, to include provision for the exemption of employers of trainees approved under the Australian Traineeship System from the payment of payroll tax on behalf of those trainees.

this exemption apply only during the development phase of traineeships and be reviewed during the 1988/89 financial year with a view to it being removed as the System becomes an established part of labour market arrangements.

Clause 1 is formal.

Clause 2 amends section 12 (1) of the principal Act to insert a new paragraph (db) which provides that wages paid or payable to persons employed in accordance with the Australian Traineeship System will not be liable to payroll tax. The persons must be employed under schemes of training approved under section 27 of the Industrial and Commercial Training Act 1981, by the Industrial and Commercial Training Commission. The exemption from liability will apply only to wages paid or payable before 1 July 1989.

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

POTATO MARKETING ACT AMENDMENT BILL

Debate on second reading (resumed).
(Continued from page 539.)

Mr BLACKER (Flinders): Prior to the dinner adjournment, reference was made to the action that the Government has taken since a Bill to amend the principal Act was last before Parliament. Members will recall that in May last year the Government of the day introduced amending legislation to provide a sunset clause in relation to the Potato Board. I and many other members opposed that for a good philosophical reason, that is, that the future of marketing boards and statutory marketing authorities could be seen to be at risk by the abolition of the Potato Board.

I know that some members believed that the board had not been acting in accordance with the wishes of all the members, but it is not the job of this Parliament to axe the board. The board should have been directed to carry out the wishes of its members in a much more efficient and effective way. Be that as it may, its wrongdoing at that stage meant that the Government could come in, in a heavy-handed manner, and insert a sunset clause. Parliament agreed with that. It recognised, although I disagreed on this point, that there was a need for a sunset clause or a two year probation period in order to rectify that situation.

This Parliament decided that, yet within a few months we find the Government of the day wishing to reverse that decision and to bring down a situation whereby the board will be totally wound up. On that principle I oppose this legislation. For that reason, I fear what will happen to other boards: the Egg Board, the Citrus Board, and so on. Probably 10 or 12 statutory marketing authorities could easily be affected in the same way as this board is being affected.

I must declare that I have only one potato grower in my electorate. That potato grower is not very happy with the board and probably would like to see it go, but that is for his personal reasons, connected with the isolation of his situation. That does not overcome the problem of the philosophy of whether we believe or do not believe in orderly marketing. To that end, this Bill is wrong.

The other point that worries me is what is happening to the funds. I know that members have already asked that question. I hope that the Minister, in summing up the second reading debate, will explain to the House what is happening to those funds. I can easily envisage the outrage that would occur if the Government of the day decided to do exactly the same thing to other marketing authorities.

Mr Gunn: Or to a trade union.

Mr BLACKER: Or to a trade union, or to any publicly owned body. There are considerable anomalies in the philosophy that the Government is espousing on this issue compared with what it would do in other such cases. That point has not been answered; I hope that the Minister will answer it in due course and at least put our minds at rest as to where the Government stands and what are its long-term intentions for the industry.

I understand that the price paid to the growers in South Australia is as high as, if not higher than, in other States. I also understand that the price that the consumers have to pay is the lowest or as low as in any other State in Australia. That in itself must be a clear indication of the value of the board, for all the faults that it may have. It has been proving its worth; it has been able to maintain a reasonable price for the growers and a low price for the consumers. That shows that the board has some value.

I recognise that a small proportion of the State's potato growers is very keen to see the board go. Whilst I recognise their local and isolated position, where they are able to trade across the border, and I recognise the advantages to those people at this stage, I do not believe that it is in the interests of the industry as a whole. For that reason, I view with suspicion what is going on. If the amendments proposed by the shadow Minister are not accepted by the Government, I will certainly oppose the Bill at its third reading stage.

Mr MEIER (Goyder): I oppose this Bill on several grounds. First, we see in the Minister's second reading explanation the following:

> In making that amendment to the Potato Marketing Act, the Government made it clear that if there was evidence that the highly regulated potato marketing system was not working an earlier move would be made to disband the board.

Yet, if we look back at the remarks of the Minister handling the Bill in this House (Hon. Lynn Arnold, Minister of Education, representing the Minister of Agriculture) on 15 May 1985, we see the following statement:

> The purpose of this Bill is two-fold. First, and most significantly, the Bill proposes the insertion in the principal Act of a sunset clause which would render legislation inoperative on and from 1 July 1987.

Later, he stated:

> The Government has doubts whether problems with the current marketing system can be resolved by the proposed changes; however, if proposals are made which can satisfy the interests of the industry and of consumers then it may be that a modified Potato Marketing Act can be retained.

Continuing further, he stated:

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

We have had a complete about-face. That was May 1985. Not one year has passed, and the Minister has decided to disband the board. We recognise that this Minister did not make the decision—it was his predecessor, the Hon. Frank Blevins, who several days before the last election decided that he would do away with the board. I believe that there was little or no consultation with members of the board, and certainly no consultation with the potato industry as a whole. It is that fact above all else that makes me sad to see the Government acting in this way, and it makes me resolved to oppose this Bill, because I believe that the Minister should not act against earlier words which clearly indicated that this legislation would continue at least for the two years until 1 July 1987—and we have not yet reached July 1986.

It was interesting to see the reaction of the Potato Board at the time the then Minister made the announcement that he would do away with the board. In fact, an advertisement put in, I believe, the major newspapers at that time and headed, 'Why has Labor made the humble spud political?', went on to read:

> Does the South Australian potato industry have the right to determine its own destiny in a rational democratic manner, or are we to have our future determined by the Minister of Agriculture, Mr Frank Blevins? Yesterday Mr Blevins released a press statement in relation to disbanding the South Australian Potato Board. "The Minister of Agriculture, Mr Frank Blevins, says the State Government will move immediately after the election to disband the South Australian Potato Board."

It further stated:

> Could this statement have been made after 7 December after consultation with our industry instead of on 5 December without any consultation with any sector of this vital rural industry?

Could this action have some connection with tomorrow's election to improve Labor Party's chances of securing a swinging rural electorate?

The slogan at the bottom states, 'Labor, we are not impressed with your motivation and lack of democracy.'

I think the key thing there is consultation—or lack of consultation. It is ironical to take one's memory back to the election before last, when several members of the then Opposition indicated that a Labor Government would consult with respect to any legislation: they would not just move in, as they claimed others had done before it, and yet we have seen example after example during the past three years of such action, and this was perhaps the height of it. No consultation: simply moving and making a unilateral decision, in this case to get rid of the Potato Board.

The Potato Board, as other members on this side of the House have indicated, has a relatively long history of some 38 years. It is relevant, I believe, to consider the positive role of the board during those 38 years. Housewives have benefited enormously, and therefore the public of South Australia, the people who eat the potatoes, benefited through quality control, and through competitive prices—both within the State and compared with other States—and I believe that the board has done much for the industry and has ensured a continued livelihood for so many potato growers who otherwise may not have been able to continue to exist in the same economic climate as they have experienced up to now.

I was interested to see a press article following the Minister's statement that the board would be disbanded. I believe that it was in the *News* on 6 December 1985, and it states:

Prices 'will rise' if potato board goes—Disbanding the SA Potato Board would severely disadvantage small growers and raise prices, the Chairman of the board, Mr D. E. Grivell, said yesterday. Growers would be at the mercy of chain stores and washing plants which would control the industry, he said. And housewives would pay higher prices for potatoes and in some cases poorer-quality potatoes.

The Hon. M.K. Mayes interjecting:

Mr MEIER: A very interesting interjection.

The Hon. M.K. Mayes: And a pretty accurate one.

Mr MEIER: I believe that the Minister will regret the day that he has decided to go ahead with his predecessor's decision to disband the Potato Board. I regret it because the Minister should be aware that this State has always had to compete unfavourably with other States, as we are well aware that the other States have the massive population. The boomerang triangle only just extends into South Australia and, if one wants to set up an area where one would do well, then one looks to Victoria and New South Wales because of the guaranteed market and excess quantities can be produced and disposed of. In South Australia, the market forces are not equal, because the excess from interstate would be coming here and trying to counter the South Australian growers, and because goods can often be dumped here without any concern for the quality. In fact, transportation over that distance can sometimes cause deterioration of the goods.

In my opinion, South Australia needs positive forces to encourage people to stay here—positive forces, be it in the horticultural industry or any other area of industry. If the market forces were left on their own, many industries would be lost. Many areas of agriculture, particularly intensive agriculture, would be lost because of competition from interstate. I believe that it is the right of Government to try to look for positive incentives to keep people operating. We have a classic example here with the South Australian Potato Board, which was not Government financed. It did not cost the taxpayers anything.

Mr Gregory: About $700 000 a year.

Mr MEIER: Yes, $700 000 a year was the cost to the growers, and they were prepared to pay that voluntarily to see that the quality was maintained, to see that the housewives were provided with a satisfactory product, and to see that there was orderly marketing. What will this Government do? It says that, just because we had the best system operating in Australia, we will do away with it.

The Hon. M.K. Mayes: You must be joking.

Mr MEIER: In what way does the Minister suggest I am joking? He should speak with the people in Victoria and New South Wales who have been envious of our system.

The Hon. M.K. Mayes interjecting:

Mr MEIER: The Minister has not received the appropriate advice.

The Hon. M.K. Mayes: Stick around.

Mr MEIER: I will stick around. It is the Minister who will live to regret the decision that he has made. With due deference to the Minister, he is certainly new in the position. I believe that he would be influenced by his advisers, and I think that his advisers have received only one side of the story.

It is a pity that the Minister's advisers have not gone out of their way to get the other side of the story. It is interesting to hear the Minister interjecting in that vein, because it is quite clear to me, after speaking with board members and seeing the board advertisements and press releases, that there was no consultation with the board or the potato growers. As far as the Minister was concerned at that time, the board and the growers could go jump in the lake. The Minister would have been well advised to take the time to at least consult and discuss the situation with them. He should have had the decency to honour an agreement of a former Minister, who said, 'We will give you two years to get the board into shape and to see how things go, and after that we will make the final decision.' But the then Minister, the Hon. Frank Blevins, for some unknown reason decided that there was political advantage in acting early, and the present Minister has decided to continue that fiasco. They could not care less about the potato growers.

I am very sorry for the Minister and certainly for the future of some of those potato growers, because the smaller growers in particular have been helped and given positive incentives under a controlling agency so that they know to some extent where their next dollar will come from. However, from now on the free market forces could well cause havoc, and there is every reason to believe that the monopoly groups will take advantage of the smaller growers and perhaps even some of the larger growers. If we look one stage back, we recall that, when the Minister introduced the legislation in May providing a sunset clause to do away with the board, he went against what was supposed to happen. I remind the House that at that stage—nearly one year ago—there was to be a poll of all growers before any Minister of any political persuasion moved against the Potato Board, but the then Minister decided, 'No, I won't wait for the poll. I will move now to get rid of the Potato Board.'

Of course, that is the way in which this State seems to be run, at least with respect to the way in which the Minister of Agriculture has regard to other groups in South Australia. As I was interrupted in my reference to the article headed 'Prices "will rise" if Potato Board goes', I refer to two further quotations, as follows:

The General Manager of the South Australian Horticultural Association, Mr Greg Harris, questioned why the Minister had not delayed his statement until after Saturday's election. 'Immediate termination of the board had no grower support,' he said.

That reinforces what I referred to a little earlier.

The Hon. M.K. Mayes interjecting:

Mr MEIER: The Minister mentions the South-East, and I think it is clearly recognised that there are some problems

in that area, but the Minister would be well aware that the majority of growers in this State were (and still are) very much in favour of the board, and, as the Minister has interjected that perhaps I should get my facts correct, I invite him here and now to come to Virginia to a public meeting at any time he wishes—where and when he wants—but I hope that it will occur within the next two or three months. I will be happy to see that arrangements are made because, if the Minister believes that I am on the wrong track, I am prepared to accept that, but I would also like him to hear the other point of view. You would be well advised to listen to the views of the people in Virginia, in the District of Goyder. If you are prepared to accept my invitation tonight, then I am prepared to arrange the—

The SPEAKER: Order! The honourable member will resume his seat. He must refer to the Minister in the third person, and not as 'you', in accordance with the normal procedures of this Chamber. The honourable member may continue without interruption.

Mr MEIER: Thank you, Mr Speaker. I am happy to refer to the said person as 'the Minister of Agriculture', and I would be interested to see whether the Minister will accept my invitation to attend a public meeting. I hope that he will have made his decision before he responds to this debate.

Mr Klunder interjecting:

Mr MEIER: An honourable member interjects that free enterprise—

Mr D.S. Baker: He wouldn't know what it's about, I can tell you.

Mr MEIER: No, that is right. Members opposite would not know what it is about, because socialism is their philosophy. Members opposite laugh, but they have no idea what the Liberal Party State platform is about. I remind honourable members that under the heading—

Mr Groom interjecting:

Mr MEIER: I would be happy to table it. Under the heading 'State development, rural' item 4 *(d)* states:

> Economic development of rural industries should be stimulated by supporting the establishment, where appropriate, of commodity marketing boards when requested by the industry.

That is exactly what has occurred in the potato marketing industry. The board was requested by the growers and the polls have shown that. Ministers over time have acknowledged that they will allow the board to remain while the industry wants it. However, that brings me back to an earlier part of the debate: the previous Minister of Agriculture said, 'I will make a unilateral decision and do away with the board', so he went against the whole purpose of marketing and the concept behind orderly marketing. The growers should have made the decision whether or not they wanted it. That is why I am aggrieved. That is the key to the debate. The growers should have had the say but, in this case, it seems that one person—the Minister of Agriculture—has made the decision. It is all the more disheartening because there has been a change of Ministers but there has been no change in policy. I also refer to an article printed on 22 January this year whereby the new Minister made the announcement that the Potato Board would be disbanded on 28 February. The article stated:

> The Minister of Agriculture, Mr Mayes, said that after that date there would be a free market for potatoes, as there was for other vegetables in the State. The decision is unlikely to affect retail potato prices, but taxpayers will have to pick up future costs of the board's staff who transfer to jobs in the Public Service and possible losses on long-term potato supply contracts worth $2 million.

We on this side are criticised when we ask for things for our districts but, at a time when the Government could be saving money by leaving the board as it is and allowing things to continue at least until the expiration of the sunset clause in the middle of next year, it has decided to take early action, and that will cost the Government money.

The Hon. M.K. Mayes: Put it in context. You have read out of context.

Mr MEIER: I have read two paragraphs—

The Hon. M.K. Mayes: You haven't read it. You haven't understood it.

Mr MEIER: I will not bother to respond to that interjection. So far, the interjections have been completely—

The Hon. M.K. Mayes: You totally misunderstood it.

The SPEAKER: Order! The Minister will have ample opportunity to reply in closing the debate.

Mr MEIER: I will be interested to hear how the Minister gets around that one: that it will not cost the taxpayers money. I have spoken to some of the board members and, when I told them that I was sorry to hear that they would be disbanded, they indicated to me that the Government was going to pay their salary, or that it would pinch the money that the growers had put into the Potato Board. That is another thing that the shadow Minister—

The Hon. T.M. McRae: Who said that? That is a criminal offence. Who said that the Government was going to take the money from that authority.

Mr MEIER: I asked, 'Are you . . .?' It was put as a question. That introduces another matter. The money that the Potato Board currently has—and I think the shadow Minister has adequately covered this earlier—I do not intend to canvass any further.

I now refer to a letter I received from Mr Brian Clark, a South Australian Potato Board member, from the Adelaide Plains. I believe that all members would have received this letter. Dated 18 February 1986, it states:

> With reference to the proposed legislation to terminate the Potato Marketing Act coming before the House in this session I would like to place before you the following facts.
>
> The area I represent would like to see the sunset clause run its full term until 30 June 1987. At that time growers be given the opportunity to democratically be allowed to determine their own destiny in regards to orderly marketing.
>
> Should growers then decide to retain orderly marketing that the assets of the board be used as a starting base for this operation. The assets of the board have been built up from growers' funds by means of charges and levies.
>
> Attached is a summary setting out the possible future of the potato industry in South Australia and its effects on the State economy for your information.

I have referred in general terms to some of the things that are contained in the attachment, and I will not read it. It argues why South Australia needs positive incentives and encouragements for our potato industry and other industries. The Minister of Agriculture will recognise and fully appreciate now the problems of the grape industry. However, I know that I would be ruled out of order if I got into that, Mr Speaker.

This Government is very disappointing in the way it has handled the whole Potato Board. It is clear from the information that has been given to me and from personal discussions I have had with growers and board members that they are not in favour of what the Government is doing. It is clear that the Government has, in some cases, not had any consultation and, in other cases, has had insufficient consultation with areas of the industry. There is a lesson to be learnt in that respect.

I wonder what the growers will say about how the Government determines to use those funds. Even though the Government has the numbers on its side, the very least it could do is let democracy prevail, and let the growers determine their own future. It should not determine the future for a board that is not costing taxpayers any money and has helped growers, and consumers in particular, by having quality at a competitive and often cheaper price than they would get elsewhere.

If we believe that the future of South Australia will be better served by getting rid of the board, I believe that our thinking is very limited and that we are not seeing into the future as we should. I urge the Minister to rethink the situation and to allow at least the sunset clause, as originally envisaged in May 1985, to prevail so that the Potato Board can show that it is a useful body in this State.

Mr LEWIS (Murray Mallee): I spoke on this measure when the matter first came before the Chamber on 16 May 1985. Members who may be interested or anyone else can read for themselves the remarks that I made on that occasion, commencing on page 4456 of *Hansard*. I would like to refresh the House of the views that I put then. Although I have not been in this Chamber for the duration of the debate, much of what I have heard has still omitted some of the fundamental principles to which I referred in the course of my remarks on that last occasion.

As I said at that time, I believe that the position that the Liberal Party has on this measure is correct. Prior to the debate on whether or not the Potato Board would survive—that is, the debate in this Chamber last May—I, along with some of my colleagues, had met with representatives of the potato industry, many of whom were grower members on the board. It was my assessment at that time, long before 16 May, that the Government was hellbent on the abolition of the Potato Board. I advised those representatives accordingly. I know that my colleagues at that time did not share that view. I put the view that the board would probably disappear within 12 months, and I now stand justified in that opinion.

I believed that the Labor Minister of the day and any subsequent Minister, in the event that he was replaced, would simply mislead the growers, the industry, this Chamber and the Parliament by deliberately stating untruths about their intentions. My assessment of their attitude to the present time has been absolutely correct. They were in no sense ever to be trusted and what they have now done and propose to do proves that. I believe that other primary industry marketing boards would do well to take heed of what has happened to the potato industry and the marketing authority that it had.

The problems relating to the functions of the board had their origins in a desire, which was stated by several growers, that the board determine several different grades of potatoes to be marketed other than simple No. 1 grade, which was specified in the Fresh Fruit and Vegetable Marketing Act. Those grades were variously paid a premium over and above the declared price in any given pool before the No. 1 grade according to the board's assessment of market demand for those grades of potatoes where they were believed to be favoured by the consumer in preference to the No. 1 grade. Had the growers and the other people who were contributing to the argument been able to resolve those difficulties in relation to grading by simply adopting an option system that enabled the buyer to get the premium they would pay for potatoes so graded as No. 1, but having superior quality to that basic grade level, the controversy about the board would never have arisen within the ranks of growers and those intimately involved in the industry.

No-one listened to me when I first put it to the industry as long ago as 1966, and no-one listened when I put it to the industry in 1979 and 1980, after being elected to this Parliament. It is regrettable that I must now remind the industry, as I periodically warn other primary producers, 'Don't get down to a subjective, bureaucratic determination. Leave it to the buyer to decide the demands for, and the premiums to be paid for, anything that is better than simple No. 1 grade.'

The Minister's predecessor and now this Minister have misled growers, other people in the industry, and Parliament about their intentions. The board was to be given two years to get its attitudes sorted out and to enable the growers to come to conclusions about how they believed that their product should be marketed in future, but that period has now been cut short, as I expected it would be. That means, as I must agree with the member for Davenport, that many small growers in the industry will now simply disappear and it will not be a pleasant process. Once this Bill becomes an Act of Parliament and the board is abolished, I believe that it will be less than 12 months before an effective oligopoly is established by the supermarkets and processors.

Mr Ferguson: What's that?

Mr LEWIS: An oligopoly is a conspiracy of a few buyers who will simply rip the guts out of the growing industry by playing one grower off against another and signing contracts so far in advance—

Mr Ferguson interjecting:

Mr LEWIS: That is what it is and that is what we are looking at.

Mr Ferguson: Then is your definition correct?

Mr LEWIS: Would the honourable member like to check it out in Tynsdale's *The Economics of Markets?*

Mr Ferguson: It seems a strange definition to me.

Mr LEWIS: I urge the member for Henley Beach to visit the library and get back to his own Party's economic adviser throughout the 1970s (Professor Harcourt). If the honourable member does not believe the definition in Tynsdale, he should check, and sort it out for himself, so that he may understand terms that have explicit and definite meanings that save time when we are talking about these subjects. The regrettable consequence of the market situation to which I have referred will be that growers, in large numbers now but soon to be in small numbers, will find themselves stripped of their ability to bargain for a price, and inevitably supermarkets and processors—all of which will know what each other is paying: if they do not ring one another to discuss it, the information will be signalled to them by the weaker members of the grower fraternity—will have all the growers competing, quoting prices as low as possible, and signing contracts in respect of crops before they are planted. Such contracts will include more horrific penal clauses than have ever been seen in any contract relating to the production of perishable commodities in this State in the past.

Any grower who, having signed a contract to deliver, does not do so will have to pay the cost to the supermarket or processor of procuring from elsewhere a replacement quantity of produce they consider to be equal in quality to that which the grower has contracted to deliver, and the damages that the grower will pay can be expected to be much higher than the price the grower would otherwise have obtained. Under the terms of the contract, the grower will have no chance whatever to procure for himself the replacement potatoes to satisfy that contract. It will be a prerogative written into the contract by the buyers, the cartel to which I have referred.

At the time of the last debate, I pointed out that in the market place, under the board as it existed, stability was assured and large and small growers could prosper reasonably and fairly. The board did not cost the taxpayer or the consumer even a cent. In fact, historically, the evidence documented by the board from its inception, especially during the past 20 years, clearly indicates that South Australian housewives could consistently buy potatoes at a lower average price than the price paid in other States. Further, South Australian growers obtained consistently higher returns per tonne for the potatoes that they delivered to the board than did their counterpart in the eastern States. Certainly, for the best part of that period of 20 years, their

prices compared favourably with those received by growers across the nation, whether Tasmania, Western Australia, Victoria, Queensland, or New South Wales, as compared with South Australia.

I challenge members opposite, including the Minister, to produce a table of figures that would illustrate otherwise, because to do so would indicate to me that, whoever provided those figures, was deliberately misleading Parliament. I have seen those figures. I was a potato grower, and I understand how the industry has operated up to the present. I have understood the industry for a long time: indeed, for almost as long as the Potato Board has been in business I have been, on a year by year basis until I entered Parliament, engaged in some way in the production, harvesting and/or marketing of potatoes, whether simply working for wages and picking up potatoes behind my father or brothers, digging them on a piece rate basis, growing potatoes myself for sale, or as an inspector examining potatoes grown by others when they were delivered to the market and sheds. In more recent years, I have grown potatoes and, finally, not long before I entered Parliament, I worked for a firm of processors and merchants buying potatoes both in South Australia and in other States, not only for processing but also for export. I think that I know what I am talking about. I certainly know the commodity and many of the people engaged in its production and marketing.

As I have said before, we are confronted with the situation where the board is to be abolished and small growers will certainly go to the wall. During the last debate, I challenged the Minister who was handling the Bill in this House (not the present Minister of Agriculture: the then Minister was in the other place at that time) to say whether or not he would obtain an outside independent auditing authority to check the figures concerning the assets of the board, its current cash status, and its creditors and debtors, and place that information on the record as an audited statement of account.

I pointed out then that, if that was not done, no grower (and that included me) would be satisfied that there would not be some dirty work at the crossroads during the period between the Bill's passing the House—it was supposed to be two years—and the point at which the board was either to be changed in its format or disbanded. There has been no independent audit. We do not know what the board owns; we do not know who owes the board money; we have no idea who presently controls all the funds which the board has, or has had, in its control; and, worse still, we have had no assurance from either the previous Minister or this Minister that he does not intend to use those funds in a way that would save the Government money from general revenue.

In effect, the Minister will not make, and has never made, any commitment to not putting those funds into general revenue. I would like an assurance that none of the moneys which belong to growers and which are presently held by the board—in liquid or fixed assets or in any other form—will be used by the Government for any purpose whatsoever, and that they will be turned over to the growers to whom they belong.

I challenge the Minister to say what he will do with that money. Certainly, it is not his to pay out to officers of the Agriculture Department in a way that he thinks appropriate: it belongs to growers, and the growers should have the right to say how and when it will be used.

The record of this Government's dealing with primary producers in general, and potato growers in particular, is so abysmal and so shot through with dishonesty that I doubt the Minister will provide me with that information. Certainly, it is appropriate to remind the House that, given that the board has gone for all money, what we need to do is seek from the Government some sort of assurance that it will not make it impossible in the interim period—between now and when this legislation is proclaimed—for at least a grower's co-operative (a majority of growers who really want to see the board retained) to get control of those assets in some form or other to enable the orderly marketing of the majority of the crop in a manner that they believe appropriate.

I can see a formula whereby it would be possible for growers, if they got together in a co-operative form after the board is gone, to prevent a cartel of buyers from destroying the very useful and fair commercial environment in which the industry used to operate: where housewives could buy the cheapest spuds in Australia and growers got the best return to growers in any State of Australia. If that is not done the Minister will be guilty not only of gutting the board but of destroying any prospect that growers might still have of retaining control of a considerable asset: not just in the board but as an investment, grower by grower, in the industry.

Growers will be sunk because, if they are unable to get a contract with a significant buyer/end user, be it processor or supermarket chain, they will have the devil of a job trying to get any return on the machinery in which they have huge sums invested.

Growing potatoes now is not merely a matter of having a willing family, a strong back and a digging fork: it requires a great deal of capital. I would say that, for a viable operation likely to be profitable in the cyclical turn of events which takes about six years from trough to crest in prices, it requires about $200 000 as a mininum. So, given the deceitful action that he now proposes to take under this legislation, the Minister has a responsibility to those growers to give them a chance to effectively arrange their affairs, after he has abolished the board one way or another, and not lose all the money they have invested in that machinery.

I notice by the Minister's indifference to my remarks in this instance that it is unlikely that he will listen to what I am saying, so I simply put this on record, as a responsible proposition and as I believe any Liberal Minister would do if confronted with a similar inevitability, and I put it in those terms because I do not believe any Liberal Minister would ever take the action that this Government and this Minister intend to take in this matter.

In conclusion, I just wish that the previous Minister and this Minister had listened to the advice and had tried to understand the opinions supporting that advice prepared by the working party appointed by the former Minister to analyse what was needed to be done for the benefit of the industry before the Government took the precipitous action it took last year and before it initiated this legislation. The information contained in that working party's report and the opinions that have been expressed by board members, democratically elected to their respective positions, do not concur with the actions the Government now intends to take. If the Government has had no pressure from any industry group—buyers, sellers or growers—representative of the various elements in the industry in regard to this action, and if it did not have that same request from any of those groups in May last year when it then acted, why potato growers or any South Australian should ever trust any of this Government's propositions is unknown to me.

Mr GREGORY (Florey): I support the Bill.

Mr Gunn interjecting:

Mr GREGORY: Why do you not sit in your own seat when you are interjecting? When this matter was debated in May 1985, the debate followed a tirade from the Opposition benches about deregulation. We ought to remind the

House of what was said. The Deputy Leader of the Opposition, the member for Kavel, said then—

Mr Lewis: The Potato Marketing Act was not a Government regulation—

The DEPUTY SPEAKER: Order! I call the member for Murray Mallee to order.

Mr Lewis: Why don't you call the Minister—

The DEPUTY SPEAKER: Order! I will not argue with the honourable member.

Mr GREGORY: The Deputy Leader said:

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

That was from the member for Kavel. Surely he remembers saying those words. Then we also had these words from the former member for Todd:

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

That is what this Bill is doing. The member for Mallee, in interjecting, cannot say—

Mr Lewis: Murray Mallee.

Mr GREGORY: Murray Mallee: I thank him for his assistance. He cannot say that this is not a statutory authority and not regulation, because that is blatantly untrue. The Potato Board is provided for by an Act of Parliament and if it was not we would not be debating that matter now. It is, and this Government is doing precisely that which the member for Kavel has urged us to do.

One of the things that intrigued me in the debate that I have heard so far today and in May last year is that the board does not cost a cent: the money comes from the growers. I find it amazing. That $700 000 a year comes out of someone's pockets. The money gets into the growers' pockets from our (the consumers') pockets, and it is reasonable to assume that when that $700 000 is not being collected it will be redistributed amongst the consumers. I would have thought that the members opposite would support that sort of action, because they have been arguing for deregulation for as long as I have been here. Publicly, their leaders have been urging Governments not to do this, but to reduce costs. In this area we are doing it, and they are crying about it. I cannot understand that, and I cannot understand the other attitude that they have: that this board does not cost a cent. I suppose that if we turned the army into a board that would not cost any money either. The Electricity Trust is run by a board, and they are always complaining about the cost of that.

The other thing that amazes me about the contribution from the other side is that we have people, who are always accusing us of being pro-socialist and saying that they are anti-socialist, running around and supporting what essentially is a socialist measure. It is the control of a market and of an economy. Members opposite are saying, 'Let us keep it; let us expand it because it is good.' I hope that, the next time they are talking about socialism and capitalism, they know what they are talking about, because I do not believe that in this instance it is true. I do not believe that the people opposite are doing this because of their fundamental philosophical beliefs, but out of straight-out opportunism. I could appreciate it if they were doing it from a philosophical belief, and I would support their right to have it, but when they come into this place and start playing ducks and drakes with it that is another matter: that is what they are doing in this matter.

It is also interesting to see that they are opposed to privatisation. Prior to the election they were going around with a drum as big as those things that one sees in Ireland when they are marching around the streets in the marching season: so big that two or three people have to carry them. That is the sort of drum that members opposite were beating on privatisation. Here is a measure that removes Government control and regulation from an industry, and we are doing that.

One of the matters that concerns the Government is that about $1 million is involved. The Potato Board has just about collapsed, and there are grave doubts as to whether that $1 million would be wisely disbursed. I wonder, from the information I have received, whether some of their motives are as pure as the driven snow and whether they are more interested in the board fees that they get. I wonder whether that is of as great interest to them as it is to their fellow growers.

The Government's proposal for the disbursement of that $1 million is sensible, and the Minister's second reading explanation made clear that that money would be disbursed first in making such provision as the Minister thinks fit towards the cost of redeployment or retrenchment of the officers and employees of the board; secondly, in satisfying the board's liabilities; thirdly, any surplus to be paid into a fund to be established by the Minister for the development of the potato industry.

I understand that two employees no longer work for the board: one received a satisfactory severance remuneration; the other was just told to go, in what I consider was a most unfair manner. When this Bill has passed, all those redeployments and retrenchments, if they take place, will be equitably and fairly done. I do not see much difference between those board employees and public servants, because they are serving the public: an Act of this Parliament provided for the establishment of the board. They are servants of that board, and a previous Government determined that the board would be made up of certain classes of people. Those people have the power to make regulations. The Government ought to have some control if we are to have regulation, and we are determined at this stage that we will do away with the board.

Since May last year the need for the board has just diminished: it has been demonstrated that it is no longer needed. Significant numbers of growers do not want the board and feel that they would be better off without it. Last time this was voted on, the member for Mount Gambier crossed the floor and voted with our Party. It has been suggested that that is the reason why he is no longer a shadow Minister. Yet he was the only person who increased his vote. That is the reward that one gets on the other side: go out, get along with the people in one's electorate, increase one's vote, and suddenly one finds that one is not even a shadow Minister. That is what it is all about: the growers in his area do not want the board.

This measure will save the consumers in South Australia considerable sums of money. It is far better that they be disbursed amongst their pockets than in the way that it is currently.

Mr Lewis interjecting:

The DEPUTY SPEAKER: Order! The honourable member will continue with his deliberations.

Mr GREGORY: I was waiting for some more wise remarks. This measure is important and has been proven in the past few months to be long overdue. I know that it will be carried in this House, and I am sure that it will be carried in the Upper House and that very soon we will see a proper disbursement of that $1 million. It will go to the

people who deserve to get it. It will be distributed fairly and properly, and the people of South Australia will be able to get their potatoes more cheaply.

The Hon. M.K. MAYES (Minister of Agriculture): I will devote a few minutes to the points raised by some members of the Opposition in relation to this Bill and the disbandment of the Potato Board. As has been pointed out, this was passed on to me as the new Minister. In the early days after my elevation to the Ministry I received a briefing from Department of Agriculture officers, who are experts in this area, and who have been monitoring very carefully what has been happening in the industry. Their considered opinions and views were that the marketing situation and the board's position in it was totally unacceptable, and that it was bleeding to death very rapidly. The member for Goyder, in referring to a press comment, totally misrepresented what I put forward as the position of the Potato Board.

The situation would be quite clearly, and this comes from people in the industry itself, that we would have had an infrastructure of the Potato Board with about 23 people employed in it, doing absolutely nothing but drawing on the funds of the grower, and inevitably the taxpayer. If the Opposition wants to stand here tonight and maintain that infrastructure at the cost of the taxpayer, then be it on its head. If members oppose this Bill, that is what they are doing. They should be very clear in their minds, and understand what they are doing. If they oppose this Bill and we leave this marketing board, it will stand there as a hollow shell and it will have to be supported. The cost of that will inevitably come back to the taxpayer.

Mr Meier: It is supported by the growers.

The Hon. M.K. MAYES: It will come back to the taxpayer because the Government will have to support it. You just think about that when you make those comments.

The SPEAKER: I remind the honourable Minister, as I reminded the honourable member who has just interjected, that he should refer to members on the other side in the third person, and not as 'you'.

The Hon. M.K. MAYES: Thank you, Mr Speaker; I will certainly accede to your request. We have a very serious situation where the Potato Board is virtually non-viable. I had to act very rapidly, and I believe I have done so properly. Concerning the accusations about not briefing members in the industry, as soon as I received this information I had a thorough briefing—and, believe me, there is plenty of information to which I direct honourable members outside of the so-called information that they have collected, from growers from Mount Barker to the South-East who are prepared to give them plenty of information about the failings of the board—and I say no more about that; I do not want to open up that issue—and the continuation of the board. So, I acted and called in the Chairman of the board before I even put the matter before Cabinet, to give the Chairman of the board an opportunity to know exactly what I was proposing. If that is not briefing the industry (that is before I went to Cabinet), I do not know what one can do.

In relation to the provision for the collection of the levy, and so on, there are serious questions about the legality of that. I am not running away from that; I am not hiding from it. There are some suggestions that the board was considering paying it out to various grower groups. In my opinion, that is totally outrageous and unacceptable. There are people who are no longer growers who have paid into that levy, and others who are no longer alive. Some are no longer in the industry. If members opposite can tell me how we can pay out that million dollars in assets to those people—maybe their estates—then they are better than most of the legal minds in this State.

So, we have a situation where we cannot recognise the ownership of this levy. That is a very serious problem. It is one that I, as Minister, cannot flippantly skirt over, as the Opposition has done tonight. This is a very serious Bill, not only from the point of view of those assets, but from the point of view of the consumers as well. I cannot believe that I have listened to the flippancy with which this Opposition has dealt with this Bill, because it will hover around and come back and beat them on the back of their head as an Opposition, not us, if they allow this board to continue, I can assure them.

So, we have a situation where there is a $1 million asset that has to be dealt with, and it has to be dealt with properly and responsibly. Looking at the situation of the industry as a whole and the asset as a whole, I propose that we establish a trust which looks at promotion and research to assist the industry. I have made that quite clear when I have met with the industry leaders. It was not just one group; I am talking about all of the industry representatives. We will establish that in consultation with the industry representatives, so I think that answers the questions that have been raised by the various Opposition members regarding our intentions with this asset. It will be properly dealt with within a trust which is accountable to the Auditor-General and to the Parliament. I think that is the appropriate way.

I pay some regard to the member for Eyre's comments, and I think that some of his remarks were quite sensible, in contrast to the remarks of some of his colleagues. His comments need addressing, and I will do that in my reply. The trust issue and how we deal with the funds that are there are important matters. I do not believe that they can be willy-nilly disbursed by the board to whomever they see fit. Legally, that is a possibility. The second question, the legality of the collection of the funds, has been raised by the member for Eyre. There is a serious doubt about that, and that also has to be dealt with properly. There is the issue of the staff. The point I was making in relation to the continuation of the board, on which the member for Goyder so aptly misquoted me, was that, if the board stays there, we will have a situation where we will probably have to draw on general revenue in order to support it.

The Government proposed very quickly a redeployment program for board staff. That has worked extremely successfully. There are only a couple of people, as I understand, who are actually considering taking retrenchment packages. The rest have been redeployed. In fact, one has already come into my ministerial office on a temporary arrangement. That is how successfully it is working. That is a responsible way in which we are dealing with the employees of that statutory body. As for the member for Murray Mallee's comment that it is not a statutory body, how does one deal with that inane misunderstanding? We would not be here tonight debating this matter if it were not a statutory body. The whole operation of the board is structured around legislation, around an Act of Parliament. This is why we are here and what we are dealing with.

In looking at the issue of the trust, I will endeavour as soon as possible to establish consultation with the industry to identify a charter and a brief by which the trust could operate, and we can establish that. I hope that that answers the member for Elizabeth's question to me regarding what should happen with this asset, which is approximately $1 million. If we did not act quickly, as I have indicated, by 14 March and wind up the board, hopefully, if the matter is successful in passing both Houses of Parliament, I think we will have an albatross: it will just hang around and drag itself down. It will not only become a weight on the consumer, but a weight on the grower and on the Government as well—an unnecessary weight for all the ill conceived benefits that it can possibly generate within the industry.

As to the questions about the misleading statements from the Minister, I have been advised quite clearly, and have a press release that was made available to me, which indicates that the Minister of Agriculture made quite clear to grower organisations and representatives that if there was evidence that the system was not working (and this was after the introduction of the sunset legislation), he would move earlier to disband the board. I am told that he made that statement in 1985, in meetings in his office with the growers, and it was quite clear to the grower organisations that, if the system broke down, it would be cut out and stopped.

That is what he gave as an undertaking to those people, and an understanding for them to take back: if it broke down, it would go. That in fact is what has happened. We have a situation where the whole system has collapsed. It was being supported temporarily by some of the larger growers who were, I understand, itching to get out of the system. Of course, it all came to a head when the infamous potato order No. 17 was introduced. Some members have asked what that means. Basically, the packers could not accept washing or packing without approval of the board, and the growers could not deliver for packing without approval of the board. Basically the board had instituted a fairly strong and, I think on legal advice, unacceptable control on the marketing situation.

Mr S.G. Evans: Illegal or unacceptable?

The Hon. M.K. MAYES: Possibly illegal under the Constitution as well. I am told that the instruction was withdrawn after the Minister's statement on 4 December. I find it remarkable that the Opposition should object to this. Before the election the Minister indicated that if the Government was re-elected the final days of the board were on the cards. In fact, we were re-elected with a clear mandate. I remember reading in the paper that if we were re-elected it is obviously the end of the Potato Marketing Board. That is what the Government is following through.

There is no question of misleading anyone. The Minister made it clear in 1985 that if the system did not operate and if it broke down that would be the end of it. Before the election he stated that, in his opinion, the system had broken down and that he had decided to recommend that it come to an end. We now have a proposal before the House that it should end. I believe that it is the only and most appropriate way to go. Here we have Opposition members, who are the pinnacle of free enterprise, trying to salvage what one could only call a bleeding body—

Mr S.G. Evans interjecting:

The Hon. M.K. MAYES: This is the only vegetable area that has marketing control. Here is the rural rump of the Opposition saying that we should save this regulation that controls marketing. One could go into a whole lot of arguments about it. I have spent many hours reading the documentation available on the pricing policies that have been followed and the situation of average prices that exist in this State compared to interstate. Some comments from Opposition members are not right. In fact, we had a less flexible market price in South Australia for our potatoes. One factor that kept our potato prices to some competitive level with those interstate was the fluid nature of some of the larger growers in going from one market to another. If any member contacts with South-East growers they would know what that means. I know some of them reasonably well, as I have friends living in the South-East. It is obvious that the marketing of these growers affects the price in South Australia.

It could be said that prices in South Australia are marginally higher than interstate prices, but they are certainly less flexible. We have found, on going back through the marketing policies that have been followed by the Potato Board in South Australia—

Mr Lewis interjecting:

The Hon. M.K. MAYES: Yes, that is the figure, and I am happy to go into that.

Mr Lewis: For the last 25 years?

The Hon. M.K. MAYES: Yes, the figures are there. I have been presented with those figures by our economists. Those figures have been collected carefully by the department. This organisation needs to be wound up very rapidly; otherwise, there will be enormous costs to the grower and taxpayer in the long term. I hope that I have answered the questions asked by the members for Eyre and Elizabeth regarding the establishment of the trust and the manner in which it will be run. Our intention is, with the cooperation of the industry, to have consultations on how the trust should be established and run. It is my intention to do that.

The other important factor that the Opposition has managed to overlook is the question of the consumer and the end product, which is important to this Government and, I am sure, very important to those many South Australians who use the potato as one of their staple forms of food. I think that I have covered most of the points that have been raised by Opposition members in regard to the reasons for the introduction of this Bill. It is incumbent on the Parliament to wind up the Potato Marketing Board, to allow the industry some flexibility and freedom, to allow the consumers of this State the benefits of that flexibility and freedom and to allow us to establish a trust fund that will ensue the benefits of the product both for the consumer and grower in the long term.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Winding up of the affairs of the board.'

The Hon. M.K. MAYES: I move:

Page 1—
Line 20—After 'is' insert ', subject to subsection (1a),'.
After line 23—Insert new subsection as follows:
(1a) Where a contract was made between the board and 2 or more other parties, the contract continues to operate as between those other parties.

The intention of the new subsection is to allow existing contracts between the parties—and the board was a party to the contracts—to continue without the prohibition or intervention of the board. In that case, if and when the Act and board is discontinued there will be no involvement by the Minister or board in established contracts. The liability of the parties is between the parties to the contract—that is, the buyer and seller—and not the third party, being the board or the Minister as the case may be.

Amendments carried.

Mr GUNN: I move:

Page 2, lines 2 to 4—Leave out 'into a fund established by the Minister for the development of the potato industry' and insert 'to the Horticultural Association of South Australia Incorporated for the establishment of a trust fund for the development of the potato industry, to be administered by a committee consisting of one person nominated by the Minister and one person nominated by each of the branches of the Horticultural Association of South Australia Incorporated'.

This amendment is in line with a request by the Horticultural Association of South Australia Incorporated for the assets of the South Australian Potato Board to ensure that the potato industry remains viable. The growers of this State have contributed large sums of money to the Potato Board. The return from the assets that will be sold should go back to the industry so that it can use those funds for development and promotion in other associated matters and so that the industry has control of its funds.

I do not believe that the industry's request is unreasonable. The Government has said that it does not want the Potato Board to continue. Therefore, the Government wants to have a free market situation. In those circumstances, we

should transfer these funds back to the industry whence they came. The growers could then promote research and the other activities that have been undertaken by the board in the past. A strong argument has been advanced in support of the proposition that is embodied in my amendment, and I hope that the Minister will be reasonable and accept it.

The Hon. M.K. MAYES: Serious questions arise concerning the amendment. True, the funds have been collected under the existing legislation, which has provided for a levy to be made on growers in the industry, but who were the growers that provided the funds and where are they now? So, we must consider what can be provided by way of security of those funds, if the Bill passes and the board's assets are liquidated. We must consider whether the funds that have been collected under Statute should be subject to the control of the Auditor-General or left outside his control and placed within the control of certain persons in the industry who may or may not have been long term and significant contributors and been involved in the industry for some time. Such persons may have had some connection with the industry, but only a tenuous connection.

The safest way in which we can deal with the problem is to establish a trust under the control of the Minister, but with the guidance of the industry, for the betterment of the industry as a whole. The fund would then be accountable to Parliament and under the control of the Auditor-General. Over the past few months I have become concerned about some of the recommendations as to how these funds should be handled. The suggestions as to how the funds should be given away have been irresponsible and unacceptable, given the way in which the funds have been collected. The Minister is accountable to Parliament and will be accountable for these funds. The amendment does not provide for sufficient accountability of the funds.

Mr GUNN: The problems referred to by the Minister can be solved easily. The Minister understands the views, desires and concerns of the industry. My amendment will allow one person from the Agriculture Department to ensure that everything is fair and above board, and the Minister may wish to add a second person for that purpose. These funds belong to the potato industry. The Minister does not want this money to go out of his control, and that would result in the department saying that it knew how to spend it.

It is an old bureaucratic merry go round: on the one hand, the Government wants to get rid of the Potato Board, but, on the other hand, Big Brother knows best how to spend the money that has been collected from potato growers. There will be an advisory board, but the Minister will not have to take any notice of its advice. I believe that the Government is hell bent on getting rid of the Potato Board and anything associated with it. Further, the Government has clearly demonstrated that it wants to control the funds that have been paid in over many years by the potato growers of this State.

Mr M.J. EVANS: The Minister's comments have been more generous than are the provisions of the Bill. The Bill simply speaks about the establishment by the Minister of a fund for the development of the potato industy. It says no more than that. The Minister has now referred to annual audits by the Auditor-General, and he implies that there will be a separate fund that will never be merged with consolidated revenue.

The Minister referred to a trust, implying a fiduciary relationship between the fund, the Minister and the growers. He spoke about assisting the industry with research and promotion. I agree with all those things, but the Bill does not go that far. Therefore, will the Minister give a clear undertaking that the fund will be separately accountable; that it will not be merged with consolidated revenue or Agriculture Department funds; that it will be audited annually by the Auditor-General; that such audit will form a separate component of the Auditor-General's report to Parliament; that the fund will establish a clear relationship with the industry so that formal advice may be tendered by the industry on an ongoing basis as to the use to which the fund should be put; and that the fund will be used for the purposes not only of research and development but also, if necessary, of promotion. I believe that promotion is an important factor in the industry. Research and development are both critical, but promotion is equally as critical.

The Hon. M.K. MAYES: I can say 'Yes' to all the questions asked by the member for Elizabeth. My primary concern about the amendment that has been moved by the member for Eyre is that the funds would not be controlled by the Auditor-General and that there would be no accountability. Under the provisions of the Bill as it stands at present. I shall be directly accountable. A trust will be established separately from the funds of the Agriculture Department, and it will be audited separately. Thus, it will be accountable to members of Parliament and clearly identifiable.

The amendment does not achieve what the Government intends: we intend that the Auditor-General shall audit the fund. However, if this amendment is carried, the Auditor-General may not have control and or any opportunity to audit this fund. It is clearly in contradiction and does not run in time with the remainder of the Bill. In reply to the member for Elizabeth, I am happy to say that the general thrust of what he has put forward is acceptable to my thoughts and the proposal we had in mind. It would be clearly identifiable as a separate fund. I make those comments to the industry members as well, so that they understand clearly what we are talking about.It is just that we have not got down to the nitty-gritty of the brief or the charter of the trust and how it would be structured and operate.

Mr S.G. EVANS: The amendment of the member for Eyre might not cover the point about the Auditor-General, but it could be resolved by having the Auditor-General look at it. I am concerned because we are buying something that is airy-fairy. The Minister says 'Yes' to the good questions of the member for Elizabeth, but we do not know who is involved in the trust, which is under the Minister's control. What if somebody says they are going to do research? Parliament needs to know who is involved. The Minister could agree to hand over $100 000—to whom? Who are the people likely to be involved in that research or promotion? Those are the answers that we seek.

If we are to develop the industry, are we merely transferring from the trust and involving the department, which is the same as putting the money into general revenue? What is the difference? It cuts down the annual budget and general revenue commitment by $500 000, taking it out of the trust and paying it to the department for research, development or promotion. We have not been told those things. Clearly, the trust is merely put up as a red herring to make us think that it is something separate from the Government. It is not separate: it is clearly part of the Government.

We have to be honest and say that the Minister has an extra $1 million that he can use to try to do something within the industry. I return to the words of the Minister that he would consult or liaise (something like that) with people in the industry. He did not say he would take any notice; he did not say what power the people would have in that consultation. He might send off his appointment secretary or another officer to ask what people think about something. The industry could express whatever view it liked, but that does not mean he would have to take notice in the end result.

One can consult but ignore every point of view that is put. We know that, with the sort of numbers the Government has now, $1 million over four years is chicken feed in terms of the Minister's taking notice of anyone in the industry. We also know that the number of people in the industry who produce is minute when it comes to voting power. Even with their extended family involvement, we know that is so. In political terms, in normal times their voting strength is insignificant because of their situation, except in the case of some in Mt Gambier. They were probably keener on this legislation than most of the other sections of the industry in this State. So, the Government is safe.

The Minister's objection to the member for Eyre's amendment, apart from that concerning the Auditor-General which I accept could be improved, does not stand up to the real test. The Minister needs to tell Parliament who will comprise the trust, who will have a say. Has the Minister absolute power over the trust? If not, who has? If the Minister cannot say now, why can he not say? This matter has been hanging around since last May, and the Government says it made an announcement on 4 December. Why will the Minister not tell us now?

Is the Government trying to rush the Bill through? Does it not know what the end result will be? Does it already know who will be involved in the trust and is unwilling to tell Parliament because the people involved might not be acceptable to Parliament or the industry? Is the method of operating the trust such that the Minister is not willing to tell us? I support the member for Eyre's amendment as far as it goes, but the Government should tell Parliament how the trust will operate before asking members to vote on the Bill. Otherwise it is just a case of the Government using its numbers to force through something without telling the industry or Parliament what is really intended.

The Hon. M.K. MAYES: Obviously the member for Davenport has not understood the meaning of the amendment or my answer, because clearly he is abrogating any rights the Auditor-General has over controlling those funds, which could be disbursed by a group of individuals who may have no connection with a whole range of growers out in the community. Obviously, the honourable member should take the trouble to talk to some of the Mount Barker or South-East growers about the amendment. There would be strong opposition to the amendment from a number of growers, I can assure him of that. Obviously, he has not consulted growers.

As a Minister of the Crown, one is accountable through the Auditor-General for the funds that become available under the Bill. The funds just will not disappear. I have given the Committee assurances, and will continue to do so, that a separate fund will be established. There will be a trust with grower and industry representation: it will be established after consultation with the industry and will involve—

Mr Lewis interjecting:

The Hon. M.K. MAYES: The honourable member can scoff; one does not pay much regard to his scoffing in this Chamber. He obviously has not read the newspapers in recent weeks about his performance. As to the trust, I can assure the Committee that the questions the member for Elizabeth raised clarify the position. I put it to the industry, and the purpose is understood: it will be there to promote the industry and to provide assistance in research and development of an improved product for marketing and consumption in the long term. In regard to the trust that we have in mind, the funds that will become available to the Minister cannot be ripped off. I give the assurance that the money will go into the fund to assist the industry, and I will be consulted and advised by a committee representing industry needs. Let me tell the member for Davenport that he has obviously been listening to one side of the argument and not the other. There are other points of view, I assure him that there are many growers who would find this amendment abhorrent and unacceptable.

Mr LEWIS: Obviously, the Minister does not know anything about company law. Under the terms of the amendment moved by the member for Eyre, the trust fund under the aegis of the trust members, representing each branch of the Horticultural Association and also the Minister, would be subject to the normal rigorous requirements of the Companies Act, as it relates to bodies corporate, and would have to be audited every year.

The Hon. M. K. Mayes interjecting:

Mr LEWIS: I could scoff just as much—

The CHAIRMAN: Order! Interjections are out of order. I ask the honourable member to address the Chair.

The Hon. M.K. Mayes interjecting:

The CHAIRMAN: Order!

Mr LEWIS: The Minister thinks he is pretty smart with his accounting qualifications and has done some audits, but I know the Minister's record. I also know the kind of things he is willing to say as a matter of convenience at one time, and what he will then do at a subsequent time, as a matter of record. I also know the record of the Government, especially as it relates to this measure: ironclad guarantees and assurances given less than 12 months ago have been simply ditched and tossed out the window. Working parties established to look at things give undertakings that the information they are gleaning will be taken into consideration, that grower organisations will be given an opportunity to comment on the report: all those sorts of assurances were stated in just as much a sincere tone as the Minister states them now in relation to these funds.

Look what happened to all those assurances: they amount to nought. The Minister explained—legitimately, he believes—that he had not got down to the nitty-gritty of what the trust would be. Why, then, are we considering legislation about the assets of the board if he does not know what he will do with them and he has not proposed the formal structure to which they can be disbursed so that it can be included in the legislation? Why have we got the legislation here?

I know why: because it suits the Government to delay the Address in Reply debate and to knock off the board now so that such a move is as far as possible away from the next election. The Government wants to get over all the unsavoury bits where it is guilty of deceit and duplicity, destroying any vestige of trust that there might have been in its credibility. It wants to get that as far away as possible from the next election.

Why is the trust fund not mentioned in the Bill? Why is the mechanism by which the trustees would be established not mentioned in the Bill? Why are the trustees, if there is to be a trust fund, not named, at least in kind if not in person? Those are all legitimate questions to which the Minister has not given any satisfactory answer.

The Government will probably end up using these moneys (and I go on record as having said this); if not within 12 months then in five years there will be disbursements to people engaged in alternative organic horticultural research activities in the State. Some off the kinky left groups that the Minister and his cronies are mixed up in will be given a few thousand—$20 000 to $50 000—

Mr Robertson interjecting:

Mr LEWIS: That includes the member for Bright. I would thank you, Sir, to silence the member for Bright.

THE CHAIRMAN: I ask the honourable member to sit down. I remind the Committee that interjections are out of order. Members may not like what the honourable member

is saying, but he has a right to say it. I ask the Committee to remain silent and allow the honourable member to continue.

Mr LEWIS: It is the prerogative of the Minister of the day—it may not be this Minister—to decide how these funds will be disbursed. The Bill does not require the Minister to establish any trust. There is no mention of that in the legislation, and there are no guidelines by which the funds will be disbursed. I sincerely believe that the Minister is not simply being naive, inept and incompetent in having failed through an oversight to include those provisions in the Bill. It is a deliberate mischief. The member for Eyre's proposition at least specifies who will be responsible and how that trust so established will be determined and comprised.

Mr S.G. EVANS: To my recollection, until the Minister's last few words I did not think that he clearly said that on the trust would be industry representatives. He said that there would be consultations and discussions. I will check *Hansard* tomorrow, because I believe that that was the first time that it was said. So, we have gained a little in this Committee, and that is a point of satisfaction to me. However, the Minister is missing this point that I am trying to make in regard to the trust. I do not care whether or not the Auditor-General looks to see how the money is spent at the end of the year. If a Minister of the Crown decides that he wants to pass the whole $1 million over to the Department of Agriculture in one year, he can find a method of doing so. He only needs to drop the hint along the line to a few departmental officers and say, 'We need a promotion scheme; we need to do a bit more research and employ a few people to grow a particular kind of spud, useful to Hungry Jack's or somebody because it cooks better when it is cut more thinly.'

He can easily find a means of getting it over to employ or keep busy a few people in the Department of Agriculture without any bother at all. It is not difficult to employ a group of promotion experts whom the Minister has contact with and who want a contract to promote potatoes. There is no guarantee that because the trust is set up all the money cannot be passed over to the satisfaction of the Auditor-General. The Auditor-General does not decide policy: if he did, it would be the first time that I know of. All that he decides is whether the money is spent in a way that is proper; in other words, to the satisfaction of the department, ensuring that no-one in the department is whizzing anything off for their own kicks. That is all that he is worried about.

The argument that because the Auditor-General audits the books the money will be used in a responsible manner as far as the industry is concerned becomes a matter of judgment. For the Minister to suggest that a particular point of view should not be put because it differs from his own is taking an irresponsible approach as far as the Parliament is concerned. I will look with interest to see where these people come from within the industry. Will they be the processors only, growers only, some of each, from the retail side, from the Housewives Association? Will the supermarket group be involved? What part of the industry is the Minister talking about?

We are asked to pass this provision without being told. The Minister should tell the Parliament what he intends. To leave it as pie in the sky is not sufficient. We cannot stop the Minister from doing it: he has the numbers and can ignore giving all the details, but that is hardly an appropriate way to run a Government or to encourage people to have faith in the Government in the long term.

I again make the point: I know they are a minority group and they can be pushed around, but the minority point of view should be considered to be quite simple—to tell the Parliament what it had in mind, what it wants to do. General terms are not good enough. We have seen that in the past. Even the legislation does not state that there will be a trust. As much as the Government is saying that the courts of the future should look at what Parliament has said, that will not relate to this sort of matter. The people who administer the Act in the future do not have to take any notice of what the Minister has said here tonight. A new Minister may say, 'I don't care what Mayes said at the beginning of 1986.'

The Hon. E.R. Goldsworthy: They don't take any notice of what Blevins said in 1985.

The CHAIRMAN: Order!

Mr S.G. EVANS: They can just ignore it. They can say, 'The Act says the Minister can do that'. There is no reference to a trust in the Act. We know that we on this side cannot change it with our numbers. The truth is that the Act does not state what is intended. It leaves it wide open for any Minister to please himself. I support the amendment. It might not be the perfect one but it is no worse than the Minister's Bill.

Mr MEIER: I am very disappointed that the Minister is not prepared to accept the Horticultural Association and the related—

Mr Lewis: He has never heard of it.

Mr MEIER: I know that, in his reason for moving the amendment, the shadow Minister mentioned the aspect of the Chairman. He mentioned the chairman of the branches, in each of the four geographical areas of the State would also be involved, and these people are elected representatives, so we could not get much closer to the growers. The Minister also appreciates that he will have a ministerial appointee on that controlling body, and I believe it should be emphasised that secretarial services and accountability can be provided by the Horticultural Association of South Australia Incorporated, and the use of the association's auditors, Tilley, Murphy, Hughes & Co is also envisaged. Furthermore, the Minister would be presented with an auditor's report and a report on the activities on an annual basis. The disturbing factor of this is, I believe, that the Minister would have received this letter dated 31 January from Mr Greg Harris, the Manager of the Horticultural Association, and would appreciate these points, yet he seems to be skipping over them and he is determined that the Minister will have control of the remaining surpluses. Surely it is the logical move to incorporate the funds through this amendment.

I was very upset when the Minister referred to a point that I read out from a newspaper article about funds. As we are talking on this aspect of the funds, I can say now that the Minister insinuated that I had misquoted or not quoted accurately. I refer him to the *Advertiser* of 22 January 1986 (I do not know the page number) to an item headed, 'Potato industry in chaos over end of board.' If he wants to make anything of it, I think that he can take it up with the Press Council of Australia. I did not misquote anything from that article.

While speaking about funds, the Minister indicated that he had answered all questions. However, he did not answer a question as to whether or not he would attend a public meeting at Virginia to speak with the growers. I hope that he might answer that one, because this point is one that he will find the growers at Virginia and many other areas would want to see enacted.

Mr LEWIS: There is another part of this clause that I wish to speak about, and I am curious to know why clause 2, to which we are addressing ourselves now, is a clause on which the Minister is not prepared to comment, save for the earlier unsatisfactory remarks that he made. I do not know whether or not he is just simply being arrogant about this trust fund, but I cannot sit back waiting for the Minister

to rise to answer the points that have been put to him, quite reasonably, by the member for Davenport, by me, and by the member for Goyder, only to find that by sitting back, you, Mr Chairman, will simply say that clause 2 stands as printed and proclaim it to have passed. So, in the absence of any response from the Minister, I have no alternative but to raise the next point of concern to me and trust that he will not be arrogant and ignore the concerns that we have been voicing about new section 26 (2) *(b)* (iii), regarding the trust fund or the lack of it. I now draw the Minister's attention to paragraph (iii).

The CHAIRMAN: The honourable member will resume his seat. The honourable member is not directing his remarks to the amendment but, because he is referring to clause 2 and as a general proposition in Committee this has been allowed and I am prepared to allow it.

Mr LEWIS: Mr Chairman, it would suit me better if the Minister were to respond to the earlier point and then, if necessary, we take a vote on the proposition in the amendment moved by my colleague the member for Eyre, after which time I would appreciate an opportunity to address myself to paragraph (iii).

The CHAIRMAN: You are allowed to do that.

The Hon. M.K. MAYES: I think I have said it two or three times now with regard to the provisions of the trust. These are statutory funds and should be accountable to the Parliament. The provision in this amendment and the direction in which that amendment would lead would not provide for accountability to this Parliament. The Opposition continually harangues the Government about accountability, about the Auditor-General: the Auditor-General should look at this, the Auditor-General should look at that. This amendment directs the funds away from the Auditor-General's control. That is not acceptable. I do not accept it; I will not accept it; I am sure that, if honourable members go out to the public, they will not accept it. The accountability should be through this Parliament. Statutory collected funds are therefore accountable through the Auditor-General. I have really said it all. I have made my statements about the trust in answer to the member for Elizabeth and the member for Eyre's inquiry. I do not think that I can go any further. I have given commitments in regard to that and to the industry involvement in the establishment and running of the trust.

The Committee divided on the amendment:

Ayes (14)—Messrs D.S. Baker, S.J. Baker, Becker, Blacker, Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn (teller), Ingerson, Lewis, Meier, Olsen, and Wotton.

Noes (24)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Blevins, Crafter, De Laine, Duigan, and M.J. Evans, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, Hopgood, and Klunder, Ms Lenehan, Messrs McRae, Mayes (teller), Plunkett, Rann, Robertson, Slater, Trainer, and Tyler.

Pair—Aye—Mrs Adamson. No—Mr Bannon.

Majority of 10 for the Noes.

Amendment thus negatived.

Mr LEWIS: On what basis has the Minister included new subsection 26 (3)? Can the Minister simply restrict liability in that fashion?

The CHAIRMAN: Order! I call honourable members to order. There is too much audible conversation and I cannot hear the honourable member.

Mr LEWIS: Has the Minister sought and obtained, for instance from the Crown Law Office, an opinion according to which he put this provision together? I think it is incredible.

The Hon. M.K. MAYES: That provision was inserted according to Crown Law advice. Because the winding up of the board will be messy, certain requirements had to be covered under this Bill. The statute of limitations required the insertion of this provision so that the operations of the board could be wrapped up as neatly and cleanly as possible.

Clause as amended passed.

Title passed.

The Hon. M.K. MAYES (Minister of Agriculture): I move:

That this Bill be now read a third time.

Mr LEWIS (Murray Mallee): I for one find the Bill as it comes out of Committee unacceptable. The way in which the Minister has failed to provide any evidence of how, legally and formally, the assets of the board will be held and disbursed for the benefit of the industry makes the Bill a quite unacceptable proposition. The vast majority of growers clearly are not and could not be convinced that this charade, this mess, that simply leaves the Minister with the prerogative about how the fund will be established, by whom it will be administered and how the proceeds obtained will be disbursed, is acceptable. It is utterly unsatisfactory. There is not one aspect for which I have any respect in any shape or form and, accordingly, I would be remiss if I did not express my opposition to the measure passing in this House at this time in this unsatisfactory form.

Mr S.G. EVANS (Davenport): The Bill is unacceptable to me as it comes out of Committee, because it does not state that a trust will be set up to look after the money. As that is not stated and as the composition of the trust is not stated, the Bill does not cover the points that the Minister said it would cover. I oppose the third reading.

The House divided on the third reading:

Ayes (23)—Mr Abbott, Mrs Appleby, Messrs. L.M.F. Arnold, Blevins, Crafter, De Laine, Duigan, M.J. Evans, and Ferguson, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hopgood, and Klunder, Ms Lenehan, Messrs. McRae, Mayes (teller), Plunkett, Rann, Robertson, Slater, and Tyler.

Noes (14)—Messrs. D.S. Baker, S.J. Baker, Becker, Blacker, Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn, (teller), Ingerson, Lewis, Meier, Olsen, and Wotton.

Pairs—Ayes—Messrs Bannon and Payne. Noes—Mrs Adamson and Mr Allison.

Majority of 9 for the Ayes.

Third reading thus carried.

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

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

Motion carried.

CATTLE COMPENSATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 19 February. Page 327.)

Mr GUNN (Eyre): This Bill basically has the support of industry. It allows the Minister to use surplus funds that have built up in the Cattle Compensation Fund for purposes that will assist the industry. I have been asked to raise queries by the United Farmers and Stockowners Association, which is concerned that a reasonable amount of money be maintained in the fund so that there is adequate moneys to meet the cost of effectively dealing with an outbreak of disease. There is also concern about the composition of the advisory committee. The industry believes that producers

should have a majority on the committee, and I have the appropriate amendment on file.

The UF&S has asked me to raise these matters because it participated in a working party last year. The Bill as drafted is similar to that relating to the Swine Compensation Fund, which has operated very successfully for a number of years. This fund paid cattle producers whose stock was destroyed at the height of an outbreak of TB and brucellosis, when stock reacted to tests.

I do not believe that it is necessary to say more about this matter. However, I ask the Minister to give an assurance that adequate funds will be kept in reserve so that they can be used to meet any emergency that may arise. I also hope that the Minister will agree to the amendment I have foreshadowed to ensure that producers in this State have the numbers on the committee.

Mr BLACKER (Flinders): I, too, support the Bill thus far, because I think it is recognised that what has happened in the pig industry has been a move in the right direction, particularly when surplus funds accrue. The shadow Minister of Agriculture (the member for Eyre) mentioned the need to keep some moneys in the fund in case of an outbreak of disease. I have spoken many times in this Chamber about my fears of what could happen and the devastation that could occur in relation to the outbreak of disease in cloven-hoofed animals in this State.

I do not think that any member of this House fully understands or appreciates—and I exclude the former Minister of Agriculture, because no doubt documentation would have been available to him—the quite frightening consequences of what could occur if we had an exotic disease outbreak amongst the cloven-hoofed animals in this State. Of course, it does not stop with cattle. This occurs with cattle and sheep, and the real problem occurs when disease gets into feral animals in the hills and ranges, where no-one can adequately clear out all the affected stock.

The consequences of an outbreak of disease like that is quite frightening. I am not sure what the Government could or would do in circumstances like that, but I trust that the Government of the day, whoever that is, would turn out every resource available and have emergency legislation put through this House to see that those measures are covered. That is partly an aside to what we are talking about, but it is very important. I support the Bill thus far and believe that what the member for Eyre has said is worthy of consideration and should be taken into account in relation to the amounts that are transferred across to that fund.

Mr LEWIS (Murray Mallee): I guess that I and the member for Victoria, yet to make his maiden speech, would have, in our electorates, the greatest number of cattle—not just beef cattle but also dairy cattle—of any member in this place. That has been the case since the cost price squeeze adversely affected the size of herds outside the dingo fence in the north of the State as well as the droughts and the way in which breeding for the market (which has changed somewhat over the past 10 years) has taken place on the inside country.

We share the concerns that have been expressed by the members for Eyre and Flinders. It would be horrific if blue tongue or foot and mouth disease got started in this State. That fear underlines our concern to ensure that adequate funds are available. The people whom we represent, given the present tenuous margins that they make from their agriculture in general and from beef cattle enterprises in particular, could not sustain the losses that would, by chance, be their misfortune to incur if it were not for some back-up such as that which can be provided through this mechanism.

It is not good enough simply to disburse funds on the grounds that last year we needed only $300 000 or so, leaving a residual amount. The member for Flinders referred to this. We need to have more than that sum on hand in reserve to cope with the unfortunate and hopefully unnecessary, but almost certain, eventuality one day. If a disease occurs, beef producers will know straight away: they will lose their herds. Worse still, people living in an urban situation in this State and in this nation will suddenly find that their weekly meat bill will go through the roof. I urge the Minister to take our concern on board.

The only other matter to which I wish to refer concerns the size of the Cattle Compensation Fund Advisory Committee. In Committee, I shall support the amendment on this matter to be moved by the member for Eyre.

The Hon. M.K. MAYES (Minister of Agriculture): I shall be brief. I thank members for their support of the Bill, albeit with a foreshadowed amendment. My second reading explanation makes clear that this legislation has been introduced for the benefit of the industry. Similar legislation which operates in respect of the swine industry has been, from all reports, most useful and beneficial to the industry. In similar vein, the Bill now before members will provide for a wider use of the funds that are provided under this legislation and produce long-term benefits for the industry. Discussions with representatives of the industry have shown that they support this legislation. I thank Opposition members for their comments on the Bill and their support of it.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Allocation from the fund for the general benefit of the cattle industry may be made in certain circumstances.'

Mr GUNN: I move:

Page 1, line 29—leave out 'six' and insert 'five'.

The purpose of my test amendment is to reduce the size of the advisory committee by one so that producer members will be in the majority on the board. I have always believed that the people paying the money should have the say. This is their industry and this amendment has been moved following representations that I have received from the United Farmers and Stockowners Association, which was involved in the working party that considered this legislation. I commend this most reasonable amendment to members and trust that the Minister will support it.

The Hon. M.K. MAYES: As a copy of the amendment has only just been handed to me, I have had little opportunity to consider it. I oppose it because I understand, from information supplied to me, that the industry is happy with the original Bill following discussions that industry representatives held with the former Minister. Therefore, I see no reason why the composition of the committee should be altered. I believe that, in moving the amendment, the Opposition is merely splitting hairs.

Amendment negatived; clause passed.

Title passed.

Bill read a third time and passed.

BIOLOGICAL CONTROL BILL

Adjourned debate on second reading.

(Continued from 19 February. Page 332.)

Mr GUNN (Eyre): The Opposition supports the Bill, which has been actively discussed over a number of years. The Bill contains important safeguards that will enable

members of the public to participate if they are concerned about any biological program or control measure that is to be put into effect. I suppose that the only real opposition to this measure would come from some of the bee keepers in my electorate and people who are concerned that salvation Jane may be completely eradicated in the Northern Flinders Ranges.

This measure is in the long-term interests of primary industry in this State and in this country. It may allow for adequate programs that lead to the eradication of millipedes, concerning which the members for Flinders and Davenport are fully aware of the problems that may be caused in their communities.

It may lead to the control of other noxious weeds and vermin which cause such problems to primary industry and which are such a cost to the community at large. I have had consultation with various interested bodies which all support the measure. Therefore, I see no purpose at this time in delaying the House. I support the Bill and hope it has a speedy passage.

Mr BLACKER (Flinders): I, too, support the Bill and merely wish to raise the issue raised by some beekeepers in my district. To some extent, the Bill is a compromise. A number of beekeepers have been violently opposed to any biological control aimed specifically at salvation Jane. There are balancing effects that need to be considered. In other parts of Australia we have seen that biological control has been used effectively on pest plants and it is only common sense that, providing all due caution is taken, similar action be undertaken in this State. Provided adequate safeguards are provided for individuals, the legislation should be supported.

Mr S.G. EVANS (Davenport): I support the Bill. In the past 12 months I have had reason to raise this subject in the eastern States to ascertain what was happening with complementary legislation relating to the federal Act. My first concern was salvation Jane, because the CSIRO had a species of underleaf moth that it believed would at least control salvation jane to some degree. I understand that there are about six species of that moth. About two years ago, it released one species of moth considered most likely to have an effect in the eastern States.

However, it was believed that the cold weather wiped out that species and at the same time beekeepers took out an injunction seeking to prevent the release of the parasite or moth they thought would have an effect on the control of salvation Jane. Many people in my district and in neighbouring districts are concerned at the delay caused by this court action. They were concerned that we were slow in getting complementary legislation before Parliament.

I appreciate that the present Minister has been on the range only for a short time, and I understand that, before proceeding, the other States were waiting for Victoria to get its legislation drafted and into operation. I have not checked on that, but I believe that we were a follow up of the Victorian situation.

I am conscious that biological control in many other areas is needed, but whether it can be achieved is another matter. We all know that there is no guarantee that, merely because we pass this Bill tonight, all the salvation Jane will be gone. There may be other difficulties such as getting the species of moth to spread sufficiently to destroy or control the plant involved. I do know that in one edition of the *Women's Weekly* some years ago there was a full two-page spread of a hills property suggesting that people from the eastern States should come and look at the beautiful attraction of the purple haze in South Australia: it was none other than salvation Jane, which has taken over many properties in the hills. Also, the Government has an interest because much of the Government's land is infested with this confounded weed. When it comes to millipedes and the European Wasp, I am not too confident that we will find a method to control them to any extent. I say that reluctantly, but it is a gut feeling that I have. Certainly, I respect all the work that Dr Baker and others have done in trying to find a parasite that will take on the millipedes, but they are with us and we have to learn to live with them and find means of keeping them out of our houses. I hope that there is a species of duck that will have a greater love for them than they have now. Sometimes the mess left by the ducks is a greater problem than the millipedes.

Other weeds cause problems, including the blackberry. A parasite that started to work on them in Victoria takes out only certain species of blackberry, so we will have to suffer the others anyway, but the blackberry is now controllable by sprays, as we all know. In fact, some of the better sprays are expensive. I hope that one day Governments will look at how much money chemical companies will make from their sprays, although they are most effective. I am concerned about the cost and perhaps, if we can get a greater spread of biological control of the blackberry than has been the case in Victoria, it will help the situation. However, with biological control come other problems, for example, other berry fruit being affected by the same measure taken to control the blackberry.

African daisy and St John Wort and similar weeds are still very prevalent but are controllable in certain circumstances. Although spraying is one method, with it comes the same problem as confronted in blackberry control, that is, the concern of neighbours with specific crops, with their having to worry about wind drift, and so forth. I support the Bill and am only disappointed that we could not have got its provisions into operation earlier. Certainly, I am not attacking the Government for that. I know of all the difficulties involved in getting the States to agree. I do hope the CSIRO can get on with the salvation jane problem quickly and that it has some success with the moth with which it has experimented so far. I support the second reading.

Mr LEWIS (Murray Mallee): The electorate of Murray Mallee, although smaller than the former district of Mallee, extends from the Mallee region to the South-East. That happens to be a range over which salvation jane extends. Its prevalence depends on a number of factors in any given environmental situation in which it is to be found. I mention that because of the controversy surrounding the method by which salvation Jane can be controlled scientifically and may be controlled in the event that this legislation passes.

The controversy is directly related to the fact that apiarists (that is, beekeepers, for the benefit of members opposite who do not understand the meaning of such terms) are concerned because, in their opinion, they will lose a substantial source of honey, that is, the nectar that bees collect and convert to honey.

Members interjecting:

Mr LEWIS: I am just helping some members opposite who did not know the meaning of single terms such as 'oligopoly' and so on.

Members interjecting:

Mr LEWIS: The fish are biting. I have to put on record my concern about the impact that such control measures as are envisaged under the terms of this legislation will have on the apiarists industry. It would be irresponsible of me if I did not. They have been fully consulted and the due process of the law has been seen through to exhaustion. Whilst I regret that beekeepers over decades have become accustomed to depending on salvation Jane—or Paterson's curse, depending on where one finds it: that is another name

for the same weed—they never have had the responsibility of furnishing the capital to provide the land on which to grow the plant from which they harvest the honey. I know of no other kind of agriculture that literally poaches its product from the plants growing on someone else's property than that of apiarists. I mean no disrespect to them: they do all of us a great service, especially at breakfast time for those of us who enjoy honey.

However, we cannot continue to suffer the enormous losses of production that result from the competition provided by a less productive plant, such as salvation Jane, which crowds out productive plants—pasture and crop species, which could otherwise be grown on the same land and utilise the same nutrients and moisture in any given growing period.

It is unreasonable to expect that landowners who have freehold or leasehold title to the land on which they could be growing other more productive plants be required to continue growing salvation Jane for the sake of the continuing prosperity of beekeepers. The apiarists industry must look to a more responsible tenure over the crops from which they derive the substance on which their industry depends in the main: honey. It is true that a good deal of their income also comes in some districts from the practice of hiring their bees as pollinators to pure seed growers, especially lucerne growers. In the process they get some of the benefits of pollen and nectar from those flowers, but they also suffer some of the disbenefits because, when the bee pollinates the lucerne flower, it flicks the keel of the legume flower down from around the stamens and gets a kick in the guts, literally, from the stigma and the anthers on that flower, which shakes the pollen out of the anthers into the stigma. That is the process by which pollination occurs, and I am sure that the insect libbers in the not too distant future will be saying that that is a cruel practice and that apiarists will have to fit all their bees with codpieces or something to protect them from the shock that they get when they trigger the keel.

I mention that point because it is relevant in the context of the Bill in that beekeepers will be more dependent now on selling their services to small seed growers to get an income by virtue of the fact that this measure will wipe out a large slab of the income that they have previously derived from harvesting the nectar from salvation Jane. Because of the other things that I have read in the press from time to time, those cousins of animal libbers—insect libbers—want us to be more careful with our insects and the way we exploit them. When I walk through salvation Jane my legs sting and come out in great welts, but I have never noticed that that happens to bees. I am willing to be convinced that.

There are some classic examples of how this kind of measure has been of great benefit to mankind at large. I will mention a few of them for the record, because I want my friends who are beekeepers to understand that they are not being singled out for rough treatment. In this country since European settlement, exotic species introduced have caused a great deal of dislocation and displacement of natural species or other preferred exotic species. The most amazing result obtained through biological control of an unwanted species was the introduction of *cactoblastus cactorum* from South America to control hundreds of thousands of acres, literally—I do not know whether it ran into millions, but I know that it ran into hundreds of thousands of acres—of prickly pear in southern Queensland.

When that insect, which is a moth in its adult stage and a leaf boring grub in its larval stage, was released and got stuck into this enormous uncontrollable wasteland of prickly pear jungle, it was but a matter of two or three years before vast areas of it had been wiped out, and in less than a decade prickly pear, which had been prevalent prior to that time, was decimated to the point where one could barely find it. That biological control, at little or no expense to the Australian economy, made vast areas of land once again available for agricultural pursuits that would otherwise have still been locked up in this useless form.

A good many people felt upset about that at that time. They were not many in percentage terms but they were still a significant number of folk. They had made their annual trips to the prickly pear thickets surrounding the neighbourhoods in which they lived to get the prickly pears. They did it with gloves on: if one does not one will ruin one's hands because the prickles penetrate the fingers and they become infected, and most people are allergic to them.

An honourable member: Why do they want them?

Mr LEWIS: They are very high in vitamin C, even higher than blackcurrants. It is of the order of two parts of vitamin C in orange juice, three parts in blackcurrant juice, and in prickly pears one gets almost double what it is in orange juice. It is also high in the chemicals that are now referred to as natural fibres. Like figs or prunes in the morning: it has that desirable effect. Thousands of people in Brisbane and in provincial towns protested.

I am serious, and I want the beekeepers to understand that. Thousands of people believed that they would suffer. They complained through the depression because they believed themselves and their families to have been deprived of this enormous benefit that they had learned and become accustomed to enjoying. They could get their daily dose of not only vitamin C but of nature's gentleness, as it were, by harvesting the prickly pear and enjoying it during its season, which is fairly well extended. Prickly pear starts to ripen about this time of the year and one can still pick them as late as mid or late May. They can be fairly easily preserved and pickled, and people used to do that.

We have wiped out prickly pear, using *cactoblastus cactorum*. Now in this State we have blackberries. I ask the Minister a sincere question about that. As I understand it, the fungus disease which had been found nowhere else but in France until very recent times suddenly appeared in Victoria, in a valley not far from Melbourne. When the local residents, recently arrived there, heard that the district council was to spray the weeds with a weedicide called 2,4,5-T (trichlorophenoxyacetic acid)—for the uninitiated, that is otherwise known as Agent Orange—those people became terribly concerned. Whether or not one of them was responsible for the introduction of that fungus I do not know, or whether it was an answer to their prayer and suddenly fell out of the sky—it may have even come from an international jetliner or something—nonetheless, it was introduced.

I understand that it only attacks or its only host plant is *Rubus fructosa*, the common blackberry. My question to the Minister, which I hope he will be able to answer when he replies to the second reading debate, is: does that species of fungus attack anything other than the wild blackberry, *Rubus fructosa*, or if it does have a wider host range, what are those species? Does it include boysenberries, youngberries and loganberries? I am almost certain that it would not include raspberries, but if it does, I would like the Minister to say so, because there are a large number of people now agitating for the release of that fungus in South Australia to control the cursed blackberries throughout the Adelaide Hills.

I can understand that the Minister and his colleague, the Minister for Environment and Planning, in whose responsibility the National Parks and Wildlife Service falls, would be delighted if that fungus were to take hold and clean the blackberries out of national parks, since there is no other effective way by which it can be done other than using agent orange or sending out the unemployed with mattocks

and grubbing it. That is not so silly, because I used to make my living at primary school in part from getting at no rent from a nearby landowner land on which my brothers and I grew flowers and vegetables, simply by agreeing with the landowner that I would go in, slash down the blackberries by hand, grub the roots and keep it clean and free of any regrowth of blackberries for 12 months.

The return for that was that I was able to grow whatever vegetables or other crops I wished on that land. A good idea, but nobody seems to be willing to do those things these days. Without the assistance of biological control, blackberries will continue to be a curse and a nuisance. St Johns Wort, which is eaten by the cochineal beetle, even though established in this State (that is the weed itself and the insect which finds the weed a suitable host), has not been very successful, and it is a pity because that also is a problem in national parks.

The other thing I wanted to say was how much I am sure that people in rural Australia appreciate the great benefits which came and can continue to come under the umbrella of this legislation through the introduction of myxomatosis as an internal pathogen to infect the State's rabbit population, that disease which proved fatal to hoards of rabbits. There is no question about the fact that myxomatosis not only saved the rural industries hundreds of millions of dollars in otherwise lost production by eliminating the undesirable competition of the rabbit for the food and/or the resulting crops, but it also saved vast areas of natural vegetation, even though the rabbit destroyed even greater areas than had been saved by myxomatosis bringing its numbers under control.

It came in the nick of time for large tracts of natural vegetation which have been able to regenerate since in some part and I know, even if a good many members opposite do not, that what a large number of environmentalists (or people these days professing to be environmentalists) claim is a direct result of irresponsible farming practice and irresponsible grazing practice in the farmland and pastoral lands of this State, that that assertion is absolute nonsense and piffle, because, by making that remark, they attempt to sheet home the blame for the damage that was done not by overstocking, overcultivation, or overcropping by any commercial crop or animal owned and grazed by the landholder, but by the bloody rabbits—and the sooner people in this place and elsewhere in this country wake up to the fact that it is not so much (indeed if at all) irresponsible landowners in rural areas who have caused the devastation as it is a consequence of the devastation caused by rabbits when they were in such ascendency.

So, that is another form of agent organism which can be introduced under the terms of this legislation to control an undesirable organism which we do not want in the environment in which we live, be it urban, peri-urban, rural or pastoral. I just wish that we could also discover not only a predator or a pathogen to control the pests referred to earlier by the member for Davenport and the member for Flinders like the Portuguese millipede, but also find a pathogen—by the way, for members of the Government who do not know what that word means, it means disease: wherever you see pathogen, put in 'disease'—which would wipe out European carp. It would be a great service to the restoration of some natural balance between the species which were indigenous to our lakes and fresh water streams, and remove the carp and the curse that they represent from those streams.

We would certainly not produce the yield of protein, whether for fish bait or human consumption, but I believe we would probably increase its value if not increase it overall. It would be a great boon to me and some of the communities that I represent along the Murray River, without it being in any way a detraction from anybody or anything. The pelicans can eat silver perch and silver bream just as well as they eat carp. They do just as well if not better, I am sure. They did for millions of years before we had the carp, anyway, so that argument that I have heard advanced by some people, in my judgment, is spurious. I commend the Minister for his measure and I trust that he is able to answer the concerns that I raised on behalf of the berry growers in the State about the range of host plants which that fungus that is known to be very effective against common blackberry, *Rubus fructosa*, represents to their other brambles.

Mr GREGORY (Florey): I wish to have a few words to say on this matter, because one of my concerns is that, if there is no biological control of the pests in our community, we use weedicides.

Mr Lewis: Pesticides.

Mr GREGORY: And pesticides, and we do suffer by the effects from that which are not helpful to our community. One of those disasters that attracted my attention occurred in Honolulu, in Hawaii, where the pineapple and sugar growers used pesticides to such an extent that they have now affected the water supply so that people can no longer use it. When they started off, they were using one spray but now they are using four or five sprays, and that has reduced an area to the point that people cannot live there. To give an example of how people rely on pesticides, it is claimed that the plantations apply more chemicals to the acre than any other area in the United States, three times more than in California, and 10 times the national average.

That illustrates the point that when you go down that slippery road of a pesticide or a herbicide, there need to be more applications for it to be effective. There is a situation in the United Kingdom where the National Farmers Union is wanting farmers to stop spraying herbicides of the ester-hormone group. They want to do that because it is proved that they can overspray and it is presenting considerable problems with the other crops.

Another side effect of pesticides is the effect on wildlife. There are two effects—if used as a herbicide within the fields, it can remove plants which are hosts to insects on which birds and small mammals may feed, and, if there is a spraying of insecticides, it may mean that birds in particular are eating those insects and consequently laying infertile eggs, thus ceasing to breed.

We have read in the press over recent years that certain species of birds, particularly predatory birds, have become endangered because the DDT levels have been built up to such an extent that the birds lay infertile eggs. This Bill does not encourage the use of biological control: it facilitates and provides protection. The member for Murray Mallee referred to myxomatosis in rabbits. I could envisage a situation similar to that which we saw recently regarding the apiarists whereby we are looking after an industry that is small compared with the rest of the agricultural industry in South Australia.

What would happen if someone threatened to release myxomatosis today and if the economic activity of harvesting rabbits was still carried on? I and other members have participated in that harvesting. It provided food and pocket-money. In those days the farmer fulfilled his obligations to control rabbits by having them farmed, and I suppose I helped in that farming. We could see the ridiculous situation whereby one of the great benefits to our country, that is, the release of myxomatosis with which rabbits have literally been removed and are now down to manageable proportions in a large area of our agricultural land, was prohibited. The unfortunate thing is that rabbits are a bit resilient to myxomatosis and they are still breeding and causing damage in the more arid regions of our land.

Another situation arises with biological control. Most of us would recall when spotted aphis got loose in northern Queensland in March 1977, and in very quick time it wiped out most of the country's lucerne crops. Within two years the aphis had cost the Australian grazing and hay growing industries $200 million. The amazing result was that the scientists and the CSIRO attacked the problem in several ways, first, by developing strains of lucerne that were resistant to the aphis and, secondly, by undertaking a fair bit of research with the result that a wasp was found that would attack the aphis.

Mr Lewis interjecting:

Mr GREGORY: Thank you. The scientists bred and released the wasps and found that within a short period they reduced the effects of the aphis. The problem was that in the initial stages they tried to protect the lucerne crops by spraying them with insecticides, but they found that that did not work and that the spread of aphis was so rapid that they could not keep up with it. The aphis became resistant to the insecticide because of the rapid rate at which they bred. It was suggested that they could produce 100 daughters at the rate of seven per day and pass through four nymphal stages and reach maturity in six days.

Mr Lewis interjecting:

Mr GREGORY: Thank you, Peter. I am very pleased that you can assist me in my contribution tonight.

The SPEAKER: Order! The honourable member will refer to honourable members in the third person and not in the second person.

Mr GREGORY: Another way in which biological control has been very successful was at Lake Moondarra near Mount Isa, where hundred of tonnes of a weed called *Salvinia* was growing. The scientists used herbicides and weedicides on this infestation with no success whatsoever. With a bit of luck, a weevil from South America, where the weed came from, was found. The weevil was applied, and within months the lake was clear. That is one of those success stories that scientists are fond of reporting.

This Bill provides protection. It is not as though protection will be given *carte blanche.* It will be given on the basis of unanimous agreement of members of the commission. We might then avoid some of the disasters that have been experienced in relation to biological control in Australia. Most of us would remember when three cane toads escaped at the Levels when mischievous children broke into the laboratories. There was a search for those cane toads because, if they are not controlled, they can take over. It has been illustrated that, on being released from 1935 to 1936 in an effort to control insect pests, they had no result in that regard but they spread, and it is estimated that they cover an area 400 miles long by 30 miles wide up and down the Queensland coast into Weipa and down into New South Wales.

The member for Murray Mallee referred to the fungus that was introduced to kill blackberries. He was quite right, because an article in the *Bulletin* (which I am sure he would have read) states:

> If the rust was an act of God, then one of his angels quickly recognised the opportunity and spread it.

The scientists determined where the virus should be placed strategically on blackberry bushes. That is something that concerns me about biological control. Our scientific community must have proper control to ensure that any aid that is used in biological control affects only the plant or insect that is to be destroyed and does not have a residual effect. There are some people in our community who grow canes for berry fruits, and that industry is quite profitable in some areas. It has been estimated that the spores of that fungus could be blown across Bass Strait into Tasmania. If that was to happen and if the industry in Tasmania was ruined the only recourse that people would have would be to sue at common law the person who released the fungus—if they could find him.

That is the nub of the problem with this Bill. If this Bill had not been introduced we would be back to the ridiculous situation where a small number of apiarists would be denying a large number of people in South Australia the benefits of the release of the agent to kill salvation Jane. This Bill protects those people who release the biological control agent. It does not protect the people who released blackberry rust. It is my understanding that, if it was known who those people were and if it was proved that they had taken that action, they could suffer fines of up to $100 000 under the quarantine laws and be subject to common law action.

This Bill protects those who release the agents, and that is very important because, as I said, given the attitude of people today, if this Bill was not in place the people who wanted to release the myxomatosis to kill rabbits would have been prevented from doing so by those who were engaged in the rabbit harvesting and killing industry. If members undertake research, they will find that a considerable number of people were involved in that area. This is a very necessary Bill. It is a step forward to ensure that we place more reliance on natural predators in the control of pests that have been introduced into our country. I am quite sure that this Bill will achieve the support of the House.

The Hon. B.C. EASTICK (Light): I quite unashamedly acknowledge that for almost a decade I was at least in part responsible for such measures not being introduced in this State previously. In 1975-76, when an almost unilateral action was to be taken, I took up the cudgels on behalf of apiarists in this State. I pay credit to the Hon. Mr Chatterton in another place who at that stage was the Minister of Agriculture and who acknowledged the representations that had been made to him by members of the Apiarists Association and others. I acknowledge that there was a conference of officers of the department and the apiarists to look at various aspects of the introduction.

There was certainly a failure by the CSIRO at that time to be able clearly and precisely to acknowledge the limitations that this organism might—not would—have on other pasture species. It was very clear from the attitude expressed by the apiary people that, until such time as the unqualified information was available, there should be a halt to the introduction which at that stage was contemplated.

A lot of work has been undertaken on this matter. The Hon. Mr Chatterton undertook to provide resources that looked at the cost effectiveness of either its introduction or non introduction, and that material was made available. It showed that there was a very limited difference at that stage of the cost effectiveness as determined by the researchers. The apiarists were indicating the importance of this species for their production, for pollen production, and for a market at that stage to Japan that was worth many millions of dollars. This was part of the cost effectiveness study that was undertaken.

It became necessary for members of the apiary industry, in this State and interstate, to take action in the High Court. They indicated to the Agricultural Council of Australia that they would take that action unless there was a more concerted effort to determine the likely consequences of the introduction of this organism. It was believed that that was a bluff, but in fact it was not.

I pay credit to the members of that association for their grit and determination in being prepared to present before the court a case which was upheld and which caused a further delay in the introduction of this organism. During that intervening period a considerable amount of research

has been undertaken. The most important thing that has come out of discussions at Agricultural Council—and this was clearly identified in statements made recently by Mr Kerin, the Federal Minister for Primary Industry—is that it may yet be necessary to make a form of compensation to people in the apiary industry—in other words, the door is not closed. The introduction of this organism, which will likely reduce production for apiarists and may seriously affect their financial viability, will be considered and, if these people are able in due course to demonstrate that their livelihood has been destroyed and that they are in need of some financial assistance, as I understand the communiques which I have seen from the Federal Minister and which have been publicly distributed by way of press release, some consideration may be given to the apiarists. That was important, and it is because of that facet of the agreement that now exists that I am able to support the Bill, whereas previously I had resisted its introduction because of the problem that was occurring for those people in our community.

The other matter which I will briefly mention, and which may well have been mentioned previously, is that anyone who believes that salvation Jane will disappear off the face of the Australian earth has another think coming. The evidence from the CSIRO and other workers suggests that some areas of South Australia, mainly in the Flinders Ranges, will not necessarily succumb to the organism; in other words, the environment up there may not be sufficient to sustain it, and pockets of infestation of this plant may be too widely dispersed for the distribution to be totally effective. That gives a second string to the bow of the apiarists, and I would be interested to see, with the passage of time, where they go and whether the State and Commonwealth must come forward and assist them with compensation.

I want to place on record my appreciation of the degree of concern that has been shown on behalf of these people. It would have been easy, with the numbers available, to roll the resistance that was in vogue in the early stages, even before the local people had sufficient support from those interstate to maintain the High Court challenge that was eventually advanced. Because that was put in place, Agriculture Departments across Australia have given due consideration to the matter. That is worthy of comment, because it shows that the small man or the small industry can be heard, and I am pleased to have been part of the means by which they were heard.

Also, I point out that the areas that will be affected by the organism will leave large tracts of land in need of another species to take its place. It is by no means certain, from my experience of this plant over a wide area of the Mid North, that there will be sufficient germination of other species at the appropriate time to take up the leeway that the early germination of this species provides and the advantage that it can be to the stock population.

Whilst in recent times considerable concern has been expressed at the part that salvation Jane plays in the death of horses, it is not a feature of horse husbandry in the long term. I say that professionally because, until about eight years ago, to my knowledge there was only one reported case or suspected case, and that was at Williamstown. Subsequently, because of the way in which hormone sprays have been used to cut out some of the grasses, there has been an increase in the growth of salvation Jane in other areas, and possibly there is a link between that density and grazing by horses that occurs in the areas just north of Adelaide (in the area of the member for Napier, around Elizabeth, One Tree Hill and Munno Para), where horse concentrations are much greater than they used to be. Possibly, competition for food means an ingestion of a greater quantity of salvation Jane.

Whether or not other species that are capable of sustaining animal life come forward is a matter that will be watched with great interest. It may well be that the husbandry processes will need to be implemented involving the planting of species to take up the leeway that is left by the control, or partial control, of this weed. This is worthy legislation, having regard to the guarantees that have now been given.

The Hon. M.K. MAYES (Minister of Agriculture): I thank Opposition members for their support of the Bill. I will make just a brief comment about some of the points raised by members. Model legislation was drafted and passed in New South Wales last November, and the Commonwealth has also passed legislation. Therefore, if my timing is correct, we are the second State to act in terms of passing the biological control Bill based on the model legislation.

As to the cost benefits, figures are available. The IAC has figures in regard to *echium*, salvation Jane, or Paterson's curse. The cost of control would be $4.7 million over 15 years, the benefits to South Australia being $18.53 million. Various figures have been floated around. The Department has prepared some, and the UF&S has prepared figures as well. They go as high as $22 million in terms of cost to the industry. The benefits, in terms of honey production, vary between $500 000 and $2 million. It is all relevant. I have taken on board the points that the member for Light made about consultation. That is very relevant as I, too, am concerned about that aspect.

I know that at the recent agricultural conference other Ministers expressed similar points. It is a worthy comment and will be considered carefully. The honourable member's comments about anyone expecting salvation Jane to disappear completely are, I think, quite true. No-one who has been involved or briefed on this Bill, particularly in relation to salvation Jane control, would in any way believe that that will happen. Of course, this measure will impact on apiarists. Some work has been done on alternatives and, hopefully, we will be able to assist them in their industry with those alternatives.

In relation to the member for Murray Mallee's comments in relation to the organism which has specifically hosted itself on the blackberry and whether or not it can endanger any other of the fruits in that category, I am advised that it is believed that it is a host specific to the blackberry. I am not sure of that, but can provide further information to the honourable member later. In summary, this Bill is a complementary Bill. It has been introduced with the agreement of all States and the Commonwealth. Hopefully, it will provide substantial benefits to the rural industry in this State and to the community as a whole.

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

JUSTICES ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

SUMMARY OFFENCES ACT AMENDMENT BILL (No.3)

Received from the Legislative Council and read a first time.

DAYLIGHT SAVING ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 1, line 29 (clause 3)—After '1898', insert 'but subject to section 4a,'.

No. 2. Page 1, line 34 (clause 3)—Leave out 'In' and insert 'Subject to section 4a, in'.

No. 3. Page 2 (clause 3)—After line 12 insert new section as follows:

4a. *'Governor may exclude part of State from application of this Act.* (1) The Governor may, by regulation, exclude from the application of this Act any specified part of the State with effect for the whole of the prescribed period or any specified part of the prescribed period.

(2) While this Act does not apply to a particular part of the State by virtue of an exclusion under subsection (1), the Standard Time Act 1898 applies in relation to that part of the State.'

Consideration in Committee.

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

That the Legislative Council's amendments be agreed to.

The effect of the amendments is contained in new section 4a, which allows the Governor by regulation to divide the State into more than one time zone. I make absolutely clear that this Government has no present intention of doing such a thing. For us to embark on such an adventure, we would want to negotiate very carefully with all relevant interest groups in the State. If the people in another place had in fact written this into the legislation I would strenuously advise the Committee to reject the amendment. But it has not done that: it provides that there is flexibility in the Act for such a thing to be considered without further amendment to the legislation should a Government at some time in future consider that there was some sense in doing it. I have no objection to there being flexibility in the Act: after all, that was the whole intent of the amendment which I urged upon this place initially. The others, Nos 1 and 2, are in effect consequential on new section 4a, so I urge acceptance of the amendments.

The Hon. B.C. EASTICK: It is with reluctance that the Opposition accepts the amendments, because it is just cluttering up the legislation for no purpose. It might be looked upon as a *quid pro quo* deal in respect of some other measure: that would appear to me to be a reasonable assumption of what has taken place. This measure was discussed in some detail, and the problems that would arise if any part of the State was out of kilter with the rest are clearly understood. My colleague the member for Eyre indicates that there is one school which has currently changed its time schedule to accord with daylight saving and that is creating enough bother, but it is unlikely that it will be repeated in future.

If the Minister is prepared to accept the measure, so be it, but I could not imagine that a Government of this political persuasion would appreciate this amendment, and that is the basis on which I say it is cluttering up the legislation. When I learnt that there was to be an amendment, I thought that perhaps the other place had taken the opportunity to suggest that any regulation to be applied might be contiguous with either only the commencement or cessation of the existing period in the Act. We had discussed that, and I think there is a fair measure of understanding that common sense would prevail and that that would be the only means whereby the addition would be gazetted or a regulation created. So, with those reservations, we accept the amendments.

Motion carried.

ADJOURNMENT

At 11.13 p.m. the House adjourned until Wednesday 26 February at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 25 February 1986

QUESTIONS ON NOTICE

STATE TAXES

8. **Mr BECKER** (on notice) asked the Premier:

1. How many persons are employed and what are the total expenses incurred in calculating, supervising and collecting, for each category of the following State Taxes:
   - *(a)* property-land tax
   - *(b)* gambling taxes, commissions on bets, licences, service fees, small lotteries application and licence fees, and totalizator
   - *(c)* motor vehicles—registration fees, drivers licences and sundries
   - *(d)* Payroll tax
   - *(e)* Financial institutions duty
   - *(f)* stamp duties—motor vehicles, real estate, cheques, etc.
   - *(g)* business franchises—gas, liquor—publicans and other licences, petroleum, tobacco
   - *(h)* succession and gift duties
   - *(i)* fees for regulatory services
   - *(j)* statutory corporation contributions—Electricity Trust of South Australia, State Bank of South Australia
   - *(k)* unclaimed monies; and
   - *(l)* interest on investments made by the State?

2. What are the percentages of costs to the various amounts of revenue collected?

3. Where collection costs are greater than 50 per cent or considered too high to be economically viable, does the Government propose to abolish such taxes and, if not, why not?

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

	No. of Persons employed 30.6.84	Expenses 1983-84 ($000)	Percentage of Expenses to Revenue Collected (%)
(a) land tax	44.5	1 290	4.6
(b) gambling tax	41.0	978	5.19
(c) motor vehicles	381.5	11 561	
(d) payroll tax	39.7	677	0.3
(e) financial institutions duty*	7.0	169	1.5
(f) stamp duties**	32.0	655	0.4
(g) business franchises:			
—petroleum and tobacco	7.0	150	0.2
—gas		negligible	
—liquor	24.0	869	2.4
(h) succession and gift duties	1.0	29	104.0
(i) fees for regulatory services	92.6	2 393	various
(j) Statutory corporation contributions:			
—E.T.S.A.		negligible	
—State Bank		negligible	
(k) unclaimed moneys	8.3	179	1.0
(l) interest on investments of surplus cash	1.0	21	0.2

* Includes establishment costs during first year, but revenue for only five months. The percentage of expenses to revenue collected might be expected to be lower in a full year of operation.

** These figures take account of stamp duty revenues collected by the Motor Registration Division, but do not include expenses incurred by that division.

3. Succession and gift duties have been abolished. The figures quoted reflect the cost of maintaining a service to process refunds of succession duty where property subsequently vests in a beneficiary and requires a reassessment of duty.

The Government does not propose to abolish fees for regulatory services. It is not the object of commercial licensing to generate revenue. Licence fees are collected to offset part of the cost of administration.

The Department of Fisheries is continually reviewing its methods and costs of collection of regulatory services. To this end it is proposed to computerise the commercial licensing system during 1985-86 and this will inevitably result in a reduced cost of collection.

GOVERNMENT VEHICLES

9. **Mr BECKER** (on notice) asked the Premier:

1. What was the total cost to 30 June 1985 of operating the light (passenger) motor vehicle fleet within departments and agencies within each portfolio under the Minister's control, including—
   - *(a)* cost of garaging
   - *(b)* servicing
   - *(c)* petrol; and
   - *(d)* oil, etc.?

2. How many light motor vehicles were registered in the names of departments and agencies under the Minister's control as at 30 June 1985, how do these figures compare with the previous 12 months and what is the reason for the variation?

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

Department Agency	Total Light Vehicle Operating Costs 1984-85	No. of Light Vehicles Registered 1984-85	No. of Light Vehicles Registered 1983-84	Reason for Variation
	$			
Department for the Arts	30 815	9	7	Carrick Hill purchased one 4 W.D. under C.E.P. Scheme. Museum Division purchased one vehicle through Trust fund donation.
Department of the Premier and Cabinet	55 768	13	13	—
Treasury Department	26 972	2	2	—
Lotteries Commission	9 297	8	6	To meet service requirements.
S.G.I.C.	176 224	74	62	Increased sales force.
State Bank	91 940	72	46	Increase in operations.
Public Service Board	29 496	2	2	—

10. **Mr BECKER** (on notice) asked the Deputy Premier:

1. What was the total cost to 30 June 1985 of operating the light (passenger) motor vehicle fleet within departments and agencies within each portfolio under the Minister's control, including—

(a) cost of garaging

(b) servicing

(c) petrol; and

(d) oil, etc.?

2. How many light motor vehicles were registered in the names of departments and agencies under the Minister's control as at 30 June 1985, how do these figures compare with the previous 12 months and what is the reason for the variation?

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

1.	*(a)* Garaging	*(b)* Servicing and Repairs	*(c)* Petrol, Distillate	*(d)* Oil Etc.
Department of E&P	Nil	$103 000	$227 000	$4 000
Police Department		Total of $3.5 million		
Auditor-General		Total of $24 121		
C.F.S.	Nil	$21 476	$51 875	$1 247
M.F.S.		Total of $55 300		

2.	No. of Vehicles 30 June 1985	No. of Vehicles 30 June 1984	Reason for Variation
Department of E&P	42	59	Transfer of vehicles to Central Government Pool
Police Department	546	535	Approved additions to fleet and replacement of heavy vehicles with light passenger vehicles
Auditor-General	Nil—all vehicles managed by the Central Government Car Pool		
C.F.S.	23	20	Approved additions to fleet
M.F.S.	26	25	Approved addition to fleet

Department of Engineering and Water Supply

1. The total cost of operating the Engineering and Water Supply Department's light vehicle fleet for 1984-85 was $2 520 833 which was made up as follows:

	$
(a) Garaging	Nil
(b) Fuel	886 546
(c) Oils and greases	28 514
(d) Repairs	398 363
(e) Cleaning	156 724
(f) Registration	57 775
(g) Interest on capital investment	598 559
(h) Depreciation allowance	553 080
(i) Profit or loss on sale	158 728 (profit)

* Servicing costs are not separately accounted for in the Engineering and Water Supply Department's reporting system. They are treated as 'repairs' and thus form an unquantified component of the $398 363 above.

2. 826 light motor vehicles were registered in the name of the Engineering and Water Supply Department as at 30 June 1985. However, this figure includes the new vehicles received at the end of the financial year and the vehicles to be replaced by the new ones which had not been submitted for salvage. The equivalent figure as at 30 June 1984 was approximately 805.

Taking into account the vehicles being returned to salvage, the department's total operational light vehicle fleet as at 30 June 1985, is 795. The equivalent figure as at 30 June 1984, was 800.

The reduction of vehicles is a result of the continuing requirement for economic and high utilisation of the vehicles and the salvaging of vehicles deemed to be surplus.

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

1. What was the total cost to 30 June 1985 of operating the light (passenger) motor vehicle fleet within departments and agencies under the Minister's control, including—

(a) cost of garaging

(b) servicing

(c) petrol; and

(d) oil, etc.?

2. How many light motor vehicles were registered in the names of departments and agencies under the Minister's control as at 30 June 1985, how do these figures compare with the previous 12 months and what is the reason for the variation?

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

Lands

1. *(a)* No direct cost.

	1983-84 $	1984-85 $
(b) Servicing	42 445	37 782
(c) Petrol (includes oil)	86 388	76 011
(d) Etc. (includes depreciation, registration etc)	91 037	58 101

2. There were 103 light passenger vehicles registered as at 30th June 1984, and 108 at 30th June 1985.

The above figures however do not give a true indication of the number of vehicles in operation at these dates as at any one time there are a number of vehicles which are in the process of being sold for the department by the Department of Services and Supply.

The actual figures as far as the department is concerned, should be 87 and 86 respectively.

The decrease of one vehicle being as a result of changing from a light passenger vehicle to a heavier 4 wheel drive vehicle.

Marine and Harbors

1. The cost incurred by this department in operating light (passenger) motor vehicles during the year ended 30 June, 1985, excluding depreciation and interest, was $115 000.

(a) Cost of garaging—nil.

Vehicles are either garaged within departmental premises or at officer's residences and no extra costs are incurred.

(b) Servicing (including minor repairs) $40 000.

(c) Petrol—$75 000.

(d) Oil, grease etc.—separate costs are not kept. They are included either with petrol or servicing according to circumstances.

2. As at 30 June 1985, this department had 74 light vehicles compared with 75 for the previous year. During last year a light vehicle was replaced by a heavier vehicle outside the light vehicle classification.

Forests

1. The total cost as at 30th June 1985 of operating this department's light (passenger) motor vehicle fleet, including garaging, servicing, petrol, oil, etc. was $150 496.24.

2. The number of light (passenger) motor vehicles registerd in this department's name as at 30 June 1985 was 67. The number registered as at 30 June 1984 was 84.

Reason for variation—This department was nominated in a Cabinet directive to participate in the Central Government Car Pool Scheme. Accordingly, as from 1st February 1985, all this Department's city based vehicles (17) were

transferred to the control of the Central Government Car Pool.

NOTE: light (passenger) motor vehicles has been interpreted to mean passenger carrying vehicles only (i.e. sedans and station wagons).

12. **Mr BECKER** (on notice) asked the Minister of State Development:

1. What was the total cost to 30 June 1985 of operating the light (passenger) motor vehicle fleet within departments and agencies within each portfolio under the Minister's control, including—
   (a) cost of garaging
   (b) servicing
   (c) petrol; and
   (d) oil, etc.?

2. How many light motor vehicles were registered in the names of departments and agencies under the Minister's control as at 30 June 1985, how do these figures compare with the previous 12 months and what is the reason for the variation?

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

As at 30 June 1985, the Department of State Development had five motor vehicles which were on long term hire from the Department of Services and Supply. The total cost to 30th June 1985, of operating this fleet was $24 596. Cost of garaging for the year was $3 234.00. Servicing, petrol and oil costs are included in the long term hire costs of $21 362.00. This figure of five motor vehicles as at 30th June 1985 does not vary from the previous financial year.

Department of Further Education

	Cost* to 30.6.85	No. of vehicles 30.6.84	30.6.85	Variation
Technical & Further Education	224 175	63	73	Expanded operations
Tertiary Education Authority of South Australia	4 185	3	3	

*(i) Cost includes any Services & Supply charges for vehicles from Government Car Pool,
(ii) Itemised costing broken down into garaging, servicing, petrol, is not applicable.

13. **Mr BECKER** (on notice) asked the Minister of Transport:

1. What was the total cost to 30 June 1985 of operating the light (passenger) motor vehicle fleet within departments and agencies within the portfolios under the Minister's control, including—
   (a) cost of garaging
   (b) servicing
   (c) petrol; and
   (d) oil, etc.?

2. How many light motor vehicles were registered in the names of department and agencies under the Minister's control as at 30 June 1985, how do these figures compare with the previous 12 months and what is the reason for the variation?

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

Transport Department

1. No detailed costs are kept.
2. As at 30.6.85—25
   As at 30.6.84—26

One vehicle returned from loan.

Highways Department

1. The department does not have a segregation of costs to the extent requested by the honourable member. The following detail is available for 1984-85:

Operating Costs	$
Fuel and Lubricants	289 117
Repairs	105 507
Tyres and Tubes	13 742
Ownership Costs	
Depreciation	191 079
	$599 445

2. As at 30.6.85—319
   As at 30.6.84—359

The reduction reflects a rationalisation of the light vehicle fleet.

State Transport Authority

1. Costs associated with the operation of the State Transport Authority's light passenger vehicles are accumulated in a ledger account titled 'Service Vehicle Maintenance', which includes the cost of maintaining light vehicles, maintenance utilities, vans and trucks, breakdown tenders, tower wagons, etc. It is not possible to separate the costs relative to light vehicles.
2. As at 30.6.85—94
   As at 30.6.84—95

The variation is due to the logistics of sale and purchase of replacement vehicles.

Department of Services and Supply

1. *(a)* $356 080
   (b) & *(d)* $350 243
   (c) $688 167
2. As at 30.6.85—570
   As at 30.6.84—392
   Variation—178

Reasons for variation:

(i) Transfers from other agencies (car pool)	173
(ii) Expansion in document reproduction units	1
(iii) Temporary—vehicle to be salvaged	1
(iv) Establishment of SA Centre for Remote Sensing	3

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

1. What was the total cost to 30 June 1985 of operating the light (passenger) motor vehicle fleet within departments and agencies under the Minister's control, including—
   (a) cost of garaging
   (b) servicing
   (c) petrol; and
   (d) oil, etc.?

2. How many light motor vehicles were registered in the names of departments and agencies under the Minister's control as at 30 June 1985, how do these figures compare with the previous 12 months and what is the reason for the variation?

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

1.

	Dept of Mines and Energy	ETSA	PASA
	$	$	$
(a)	3 100	Nil	Nil
(b)			
(c-d)	182 900	765 000	403 000[1]

[1] The Pipelines Authority does not keep separate records of costs of operating different classes of vehicles and is, therefore, unable to provide operating costs specifically associated with its light (passenger) motor vehicle fleet. Costs are collected in total and include light (passenger) vehicles, light equipment carrying vehicles, four wheel drive vehicles, heavy trucks, prime movers, heavy road making equipment, mobile cranes, etc. (number of units total 116).

2.	1985	49[1]	722[2]	24
	1984	45	722	24

[1] The increase in the Department of Mines and Energy 'light' motor vehicle fleet should be compared with a reduction of 5 vehicles in the 'heavy' fleet. Smaller 4 × 4 vehicles (eg Subaru) are now being used in lieu of Toyota Landcruisers.

(2) The number of passenger cars and derivatives in service in the trust's fleet in June 1984 and June 1985 remained static at 722 as there were no additions purchased during the 12 months. However, the number of vehicles registered was 802 on 30 June 1984 and 840 on 30 June 1985. This is due to the fact that vehicles awaiting disposal may or may not be registered at any particular time. Four-monthly purchasing programs generally consist of at least 120 vehicles and monthly sales average more than 30.

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

1. What was the total cost to 30 June 1985 of operating the light (passenger) motor vehicle fleet within departments and agencies under the Minister's control, including—
   (a) cost of garaging
   (b) servicing
   (c) petrol; and
   (d) oil, etc.?

2. How many light motor vehicles were registered in the names of departments and agencies under the Minister's control as at 30 June 1985, how do these figures compare with the previous twelve months and what is the reason for the variation?

The Hon. G.J. CRAFTER: The replies are as follows:

	Cost* to 30.6.85	No. of vehicles 30.6.84	30.6.85	Variation
Education	553 226	177	176	Vehicle written off not replaced by 30.6.85
Children's Services Office	65 700	41	42	Traded vehicle not replaced till 1984/85
Senior Secondary Assessment Board of South Australia	2 509	1	3	Expanded operations
Teacher Housing Authority	7 086	Nil	Nil	
Teacher Registration Board	Not applicable			

* (i) Cost includes any Services and Supply charges for vehicles from Government Car Pool.
(ii) Itemised costing broken down into garaging, servicing, petrol, is not applicable.

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

1. What was the total cost to 30 June 1985 of operating the light (passenger) motor vehicle fleet within departments and agencies within each portfolio under the Minister's control, including—
   (a) cost of garaging
   (b) servicing
   (c) petrol; and
   (d) oil, etc?

2. How many light motor vehicles were registered in the names of departments and agencies under the Minister's control as at 30 June 1985, how do these figures compare with the previous twelve months and what is the reason for the variation?

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

1. In the year ending 30 June, 1985 the total cost of operating the section of the Department of Housing and Construction's vehicle fleet comprising light (passenger) motor vehicles was $573 000. For the same period the S.A. Housing Trust spent $600 632 on the same class of vehicle.

There is no garaging cost for either Authority.

2. Statistics related to the number of light (passenger) motor vehicles registered in the name of the Department of Housing and Construction between 1 July 1983, and 30 June 1985 are:

	1983/84	1984/85
Light Passenger Vehicles	190	182

The decrease occurred because of the changing operational requirements of this department necessitating the purchase of commercial vehicles in lieu of passenger.

The statistics for the S.A. Housing Trust are:

	1983/84	1984/85
Light Passenger Vehicles	247	252

The reason for the increase was due to the creation of new positions in Housing Improvement, Rent Control and Maintenance inspectorial services.

17. **Mr BECKER** (on notice) asked the Minister of Labour:

1. What was the total cost to 30 June 1985 of operating the light (passenger) motor vehicle fleet within departments and agencies within each portfolio under the Minister's control, including—
   (a) cost of garaging
   (b) servicing
   (c) petrol; and
   (d) oil, etc.?

2. How many light motor vehicles were registered in the names of departments and agencies under the Minister's control as 30 June 1985, how do these figures compare with the previous twelve months and what is the reason for the variation?

The Hon. FRANK BLEVINS: The replies are as follows:

Department of Labour

1. The total cost to 30 June 1985 was $93 126 including—
   (a) Garaging costs of $10 485
   (b) (c) and *(d)* Separate costings are not maintained for servicing, petrol and oil.

2. The department's light motor vehicle fleet amounted to 58 vehicles as at 30 June 1985 compared to 63 units as at 30 June 1984. Five (5) vehicles were transferred to the Central Government Car Pool, Department of Services and Supply during the financial year 1984-85.

Department of Correctional Services

1. Accounting methods do not enable the Department of Correctional Services to distinguish the costs of garaging, servicing, petrol and oil etc. for light (passenger) vehicles separately from the costs of the total vehicle fleet.

2. The numbers of light motor vehicles registered in the name of the department are as follows:—

30.6.84	30.6.85
61	91

The increase in vehicle numbers was brought about by the Community Service Order program, and the need to adjust the District Office and Institutional fleet numbers for greater efficiency of service.

18. **Mr BECKER** (on notice) asked the Minister of Agriculture.

1. What was the total cost to 30 June 1985 of operating the light (passenger) motor vehicle fleet within departments and agencies within each portfolio under the Minister's control, including—
   (a) cost of garaging
   (b) servicing
   (c) petrol; and
   (d) oil, etc.?

2. How many light motor vehicles were registered in the names of departments and agencies under the Minister's

control as 30 June 1985, how do these figures compare with the previous twelve months and what is the reason for the variation?

The Hon. M.K. MAYES: The replies are as follows:

Department of Agriculture

1. *(a)* Cost of garaging to 30.6.85 — $8 356
   (b) Cost of servicing to 30.6.85 — $89 319
   (c) Cost of fuel purchase to 30.6.85 — $279 449
   (d) cost of oil cannot be determined, included in service charge—

2. The number of light motor vehicles registered in the Department of Agriculture as at:—
   30.6.84 — 360
   30.6.85 — 297

SAMCOR

1. The cost to 30 June 1985 of operating light (passenger) motor vehicle fleet was nil.

2. There are no light motor vehicles registered in the name of the corporation. There were nil at 30 June 1984.

South Australian Egg Board

1. *(a)* Cost of garaging is nil, as it utilises existing facilities within the Board and does not incur any additional costs.

(b) The cost of servicing and maintenance of the vehicles for 1984-85 was $6 845.

(c) The cost of petrol and oils together with $10 937.

2. The number of vehicles operated by the board is six, as against seven in the previous year. The reduction in vehicle numbers has been achieved by a restructuring of Board operations.

Australian Barley Board

1. The total cost of operating the motor vehicle fleet in the year ended 30 June 1985 was $46 501 made up as follows:

	$
Service and repairs	6 594
Petrol and oil	16 452
Insurance and registration	8 709
Depreciation	13 786
Sundries	960
Garaging	Nil
	$46 501

2. As at the date 11 vehicles were registered in the board's name in South Australia which is the same number as in the previous year.

Dried Fruits Board

No vehicles are owned by or registered in the name of the board. Vehicle running expenses are reimbursed by the board to Board Members and Officers of the Board in accordance with necessary usage at public service rates.

Citrus Board

1. $3 747 total cost. It is not possible to provide a break down of individual costs.

2. 30 June 1985—2 vehicles
   30 June 1984—2 vehicles.

Department of Fisheries

1. *(a)* Cost of garaging in 1984-85 was $8 640.00

(b) Cost of servicing of departmental vehicles in 1984-85 was $11 897.51.

(c) Cost of motor vehicle petrol and oil for departmental motor vehicles in 1984-85 was $40 592.33.

The above costs include all departmental vehicles, including Toyota Landcruisers and trucks. Separate costs for light vehicles are unavailable.

2. *(a)* There were 33 light vehicles registered by the department as at 30 June 1985.

(b) As at 30 June 1984, there were 32 light vehicles.

(c) The additional vehicle was purchased with Commonwealth funding for the Southern Bluefin Tuna Program.

Department of Recreation and Sport

1. *(a)* $3 260
   (b) $5 127
   (c) $23 699
   (d) $6 100

2. Total number of vehicles registered is 13 as at 30 June 1985; this compared with 12 for the previous 12 months. The reason for this is that the South Australian Trotting Control Board increased by two vehicles (upgrading of Manager and Chairman of Stewards positions) and the South Australian Totalizator Agency Board reduced by one (due to a more efficient utilisation of vehicles).

19. **Mr BECKER** (on notice) asked the Minister of Transport representing the Minister of Health:

1. What was the total cost to 30 June 1985 of operating the light (passenger) motor vehicle fleet within departments and agencies within each portfolio under the Minister's control, including—
   (a) cost of garaging;
   (b) servicing;
   (c) petrol; and
   (d) oil, etc.?

2. How many light motor vehicles were registered in the names of departments and agencies under the Minister's control as at 30 June 1985, how do these figures compare with the previous 12 months and what is the reason for the variation?

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

South Australian Health Commission

The number of vehicles controlled through the South Australian Health Commission's Central Office as at 30 June 1984 was 67.

Fifty-three vehicles were transferred to the Government central car pool in July 1984. Central office staff now draw on the central car pool for all vehicular needs, for which the commission is charged a hire fee by the Department of Services and Supply. The number of vehicles controlled through central office as at July 1984 was 14.

Three additional vehicles were purchased in 1984-85 for use on the Port Pirie lead project, giving an 1984-85 total of 17 vehicles. Of these, two are located in the Adelaide suburbs, and 15 in country areas.

The 1984-85 operating costs for the 17 vehicles controlled through the Health Commission Central Office, were:

(a) garaging	Not Applicable
(b) servicing	$12 650
(c) & *(d)* petrol and oil	$32 370

Department for Community Welfare

1. The total costs to 30 June 1985 of operating the Department for Community Welfare motor fleet was $370 317. This was made up as follows:

	$
(a) Cost of garaging	12 234
(b) Repair and Maintenance	114 197
(c) & *(d)* Petrol and oil	243 886

2. There are 224 light motor vehicles registered in the name of the Department for Community Welfare as at 30 June 1985. This compares with 253 light motor vehicles for the previous 12 months. The reason for this difference is that all vehicles in the inner Adelaide area were handed over to the central Government car pool.

20. **Mr BECKER** (on notice) asked the Minister of Education representing the Attorney-General:

1. What was the total cost to 30 June 1985 of operating the light (passenger) motor vehicle fleet within departments

and agencies within each portfolio under the Minister's control, including—

(a) cost of garaging;
(b) servicing;
(c) petrol; and
(d) oil, etc.?

2. How many light motor vehicles were registered in the names of departments and agencies under the Minister's control as at 30 June 1985, how do these figures compare with the previous 12 months and what is the reason for the variation?

The Hon. G.J. CRAFTER: The replies are as follows:

Attorney-General's Department

(1) Costs incurred by the Attorney-General's Department in respect of motor vehicles to 30.6.85 are as follows:

	To Aug. 1985 (Pre Car Pool)	After Aug. 1985 (State Centre Car Pool)
Petrol, oil, servicing	1 618.75	—
All inclusive rental	—	17 860.08

(2) The Attorney-General's Department has no motor vehicles registered under its own name as at 30.6.85. All vehicles used are on hire from the State central car pool operated by the Department of Services and Supply. During the 1984-85 financial year the three motor vehicles owned by the department were transferred to the car pool.

Public and Consumer Affairs

1. The total cost to 30 June 1985 of operating the light (passenger) motor vehicle fleet of the Department of Public and Consumer Affairs (including the Ethnic Affairs Commission) was $84 426.22.

(a) Cost of garaging	18 351.50
(b) Servicing	13 926.57
(c) & *(d)* Petrol, oil, registration and repairs	52 148.15

2. Vehicles registered in the name of the Department of Public and Consumer Affairs:

30 June 1984	46 vehicles
30 June 1985	19 vehicles

The reduction is due to the transfer of vehicles identified as being for metropolitan use to the central Government car pool.

Courts Department

1. *(a)* Cost of Garaging

The only cost is for private parking charges for the Director's vehicle, $890.

All other vehicles are garaged on departmental property or are on circuit.

(b) Servicing—$6 542.17.

(c) Petrol and oil—$24 803.95.

2. There were 17 vehicles registered in the name of this department at 30.6.85 and 17 at 30.6.84.

Electoral Department

1. For the 12-month period ending 30.6.85 the total cost of operating the Electoral Department's light (passenger) vehicle fleet was:

	$
(a) Cost of garaging	700.00
(b) Servicing	250.00
(c) & *(d)* Petrol and oil etc.	815.80
(e) Government motor pool hire charges	3 592.50

2. The number of light (passenger) motor vehicles registered in the name of the Electoral Department as at 30.6.85 was one. There was no variation in numbers between 30.6.84 and 30.6.85.

Corporate Affairs Commission

1. The cost of hiring motor vehicles in the department of the Corporate Affairs Commission for the financial year ended 30 June 1985 was $14 448.60 including an amount of $1 425 for garaging. The cost was for the hire of vehicles through the Department of Services and Supply. Detailed costs of servicing, petrol, oil etc. are held by that department.

2. No vehicles are registered in the name of the department of the Corporate Affairs Commission. The department has used the Government car pool since early in 1984.

Ethnic Affairs Commission

1. $2 730 (excludes:

(a) cost of renting vehicles from central car pool;
(b) mileage allowances paid for using private vehicles on commission business).

2. Two motor vehicles (Holden Commodore UWY-766 and Mitsubishi Sigma UGF-963).

These vehicles are registered in the name of the Department of Public and Consumer Affairs. No change from 30 June 1984.

21. **Mr BECKER** (on notice) asked the Minister of Transport representing the Minister of Tourism:

1. What was the total cost to 30 June 1985 of operating the light (passenger) motor vehicle fleet within departments and agencies within each portfolio under the Minister's control including—

(a) cost of garaging;
(b) servicing;
(c) petrol; and
(d) oil, etc.?

2. How many light motor vehicles were registered in the names of departments and agencies under the Minister's control as at 30 June 1985, how do these figures compare with the previous 12 months and what is the reason for the variation?

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

Department of Tourism

1. $22 700—excluding an amount of $4 674 being costs incurred for vehicles hired from the Government car pool.

2. 30.6.85—8
30.6.84—11

Three vehicles were transferred to the Government car pool.

Youth Bureau

The Youth Bureau as at 30 June 1985 was responsible to the Minister of Labour. The Department of Labour is currently preparing a response to this question and it will incorporate the Youth Bureau within that comprehensive departmental response.

Department of Local Government

1. Six vehicles as at 30 June 1985:

(a) cost of garaging	Nil
(b) servicing	$2 320
(c) petrol and oil	$4 090
(d) repairs	$1 200
	$7 610

2. Registered with department

1984	1983-84	VARIATION
6	5	1

Additional vehicle was purchased to service the new off-site Government records office at Netley on a daily basis. There was no capacity to spread the existing fleet.

The Parks Community Centre.

1. Cost of operating light (passenger) motor vehicle fleet for the year ended 30 June 1985:

(a) garaging	Nil
(b) servicing, repairs and replacements	$1 142
(c) petrol and oil	$2 386
(d) registration	$175
	$3 703

2. Number of light vehicles registered at 30.6.85 2
Number of light vehicles registered at 30.6.84 2
Variation ..... Nil

West Beach Trust

1. *(a)* No costs recorded as the West Beach Trust does not have a machinery working account system.

(b) No cost recorded; a full-time mechanic is employed to service all trust plant and equipment.

(c) and *(d)* Part *(d)* is included in this section as the full cost of fuel and oil for all plant and equipment including road vehicles, tractors and earth moving in the financial year under review is $22 734.

2. Eleven light vehicles consisting of two passenger vehicles and nine utilities and vans. No increase has been made in the number of vehicles for at least three years.

Local Government Finance Authority of S.A.

The Local Government Finance Authority has one passenger vehicle.

1. *(a)* $ 156.95
(b) $ 476.95
(c) $1 552.50
(d) $ 239.00 Registration
$ 107.38 Insurance
$2 532.79

2. Not applicable.

Enfield General Cemetery

1. *(a)* Nil
(b) $71
(c) $1 513
(d) $62

2. Light motor vehicles registered 30 June 1985—two.
Light motor vehicles registered 30 June 1984—one.
To provide mobility for management and administration.

Local Government Superannuation Board

There have been no vehicles registered in the name of the board since its inception in July 1984.

DEPARTMENTAL TELEPHONES

22. **Mr BECKER** (on notice) asked the Premier:

1. Has a survey been carried out recently of all telephones in departments and agencies under the Minister's control and, if not, why not and, if so, what were the findings, how many excess telephones were discovered and removed and how much rental will be saved annually?

2. If no survey has been carried out, will the Minister have departments and agencies undertake such a survey this financial year and, if not, why not?

3. What was the expenditure on telephone rental and cost of telephone calls and for how many telephones in each department and agency under the Minister's control and how do these figures compare with the previous financial year?

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

1. & 2. No specific survey has been conducted recently. Control of the number of telephones and their use is part of the normal ongoing management responsibility of appropriate officers in departments and agencies within my portfolios.

3.

	1983-84 Expenditure $	1983-84 No. of Telephones	1984-85 Expenditure $	1984-85 No. of Telephones
Department of the Premier and Cabinet	84 686	141	108 416	151
Department of the Arts	52 919	70	57 519	80
Treasury Department	97 000	210	115 600	210
—Casino Supervisory Authority	3 724	5	1 459	5
—Lotteries Commission	13 737	36	19 268	41
—State Bank (King William St. & Pirie St. only)	257 020	460	328 560	505
S.G.I.C.	187 944	314	219 983	324
Public Service Board	97 600	166	107 100	154

23. **Mr BECKER** (on notice) asked the Deputy Premier:

1. Has a survey been carried out recently of all telephones in departments and agencies under the Minister's control and, if not, why not and, if so, what were the findings, how many excess telephones were discovered and removed and how much rental will be saved annually?

2. If no survey has been carried out, will the Minister have departments and agencies undertake such a survey this financial year and, if not, why not?

3. What was the expenditure on telephone rental and cost of telephone calls and for how many telephones in each department and agency under the Minister's control and how do these figures compare with the previous financial year?

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

1. A survey of telephones has been carried out in the Department of Environment and Planning, Police Department, SA Metropolitan Fire Service and Country Fire Services. With regard to the Audit Department, the number of telephones is relatively small, and there was no evidence to suggest that a survey was warranted.

In the Department of Environment and Planning no excess phones were discovered. Control is maintained over new telephone installations through the issue of a departmental instruction requiring that all additional installations be approved by the Minister. The department, with the assistance of Telecom, has recently examined methods of monitoring telephone usage. It is expected that by 1 January 1986 costs will be monitored on a cost centre basis enabling substantially improved ability to control expenditure.

Because of the expanding nature of the Police Department and the scattered geographical location of its various constituent units, there is a continuing requirement for additional telephone installations to service these units. Telephones found to be surplus to requirements in any given location are transferred to new locations as the occasion demands.

The survey of telephones at the Metropolitan Fire Service resulted in a rationalisation of the number of telephones. A benefit from the new PABX installed in the new headquarters complex is the monitoring of all chargeable calls made from any extension. No excess telephones were discovered during the survey conducted at the Country Fire Services office.

2. Referred to in 1 above.

3. Expenditure on rental and calls for each department is as follows:

	Telephone Rentals & Calls 1984-85	Telephone Rentals & Calls 1983-84	No. of Telephones 1984-85	No. of Telephones 1983-84
Dept. of Environment & Planning	$291 700	$243 590	PABX (390 Extns) 167 installations	Same as 84-85
Audit Department	$17 300	$15 200	27	27
Police Department	$909 271	$763 813	647	No record
MFS	$154 856	$131 234	PABX (199 Extensions) 94 installations	No record
CFS	$66 097	$55 135	73	73

Engineering and Water Supply Department.

1. The last telephone survey carried out in the Engineering and Water Supply Department was in 1982. The survey data has since been destroyed. However, inquiries made of the Department of Housing and Construction revealed that since 1982 the Engineering and Water Supply Department has reduced the number of lines on the Government PABX by 34.

2. It is proposed to undertake a survey during the 1985-86 financial year.

3. Expenditure on telephones is partly advised by the Department of Housing and Construction and partly forms direct expenditure by the department to Telecom. Information regarding the breakdown between rental and cost of calls is not available for costs advised by Department of Housing and Construction. Costs are apportioned by the number of lines used on the PABX and not the actual charges incurred on the lines used by the department.

Telephones	1983-84 Rent $	1983-84 Calls $	1984-85 Rent $	1984-85 Calls $	No. of Telephones
Expenditure (Advised through Department of Housing & Construction)	$411 500		$430 500		634 PABX lines for both years
Expenditure (direct payment to Telecom)	$279 843	$484 003	$241 879	$432 291	Not available without new survey
TOTAL	$1 175 346		$1 104 670		

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

1. Has a survey been carried out recently of all telephones in departments and agencies under the Minister's control and, if not, why not and, if so, what were the findings, how many excess telephones were discovered and removed and how much rental will be saved annually?

2. If no survey has been carried out, will the Minister have departments and agencies undertake such a survey this financial year and, if not, why not?

3. What was the expenditure on telephone rental and cost of telephone calls and for how many telephones in each department and agency under the Minister's control and how do these figures compare with the previous financial year?

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

LANDS

1. No. A survey has not been considered necessary.

2. Yes. A survey will be carried out.

3. Cost of Telephone Calls and Rental

	1983-84 $	1984-85 $
Country and metropolitan	48 070	64 328
PABX	223 900	223 900
	$271 970	$288 228

Number of Telephones

	1983-84	1984-85
Country and metropolitan	115	127
PABX (including tie phones)	319	329
	434	456

FORESTS

1. The telephone services within this department are constantly under review, surveys particularly being undertaken whenever a request is received for additional telephones. In many cases the cost of additional telephones is avoided by withdrawing existing extensions from one area to provide connections in an area where a greater need has been demonstrated. In each and every instance justification must be given to support the request.

2. Not applicable.

3. Total expenditure on telephone rental and cost of calls for this department for the 1984-85 financial year was $281 029.95. The total cost for the previous financial year was $233 965.19.

The increase can be attributed to—

1. In 1984-85 financial year the accounting procedures of the department were altered and accrued telephone expenses were taken into consideration at 30 June 1985.

This variation has had the effect of taking into account actual costs paid during 1984-85 as well as the accrued costs of approximately $15-20 000 with the result that, compared with the previous financial year, costs have been inflated.

In 1985-86 the costs will be prepared on a similar basis to 1984-85 and a comparison possible.

2. Substantial increases in rental for tie lines between Adelaide and Mount Gambier.

3. General increases in tariffs ex Telecom.

MARINE AND HARBORS

1. There has not been a recent survey.

2. The number of telephones in use is the minimum required for the efficient operation of the department.

3.

	1983-84	1984-85
Telephone rentals	$ 86 717	$ 92 243
Cost of calls	$107 830	$125 186
No. of telephones	401	401

25. **Mr BECKER** (on notice) asked the Minister of State Development:

1. Has a survey been carried out recently of all telephones in departments and agencies under the Minister's control and, if not, why not and, if so, what were the findings, how many excess telephones were discovered and removed and how much rental will be saved annually?

2. If no survey has been carried out, will the Minister have departments and agencies undertake such a survey this financial year and, if not, why not?

3. What was the expenditure on telephone rental and cost of telephone calls and for how many telephones in each department and agency under the Minister's control and how do these figures compare with the previous financial year?

The Hon. LYNN ARNOLD: The Department of State Development constantly reviews its telephone requirements to ensure the needs of departmental officers are efficiently met. These reviews have to date found no evidence that departmental telephones have been excess to requirements. The expenditure on telephones for the 1984-85 financial year was $45 000. This figure is calculated by Public Buildings as a share of adjusted PABX charges for costs and switchboard operator salaries for all Government departments within the SGIC building, and therefore does not indicate the true costs of telephone calls made by departmental officers.

The number of telephones in use within this department is 66. The department's share of telephone costs has remained constant in comparison to previous financial years.

Technical and Further Education.

No survey has been undertaken, and there is no intention to undertake such a survey because of its doubtful use, as there is considerable 'unfulfilled demand' in TAFE colleges and head offices which if pursued would enlarge not reduce the total phone systems. The cost of the survey would have to be paid for—presumably from the already over-stretched departmental telephone budget.

Tertiary Education Authority of South Australia.

The authority has recently carried out a review of telephones. Three telephones have been removed resulting in an annual saving of $66.

26. **Mr BECKER** (on notice) asked the Minister of Transport:

1. Has a survey been carried out recently of all telephones in departments and agencies under the Minister's control and, if not, why not and, if so, what were the findings, how many excess telephones were discovered and removed and how much rental will be saved annually?

2. If no survey has been carried out, will the Minister have departments and agencies undertake such a survey this financial year and, if not, why not?

3. What was the expenditure on telephone rental and cost of telephone calls and for how many telephones in each department and agency under the Minister's control and how do these figures compare with the previous financial year?

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

Transport Department.

1. and 2. The number of telephones in the Department of Transport is constantly under review and adjusted according to needs. Any excess telephones would be removed, but it is not possible to indicate what the savings would be annually.

3. Total cost of telephones 1984-85—$279 891. Total cost of telephones 1983-84—$248 310. There are 280 telephones in the department at the present time, but as these are continually adjusted according to need, there is no record of how many telephones were in the department last financial year.

Highways Department.

1. In 1984-85 the department carried out a survey of telephones in its head office, Northfield depot complex, and regional offices at Crystal Brook, Port Augusta, Port Lincoln, Murray Bridge and Naracoorte. The survey did not extend to telephones in construction and maintenance depots. The findings were that:

- some existing PABX units were obselete, were nearing the end of their economic life due to rising maintenance costs, and warranted replacement.
- the purchase of telephone handsets to replace those being rented from Telecom would be economic over a three-year period and would result in savings of approximately $20 000 per annum after that period.

The number of handsets installed was not considered excessive and none were removed. As a result of the survey, tenders were called for new PABX equipment and handsets, and these are currently being installed.

2. Not applicable.

3. 1984-85. Expenditure associated with all telephones $803 000. Number of handsets = 1 015, plus those in construction and maintenance depots, estimated at 70.

1983-84. Expenditure associated with all telephones $776 000. Number of handsets not recorded.

State Transport Authority

1. No recent survey has been carried out by the State Transport Authority.

2. The number of telephones required will be reviewed in mid-1986 prior to the transfer of the State Transport Authority's head office staff into its new building in North Terrace.

3. Expenditure on telephone rental and calls:

1983-84 $274 770

1984-85 $239 831

Number of telephone connections:

1983-84 403

1984-85 432

Department of Services and Supply

1. and 2. Survey

(i) State Supply Division.

In April 1985, the State Supply Division conducted a survey of telephones at the Greenhill Road, Parkside premises. The survey identified potential, long-term savings. These savings would emanate from the installation of a Commander N 2260/1 telephone system. Such a system would eliminate 28 PABX lines currently being rented. On present charges, this represents a saving of about $20 000 a year. Thus the Commander System would pay for itself in two years.

The system has been included in the Department of Housing and Construction's minor works program for the 1985-86 financial year. The telephone system at Seaton warehouse was upgraded in the 1983-84 financial year. The staffing, office situation and workload

have not changed significantly since that time. Thus there would seem to be little need to conduct a survey of that environment during this financial year.

(ii) Government Printing Division.

No survey has been undertaken recently. However, the number of telephones is constantly under review and adjusted according to needs.

(iii) Chemistry and Forensic Science Divisions.

The last survey was undertaken in 1980-81 and resulted in the removal of 14 extensions.

(iv) Support Services Division.

A survey conducted within the last six months found no excess telephones.

(v) Services Division.

As the three branches in this division have been established only within the last 12 months, no survey has been conducted.

3. Expenditure.

The majority of telephones and lines are charged by Telecom to the Department of Housing and Construction. Services and Supply is recharged on annual rates for accommodation and telephones together. Exceptions are given below:

	1984-85 $	1983-84 $
State Supply Division Warehouses:		
Seaton	12 725.82	11 106.49
Whyalla	2 719.43	3 415.71
Mount Gambier	1 418.04	1 461.87
Government Computing Centre	19 677.00	21 529.00
		(Nov-June)
Government Printing Division	41 237.00	41 226.00

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

1. Has a survey been carried out recently of all telephones in departments and agencies under the Minister's control and, if not, why not and, if so, what were the findings, how many excess telephones were discovered and removed and how much rental will be saved annually?

2. If no survey has been carried out, will the Minister have departments and agencies undertake such a survey this financial year and, if not, why not?

3. What was the expenditure on telephone rental and cost of telephone calls and for how many telephones in each department and agency under the Minister's control and how do these figures compare with the previous financial year?

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

1. * In 1983-84 the Department of Mines and Energy installed a PABX system to replace an antiquated manually operated switchboard. Prior to the new system being introduced the needs of the department were reviewed by the then Public Buildings Department (Housing and Construction) and an appropriate number of lines and extensions were installed. Only a very limited number of STD lines were approved.

* The Electricity Trust is in the process of installing a new telephone system. In preparation of designs for the system an examination of existing facilities was carried out. There were about 3 000 telephones rented from Telecom, and that figure can of course fluctuate weekly. Under the new system about 1 700 instruments will be owned by the Trust leaving about 1 300 rented from Telecom. The purchase price of 1 700 instruments was $189 200 and with an expected life of 15 years will save the trust approximately $386 000 in rent over that period.

* The Pipelines Authority conducted a survey of all its telephone installations in the last two years as it was replacing 12 to 15 year old equipment. However, as each branch was in the process of expanding, a reduction in the number of units and rental did not occur.

2. Not applicable, see above.

3. Department of Mines and Energy:

Total telephone rental, calls etc.

$159 400 (1984-85)

$126 700 (1983-84)

These costs include rental on pagers, transmission costs for facsimile and telex facilities and all repairs and maintenance charges by Telecom. The department has 28 lines (14 in, 14 out) on the PABX board, nine individual lines to regional offices (including the opal fields) and a further 39 lines installed to service fuel (petrol) rationing situations (these are not available for use unless an emergency arises). The only changes from 1983-84 is the addition of eight lines (four in, four out) to the PABX facility.

ETSA. Separate accounts for rental and calls are not kept. The total cost, including also servicing and alterations was approximately $1 683 000 for 1983-84 compared to approximately $1 865 000 for 1984-85.

PASA.

	At 30-6-84	At 30-6-85
Number of telephones	128	128
Telephone rental cost	$17 472	$19 611
Cost of telephone calls	$53 955	$48 697

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

1. Has a survey been carried out recently of all telephones in departments and agencies under the Minister's control and, if not, why not and, if so, what were the findings, how many excess telephones were discovered and removed and how much rental will be saved annually?

2. If no survey has been carried out, will the Minister have departments and agencies undertake such a survey this financial year and, if not, why not?

3. What was the expenditure on telephone rental and cost of telephone calls and for how many telephones in each department and agency under the Minister's control and how do these figures compare with the previous financial year?

The Hon. G.J. CRAFTER: The replies are as follows:

1. Education Department.

In respect of the Education Department of South Australia, there has been no recent review of telephone connections in the department. However, all connections of new extensions must be approved by the Director-General of Education or the Area Director.

There has been considerable movement of staff in the department as a consequence of the present reorganisation. Any surplus telephones arising out of these movements are immediately removed and it is proposed to carry out a complete review of the telephone services provided in the central office as soon as the functions presently performed centrally devolve upon the area offices, probably towards the end of this financial year.

Senior Secondary Assessment Board of South Australia.

A survey of telephone requirements would have been undertaken 18 months ago, prior to installation.

One telephone was relocated in May 1985, but no change in rental costs was involved.

Teacher Housing Authority.

- The South Australian Teacher Housing Authority operates a Telecom 4/11 system with four external lines.
- The Teacher Housing Authority does not have excess telephone points nor external lines.

Teachers Registration Board.

No.

Not considered necessary.

The board's existing telephone system is adequate for the board's needs. The system operated by the board is a Telecom Commander consisting of eight telephones and three rented telephone lines from Telecom. The cost of operating this system is borne by board funds which are derived from teachers registration fees.

Children's Services Office.

The Children's Services Office was established on 1 July this year. Telephone arrangements for both the corporate and regional offices were reviewed as part of the establishment planning and the number installed is considered to be the minimum requirement for practical management.

2. Further reviews, except for that mentioned concerning the Education Department, are not contemplated.

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

1. Has a survey been carried out recently of all telephones in departments and agencies under the Minister's control and, if not, why not and, if so, what were the findings, how many excess telephones were discovered and removed and how much rental will be saved annually?

2. If no survey has been carried out, will the Minister have departments and agencies undertake such a survey this financial year and, if not, why not?

3. What was the expenditure on telephone rental and cost of telephone calls and for how many telephones in each department and agency under the Minister's control and how do these figures compare with the previous financial year?

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

S.A. Department of Housing and Construction.

Aspects of this answer encompass most departments as the provision of telephone services to South Australian Government departments falls within the general responsibility of the South Australian Department of Housing and Construction. Telephone services to statutory authorities fall outside the jurisdiction of the South Australian Department of Housing and Construction.

1. Surveys of Telephones.

PABX Systems.

The last survey of telephones was conducted in 1981 following a Cabinet direction that departments were to reduce existing telephone extensions by 10 per cent during that financial year. As a result of this survey, 44 extensions, mainly from the Netley and State Government PABX systems, were removed and an annual rental saving of $800 achieved.

At present, the department is negotiating with Telecom Australia to carry out another audit inspection of the State Government PABX which will identify surplus extensions and decrease ongoing expenditure. Surveys have been carried out on the PABX systems installed at the Government offices in Noarlunga and Mount Gambier and there were no indications of excess telephones being in existence. A review will be undertaken of the survey to see whether modern technology can reduce costs.

The PABX system at the Government offices at Port Lincoln was replaced in 1983 and, prior to installation, a total review was carried out of all requirements. In all cases the departmental head or his delegate remains the officer responsible for ensuring any new extensions were warranted. Individual surveys are carried out from time to time to ascertain specific requirements.

Single line telephones.

For single line telephones including security lines, site office and red coin phones, etc. surveys are carried out in the following way:

(a) Security lines: Are ongoing and any queries are discussed with the Chief Security Officer of the South Australian Department of Housing and Construction.

(b) Site office telephones: As each Telecom account is received it is endorsed by the relevant Construction Officer or project team leader. In this way they are aware the service is connected and they advise disconnection when the project is completed. Consesequently, services are cancelled and removed with a minimum of delay.

(c) Red coin phones: On receipt of each Telecom account a check is made of the charges for metered calls against rentals. In this way it can be ascertained if the service is necessary and should be retained.

(d) District Offices: Surveys have been carried out in some city district offices and although the survey is still under review the district building officers who were contacted have advised that they have no surplus lines.

2. Future Surveys.

Surveys are being done on an ongoing basis.

3. Expenditure.

Victoria Square PABX—506 lines.

	Rent	Calls	Salaries
1983-84	$118 812	$171 964	$21 886
1984-85	$125 655	$181 410	$22 042
Increase	5.7%	5.5%	0.7%

Other telephones.

	Rent	Calls
1983-84	$39 880	$55 073
1984-85	$28 543	$39 417
Decrease	28.4%	28.4%

These figures are based on approximately 985 telephones.

South Australian Housing Trust.

The following is the answer as related to the South Australian Housing Trust:

1. The South Australian Housing Trust completed on 16 June 1985 a survey of all telephones installed in its Angas Street head office complex and district offices. In addition, surveys have been completed in all but two of its country regional offices and it is expected that survey at these locations shall be completed by 30 November 1985.

Analysis of the survey reports indicate that the programed updating of our telephone network incorporating the installaton of electronic private automatic branch exchange facilities has realised the achievement of a more efficient and cost effective network, in addition to a reduction in the total number of telephones and ancillary equipment required.

In all, 44 handsets, six direct lines, two visual display units, one multi-com switching unit and one Commander system have been removed from service providing a total saving of $3 920 annually. Currently the trust telephone network comprises 850 telephone handsets, 11 PABX's, nine Commander systems and 320 exchange lines.

2. Not Applicable.

3. The following table details total costs pertaining to the network for the 1984-85 financial year compared with the previous financial year.

Nature of Cost	Financial Year June 1983-June 1984	Financial Year June 1984-June 1985
Telephone service rentals inclusive of maintenance charges.	$103 814.42	$108 279.57
Telephone calls. ...	$201 990.66	$205 320.56

30. **Mr BECKER** (on notice) asked the Minister of Labour:

1. Has a survey been carried out recently of all telephones in departments and agencies under the Minister's control and, if not, why not and, if so, what were the findings, how many excess telephones were discovered and removed and how much rental will be saved annually?

2. If no survey has been carried out, will the Minister have departments and agencies undertake such a survey this financial year and, if not, why not?

3. What was the expenditure on telephone rental and cost of telephone calls and for how many telephones in each department and agency under the Minister's control and how do these figures compare with the previous financial year?

The Hon. FRANK BLEVINS: The replies are as follows:

Department of Labour

1. There has been no recent completed survey of telephones in the Department of Labour. The department adheres to existing Government policy which requires strict control over the installation of new extensions and the provision of STD access to existing telephones.

2. See answer to question 1.

3. Financial Year	Telephones installed	Expenditure
1984-85	466	$212 110
1983-84	434	$184 317

Department of Correctional Services

1. The South Australian Department of Housing and Construction has recently contracted consultants to undertake a total telecommunications study for the Department of Correctional Services. The review will identify existing equipment (including telephones) cost, control and deficiencies of the system. A detailed plan providing solutions with recommendations is expected to be completed in April 1986.

2. Not applicable.

3. The department does not have details of how many telephones are installed readily available. However this detail will be extracted during the consultancy review. Telephone costs (rental and calls) for 1983-84 and 1984-85 are as follows:

1983-84	1984-85
$230 934	$264 404

An addition of some 80 staff and the installation of a new PABX switchboard at head office account for the additional costs in 1984-85.

31. **Mr BECKER** (on notice) asked the Minister of Agriculture:

1. Has a survey been carried out recently of all telephones in departments and agencies under the Minister's control and if not, why not and, if so, what were the findings, how many excess telephones were discovered and removed and how much rental will be saved annually?

2. If no survey has been carried out, will the Minister have departments and agencies undertake such a survey this financial year and if not, why not?

3. What was the expenditure on telephone rental and cost of telephone calls and for how many telephones in each department and agency under the Minister's control and how do these figures compare with the previous financial year?

The Hon. FRANK BLEVINS: The replies are as follows:

Department of Agriculture

1. There has been no recent survey of telephones in the Department of Agriculture.

The Department adheres to existing Government policy which requires strict control over the installation of new extensions and the provision of STD access to existing telephones.

2. The monitoring of telephone services is reviewed constantly as an on-going exercise.

The provision of new telephones will only be considered if the redeployment of existing extensions and the conversion of extensions to parallel lines is fully investigated and found to be unworkable.

3. Expenditure of telephone rental, cost of calls and number of telephones is as follows:—

	1983-84	1984-85
Cost of Rental	$ 89 590	$123 417
Cost of Calls	$165 313	$240 458
Dept of Housing and Reconstruction recharge, inc, rent, calls and installation	$171 000	$281 000
TOTAL	$425 903	$644 875
Number of telephones	971	959

Samcor

1. The Corporation constantly monitors the number of lines required for incoming and outgoing lines and extensions required to service its needs. Extensions are removed as soon as deemed surplus and incoming lines etc. deleted when the number of calls warrant a change. The reduction in the 1984-85 calendar year was:

3 incoming lines and 2 outgoing.

2. Not applicable.

3. The expenditure on telephone rental and the cost of telephone calls for 1984-85 was $42 163 and 1983-84 was $39 157.

Number of telephone extensions		
	1984-85	90
	1983-84	183

Dried Fruits Board

No telephones are rented by the Board. Local telephone expense is included in the Secretarial Fee while Trunk and STD calls are reimbursed to the Secretaries in accordance with actual usage.

S.A. Egg Board

1. A survey was undertaken by the South Australian Egg Board during 1984 and as a result of this survey the Board replaced its P.M.B.X. switchboard with a Commander System. By doing so the Board was able to reduce the number of extensions from 26 to 17.

3. The expenditure on telephone rental and calls was as follows:

1984-85	$15 660
1983-84	$18 623

Citrus Board

Six telephones. Total cost $6 450 at 30 April 1985. It is not possible to break down costs into rental and calls. All telephones are fully utilised.

Australian Barley Board

A survey was carried out last year on the Board's telephone requirements and a new system—Philips DLS—1 PABX—was installed.

At the time of the survey a full study was made of the number of telephones required and no excess telephones were discovered; in fact the opposite was the case and additional hand sets were acquired to ensure the efficient operation of the Board.

Details of expenditure for telephone rental and calls for the financial years ended 30 June 1984 and 1985 are set out below:

	1984	1985
Rental	$26 129	$27 177
Calls	37 513	40 702
No. of telephones	34	39

Department of Fisheries

1. A survey was conducted in 1982, and again in December 1984, at the time the Department relocated to new premises. No excess telephones were identified.

2. Not applicable.

3. Expenditure for 1983/84—

Rent	$23 500
Calls	$28 800
Salary for PABX	$ 1 900
	$54 200

Expenditure for 1984/85—

Rent	$ 9 600
Calls	$13 900
Salary for PABX	$ 1 700
Country Rent	$12 500
Country Calls	$17 300
	$55 000

The Department of Fisheries has 50 telephone lines.

The above figures do not include costs for reimbursement for rent and official telephone calls for staff residence.

Department of Recreation and Sport

1. The Department of Recreation and Sport has undertaken a survey of its internal and external telephone communications in relation to its recent re-organisation. A proposal has been forwarded to the Department of Housing and Construction for implementation under that Department's 1985/86 Minor Works program. The installation of the new network system will result in improved comunications overall and a better service to the Department's clients. Some dedicated telephone lines will become redundant when the new system is commissioned, with resultant cost savings.

2. Not applicable.

3.

	No. of Phones	1983/84 Rental $	Calls $
(1) Grenfell Centre	2	46	56
Sun Alliance	65	(PABX 14 000)	
	Plus 1 Commander and 3 extensions		
		1984/85	
Grenfell Centre	2	149	19
Sun Alliance	60	(PABX 12 400)	
	Plus 1 Commander and 3 extensions		
		1983/84	
(2) Rec. & Sport Admin. Centre		—	
		1984/85	
	5	6 285	500
		1983/84	
S.A. Sports Institute	3	2 000	1 736
		1984/85	
	7	2 400	2 265

(1) In addition to the PABX we currently have 2 dedicated lines which will be removed under the new proposal. The other changes are supplied by the Department of Housing and Construction and included as 'cross charges'. I do not know the respective rental and calls charges but understand that the Department of Housing and Construction proportion on a 42 per cent rent and 58 per cent calls basis.

(2) The Recreation and Sport Administration Centre was commissioned in May 1984 and there are no relevant costs available for comparison.

32. **Mr BECKER** (on notice) asked the Minister of Transport representing the Minister of Health:

1. Has a survey been carried out recently of all telephones in departments and agencies under the Minister's control and if not, why not and, if so, what were the findings, how many excess telephones were discovered and removed and how much rental will be saved annually?

2. If no survey has been carried out, will the Minister have departments and agencies undertake such a survey this financial year and if not, why not?

3. What was the expenditure on telephone rental and cost of telephone calls and for how many telephones in each department and agency under the Minister's control and how do these figures compare with the previous financial year?

The Hon. J.R. CORNWALL: The replies are as follows:

1. A full audit of telephone usage was conducted throughout the South Australian Health Commission Central Office during 1984-85. Arising from this, four extensions were found to be surplus. They were removed and re-allocated to units requiring additional services.

2. N/A.

3. Comparison of costs over the last two financial years for South Australian Health Commission Central Office:

1983-84	$	1984-85	$
Telecom charges	75 956	Telecom charges	67 422
Call costs	126 941	Call costs	169 793
Number of telephones	448	Number of telephones	448

MINISTER OF COMMUNITY WELFARE

1. Surveys have been carried out in the Department for Community Welfare, Central Office and a number of District Offices. Six Extensions were withdrawn resulting in a saving of $1 188 per annum.

2. Surveys are continually in process in the Department's smaller offices.

3.

	1983-84	1984-85
Rental	$199 803	$213 286
Calls	$403 685	$475 600

Number of telephones 1 237.

33. **Mr BECKER** (on notice) asked the Minister of Educatin representing the Attorney-General:

1. Has a survey been carried out recently of all telephones in departments and agencies under the Minister's control and if not, why not and, if so, what were the findings, how many excess telephones were discovered and removed and how much rental will be saved annually?

2. If no survey has been carried out, will the Minister have departments and agencies undertake such a survey this financial year and if not, why not?

3. What was the expenditure on telephone rental and cost of telephone calls and for how many telephones in each department and agency under the Minister's control and how do these figures compare with the previous financial year?

The Hon. G.J. CRAFTER: The replies are as follows:

Attorney-General's Department

1. An investigation has been carried out into the telephone requirements of the Attorney-General's Department. Recommended that a new PABX telephone system be installed, with no reduction in the number of telephones.

2. —

3. Telephone costs for the Department are paid by the Department of Housing and Construction. That Department has supplied estimated costs as follows:

	No. Telephones	Rent	Calls Cost
1983-84	151 est	$35 800	$43 700
1984-85	151	438 307	53 631

The above costs do not include the telephones installed in the Parliamentary Reporting Division of the Department and connected to the Parliament House telephone system.

Department of Corporate Affairs Commissioner

1. A survey of telephone needs was undertaken within the Corporate Affairs Department in conjunction with the re-location of Branches and Divisions within the Grenfell Centre earlier this year. This resulted in the installation of a new telephone system to accommodate the estimated 100 000 external calls received by the Department each year. The Departmental requirements were certified as necessary and appropriate by the Department of Housing and Construction.

2. The Department will conduct a further survey if directed to do so but in the circumstances this would not appear to be warranted.

3. The expenditure incurred by the Department of Housing and Construction on telephone rental and calls and the number of telephones in the Department is listed below:

	1983-84	1984-85
Expenditure	$42 700	$47 818
No. of telephone handsets (at 30/6)	85	94

Electoral Department

1. Survey conducted of telephone requirements during relocation of department in 1982 resulting in the installation of 'Commander' system.

2. As above.

3. 1983-84—Rental $2 445.45
Calls $2 747.00
1984-85—Rental $2 807.17
Calls $4 326.73
19 Telephones

Courts Department

1. No survey has been carried out recently. This is a most time-consuming task and in view of controls within the Department, is not considered to be necessary.

2. The survey will not be carried out this financial year as a matter of course. It is not normal practice as constant checks are made to ensure that unnecessary telephones and extensions are disconnected when no longer required. Should any irregularity be suspected additional checks would be made. Most Court offices are subjected to annual management audits, and any telephone account which is considered to be excessive at all is investigated.

3. The expenditure on rentals, installation and calls for 1983-84 and 1984-85 is as follows:
1983-84—$260 055.02
1984-85—$255 809.36
Savings in excess of $4 000 were achieved in the last financial year.

Department of Public and Consumer Affairs

1. A survey of Departmental telephones was carried out in June, 1983, a 5/16 extension switchboard was removed plus seven other extensions from the Department's main switchboard. The annual rental saving, due to the removal of this equipment, amounted to $1 419.00.

2. Refer to 1.

3. The expenditure on telephone rental and calls for 1984-85 amounted to $230 834.00. Expenditure during 1983-84 was $177 966.00. The number of telephones in the Department is 362.

S.A. Ethnic Affairs Commission

1. Commission moved to 24 Flinders Street in December 1984. Number of telephones at 24 Flinders Street surveyed and excessive extensions were disconnected. Saving not known.

2. No survey will be undertaken this financial year. A survey will be undertaken at the end of next financial year, when minimal comparative data is available on usage.

3. Expenditure on rental and calls:
1984-85 (at 23 to 25 Peel Street to 30 November 1984 on 5 x 16 manual exchange with 25 extensions;
and
at 24 Flinders Street to 30 June 1985 on Philips 1200 PABX with 42 extensions and 11 pagers used by interpreters.)
$24 560
1983-84 $12 015
Increase accountable as one off and due to rental on PABX at 24 Flinders Street before replacement by current system.

34. **Mr BECKER** (on notice) asked the Minister of Tourism:

1. Has a survey been carried out recently of all telephones in departments and agencies under the Minister's control and if not, why not and, if so, what were the findings, how many excess telephones were discovered and removed and how much rental will be saved annually?

2. If no survey has been carried out, will the Minister have departments and agencies undertake such a survey this financial year and, if not, why not?

3. What was the expenditure on telephone rental and cost of telephone calls and for how many telephones in each department and agency under the Minister's control and how do these figures compare with the previous financial year?

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

Department of Local Government and Agencies

1. Yes. A survey was carried out on the telephone requirements for the Department of Local Government and associated agencies in late 1984. A new system was installed to better service the requirements of the agencies serviced by the central switchboard. One additional handset was installed.

2. Libraries Board of South Australia. No survey has been undertaken, but telephone requirements will be assessed in 1985-86 as part of major service delivery changes to be undertaken at the State Library.

3.	1983 $	1984-85 (to date) $
Rental	32 700	16 500
Calls	40 000	23 800
Switchboard salary	7 900 (part year only)	2 900
Other telephones not on central system		11 900

West Beach Trust

1. A survey was carried out seven months ago, as a result of which the telephone system was updated and a Commander system installed. At that time the number of lines and extensions were investigated and there was discovered to be no surplus to requirements.

2. and 3. With regard to rentals and other costs,

rental totalled	$4 074
other costs	$7 489

Rental charges will now decrease as a result of the installation of the Commander system, which was a capital purchase item and thus obviates a large percentage of the rental charges.

Youth Bureau

1. Liaison has taken place between the Youth Bureau and the Department of Labour. It is considered that this matter is the responsibility of the Department of Housing and Construction. The Department of Housing and Construction should be able to provide information on telephones, expenditure, rental for the Department of Labour as a whole.

2. and 3. There are 14 staff currently employed in the Youth Bureau and there are 14 telephones, with no excess.

Parks Community Centre

1. Survey of telephones—an ongoing assessment has been held to gain maximum utilisation of lines available. The Centre does in fact have a shortage of lines.

2. Not applicable.

3.

	1984-85 $	1983-84 $
Telephone rental	23 860	23 330
Telephone calls	40 640	37 560
	$64 500	$60 890
Telephone Lines	12 Outgoing 10 Incoming	
Extensions	180	
Handsets	202	

Note: The Parks Community Centre telephone system as well as servicing its own sections, also services Health Centre, High School, D.C.W., Legal Services, T.A.F.E., Government Printer and C.Y.S.S.

Department of Tourism

1. and 2. It is considered that the Housing and Construction is responsible for the provision of these details.

3. Telephone costs—

1983-84—Calls	$90 459
Rental	$24 009
	$114 468
1984-85—Calls	$87 242
Rental	$31 763
	$119 005
Number of telephones—	
1983-84	75
1984-85	80

MINISTERIAL TRAVEL

37. **Mr BECKER** (on notice) asked the Premier: Did the Premier or any of his Ministers travel interstate or overseas during the Parliamentary break, 17 May to 1 August 1985, and if so, what, in each case, were the:

(a) dates of travel
(b) places visited
(c) purposes of the visit
(d) names of all persons accompanying and their respective position including spouses
(e) hotels or other places used for accommodation
(f) costs of accommodation and meals
(g) total costs and the break down of costs including entertainment, taxes, gratuities, etc
(h) allowances paid per day for those persons accompanying; and
(i) reports submitted as a result of these visits and what were the findings of these reports?

The Hon. J.C. BANNON: The time and effort to provide a reply to this question is not considered warranted.

GOVERNMENT VEHICLE

41. **Mr BECKER:** (on notice) asked the Minister of Transport: To which department or agency does Government vehicle UQB 619 belong and on the morning of Sunday 22 September 1985 were the five occupants utilising that vehicle doing so for official purposes?

The Hon. G.F. KENEALLY: The vehicle is assigned to the Norwood district office of the Department of Correctional Services for use in the Community Service Order scheme, which includes usage on Saturdays. Part of the usage is to transport offenders to their assigned projects after reporting to the office. However, I have been advised that the vehicle was not used on Sunday, 22 September 1985 but was used for official purposes on Saturday, 21 September 1985. The vehicle was garaged at Norwood on the night of the 21st.

LAND TAX

42. **Mr BECKER** (on notice) asked the Premier: How many persons, firms, etc. paid land tax in the past financial year and how does this number compare with similar categories for each of the previous two years?

The Hon. J.C. BANNON: Statistics are not available on the numbers who paid tax. However, the following table provides information on the numbers who were billed with land tax during the years in question. These figures would probably be a little higher than the numbers who actually paid tax because they take no account, for example, of exemptions subsequently recorded.

	1984-85	1983-84	1982-83
Companies	10 736	10 288	9 987
Associations	included in individuals—separate figure not available	1 375	1 442
Individuals	85 393	78 045	75 698
Pensioners	183	503	449
	96 312	90 211	87 576

UNITED MOTORS HOLDINGS

44. **Mr BECKER** (on notice) asked the Premier: What properties has the Government purchased from or sold to United Motors Holdings since 1 January 1982?

The Hon. J.C. BANNON: In strict accordance with the question, no records have been located in either the Department of Lands or the Engineering and Water Supply Department for the sale or purchase of properties involving United Motors Holdings since 1 January 1982.

Since 1982 the following transactions have occurred with companies associated with United Motors—

(1) Mile End

(a) portion of sections 4 and 5 hundred of Adelaide comprising 5.537 hectares of land together with improvements.
Purchased by the Minister of Lands as a site to which the Hackney Bus Depot may be relocated.

(b) The vendor was a consortium of five companies
- United Motors Acceptance Corporation Limited
- United Motors Limited
- AC Hotel Proprietary Limited
- Alstates Leasing System (SA) Proprietary Limited
- ASC Restaurant Proprietary Limited.

(2) Allenby Gardens

(a) portion of section 90 hundred of Yatala comprising 9 050m² of vacant land.
This property which consists of river bed and river bank was acquired under the Land Acquisition Act for flood mitigation purposes.

(b) The acquisition process was commenced with Freeman Motors and now rests with United Motors retail.

POLICEMAN'S POINT CARAVAN PARK

74. **Mr LEWIS** (on notice) asked the Premier: Has the Government been asked to support a further application from the Storemen and Packers Union and Coorong Caravan Park for an additional $200 000 CEP grant to be invested in further development of facilities for the caravan park at Policeman's Point and, if so, does the Government intend to support it?

The Hon. FRANK BLEVINS: There has been no application lodged with the Joint Secretariat for CEP funding for additional development to the Coorong caravan park by the Storemen and Packers Union or any other organisation.

DEPARTMENTAL FORMS

75. **Mr LEWIS** (on notice) asked the Premier: Are there any forms which departments under the Premier's control use for members of the general public to complete when attempting to begin doing business with such departments which specify that the address shall be the place at which the citizen is living rather than a postal address?

The Hon. J.C. BANNON: Most forms used by departments under my control request an address for correspondence purposes, but do not specify whether a postal or residential address is required.

76. **Mr LEWIS:** (on notice) asked the Deputy Premier: Are there any forms which departments under the Deputy Premier's control use for members of the general public to complete when attempting to begin doing business with such departments which specify that the address shall be the place at which the citizen is living rather than a postal address?

The Hon. D. J. HOPGOOD:

Police Department:

There are 20 forms used by this department which request a residential address only.

Department of Environment and Planning:

One form is used by this department which specifies a residential address only.

77. **Mr LEWIS** (on notice) asked the Minister of Lands: Are there any forms which departments under the Minister's control use for members of the general public to complete when attempting to begin doing business with such departments which specify that the address shall be the place at which the citizen is living rather than a postal address?

The Hon. R. K. ABBOTT:

Woods and Forests Department:

No.

Department of Marine and Harbors:

No.

Department of Lands:

No.

78. **Mr LEWIS** (on notice) asked the Minister of State Development: Are there any forms which departments under the Minister's control use for members of the general public to complete when attempting to begin doing business with such departments which specify that the address shall be the place at which the citizen is living rather than a postal address?

The Hon. J. C. BANNON: Application forms used by the Department of State Development require an address for the principal place of business and not the individual's living address.

79. **Mr LEWIS** (on notice) asked the Minister of Transport: Are there any forms which departments under the Minister's control use for members of the general public to complete when attempting to begin doing business with such departments which specify that the address shall be the place at which the citizen is living rather than a postal address?

The Hon R. K. ABBOTT: Most forms used by the Department of Transport request a postal and residential address or just an address. The only exception is the 'Application for Exemption from fitting a Compliance Plate' form which states that a post office box number is not acceptable; however, this form is due for reprinting. The Highways Department has one form which requests a residential address only due to statutory regulations.

80. **Mr LEWIS** (on notice) asked the Minister of Mines and Energy: Are there any forms which departments under the Minister's control use for members of the general public to complete when attempting to begin doing business with such departments which specify that the address shall be the place at which the citizen is living rather than a postal address?

The Hon. R. G. PAYNE: No.

81. **Mr LEWIS** (on notice) asked the Minister of Education: Are there any forms which departments under the Minister's control use for members of the general public to complete when attempting to begin doing business with such departments which specify that the address shall be the place at which the citizen is living rather than a postal address?

The Hon. LYNN ARNOLD: There are 12 forms used by the Department of Education that require a residential address rather than a postal address.

82. **Mr LEWIS** (on notice) asked the Minister of Housing and Construction: Are there any forms which departments under the Minister's control use for members of the general public to complete when attempting to begin doing business with such departments which specify that the address shall be the place at which the citizen is living rather than a postal address?

The Hon. T. H. HEMMINGS: The Department of Housing and Construction uses two types of forms which specify a contact point be supplied regardless whether it is a postal or personal address. The South Australian Housing Trust uses forms which also specify that a contact point be provided.

83. **Mr LEWIS** (on notice) asked the Minister of Labour: Are there any forms which departments under the Minister's control use for members of the general public to complete when attempting to begin doing business with such depart-

ments which specify that the address shall be the place at which the citizen is living rather than a postal address?

The Hon. FRANK BLEVINS: Application forms used by the Department of Labour request a residential address or postal address should this be different from the address of the premiser.

84. **Mr LEWIS** (on notice) asked the Minister of Agriculture: Are there any forms which departments under the Minister's control use for members of the general public to complete when attempting to begin doing business with such departments which specify that the address shall be the place at which the citizen is living rather than a postal address?

The Hon. M.K. MAYES:

Department of Fisheries:

Most forms used by the Department of Fisheries request both residential and postal addresses. Where a form only asks for an address staff have been requested to ask the applicant for both residential and postal addresses.

Department of Recreation and Sport:

No. The Department of Recreation and Sport does not insist on the private address of any individual. However, in relation to Lottery Licences actual addresses of organisations are required to enable lottery inspections. In addition, organisations receiving financial assistance must provide the actual address of that organisation.

85. **Mr LEWIS** (on notice) asked the Minister of Education representing the Attorney-General: Are there any forms which departments under the Minister's control use for members of the general public to complete when attempting to begin doing business with such departments which specify that the address shall be the place at which the citizen is living rather than a postal address?

The Hon. G.J. CRAFTER: The reply is as follows:

Electoral Department:

Forms used by this department require electors to divulge their residential address and postal address if different from the residential address.

Courts Department:

Forms used by this department are covered by statutory provisions that specify that citizens provide a residential address.

Department of Corporate Affairs Commission:

Forms used by this department are prescribed by legislation to request a residential address.

Department of Public and Consumer Affairs:

Most forms used by this department require a residential address rather than a postal address.

Attorney-General's Department:

One form used by this department requests that only a residential address be given.

86. **Mr LEWIS** (on notice) asked the Minister of Transport representing the Minister of Health: Are there any forms which departments under the Minister's control use for members of the general public to complete when attempting to begin doing business with such departments which specify that the address shall be the place at which the citizen is living rather than a postal address?

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

South Australian Health Commission:

Most forms used by the Commission require a contact address only, although some forms only require a residential address. The expense incurred in obtaining information on the forms used in every hospital and health unit in the State is not considered to be justified.

Department of Community Welfare:

There are seven forms used by this Department that specify that a residential address be provided rather than a postal address.

87. **Mr LEWIS** (on notice) asked the Minister of Transport representing the Minister of Tourism: Are there any forms which departments under the Minister's control use for members of the general public to complete when attempting to begin doing business with such departments which specify that the address shall be the place at which the citizen is living rather than a postal address?

The Hon. G.F. KENEALLY: Department of Local Government: The State Library uses one form which requests postal address only. However, when only a postal address is provided by the borrower an 'alternate address' is requested.

REPORT: TAXATION MEASURES

89. **Mr M.J. EVANS** (on notice) asked the Treasurer: Does the State Taxation Office produce an annual report detailing the operation of the various taxation measures of the Government and, if not, will the Treasurer require the production of such a report (including statistical tables) and arrange for the document to be laid on the Table of each House of Parliament as part of the budget debate?

The Hon. J.C. BANNON: The State Taxation Office has not produced an annual report in the past but information concerning the collection of revenue from taxation measures is included in the Treasurer's financial statement.

Under the Government Management and Employment Act, all departments will be required to produce an annual report to Parliament. Information which may satisfy the honourable member's request will be included in the report of the Treasury Department.

SPONSORSHIP BY TOBACCO INDUSTRY

92. **Mr M.J. EVANS** (on notice) asked the Minister of Recreation and Sport: Is the Minister's Department aware of any estimates of the level of financial and other sponsorship given to sports and recreation clubs or events by the tobacco industry or its representatives and, if so, what is the estimated level of sponsorship for the latest year for which figures are available?

The Hon. M.K. MAYES: No information is available. It is a private contractual arrangement between the various sporting bodies and the tobacco companies.

STAMP DUTY: THIRD PARTY INSURANCE

96. **Mr M.J. EVANS** (on notice) asked the Minister of Transport: What was the total value of all stamp duty paid in the year 1984-85 in respect of compulsory third party insurance?

The Hon. G.F. KENEALLY: $2 242 947.50.

SOUTH AUSTRALIAN TIMBER CORPORATION

99. **Mr GUNN** (on notice) asked the Minister of Forests: In relation to the sale of shares agreement entered into by the South Australian Timber Corporation and other parties on 2 July 1984:

(a) who are the other parties

(b) how many shares are involved and what are the face values of individual holdings

(c) what was the amount of liability transferred to the South Australian Government Financing Authority on 31 December 1985; and

(d) what are the terms and conditions of repayment of the liability between the South Australian Timber Corporation and the South Australian Government Financing Authority?

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

(a) Ian Hay
Rimshay Pty Ltd

(b) (i) Gambier Radiata Pty Ltd
40 000 unclassified $2 each
5 261 Class 'A'
2 000 Class 'B'
2 000 Class 'C'

(ii) Gambier Pine Sales Pty Ltd
2 000 Class 'A' $2 each
3 000 Class 'B' $2 each
5 000 unclassified $2 each

(iii) Gambier Pine Milling Pty Ltd
2 500 Class 'A' $2 each
2 000 Class 'B' $2 each

(iv) Mount Gambier Pine Plantations Pty Ltd
600 001 Class 'A' $1 each

(v) Gambier Agencies Pty Ltd
5 455 ordinary shares of $2 each.

(c) The liability transferred on 1 January 1986 (not 31 December 1985) to SAFA was the vendor's loan of $2 354 765.50.

(d) The Corporation to repay the sum of $2 354 765.50 to the SAFA in six-monthly instalments of $138 515.61 together with interest at the rate charged by SAFA from time to time.

PREMIER'S PRESS SECRETARY

103. **Mr BECKER** (on notice) asked the Premier:

1. What was the salary and allowance, if any, paid to Mr M. Rann at the time he terminated his service as Press Secretary to the Premier following his election as the Member for Briggs?

2. On what date did Mr Rann last receive an increase in his salary and allowance, if any, as Press Secretary and what was the amount of the increase?

3. Did Mr Rann receive any payment in lieu of notice when he terminated his service as Press Secretary following his election and if so, what was the amount of the payment?

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

1. Salary: $39 034 p.a.
Allowance: $7 807 p.a.

2. Last increase in Salary and Allowance: 9 November 1985
Amount of Increase: 3.8 per cent.

3. Mr Rann did not receive any payment in lieu of notice. He only received payment for outstanding Pro Rata Recreation Leave.

PREMIER'S STAFF

104. **Mr BECKER** (on notice) asked the Premier: What are the current salaries and allowances, if any, paid to the following members of the Premier's staff:

(a) Mr G. Anderson, Executive Assistant

(b) Ms S. Eccles, Economic Adviser

(c) Mr S. Marlow, Press Secretary; and

(d) Mr R. Slee, Adviser?

On what dates did each last receive an increase in salary and allowance, if any, and what was the amount of each increase?

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

(a) Mr Anderson, Executive Assistant
Salary: $39 034 p.a.
Allowance: $7 807 p.a.
Last increase in Salary and Allowance: 9 November 1985
Amount of increase: 3.8 per cent

(b) Ms. S. Eccles, Economic Adviser
Salary: $33 538 p.a.
Allowance: $6 708 p.a.
Last increase in Salary and Allowance: 9 November 1985
Amount of increase: 3.8 per cent

(c) Mr S. Marlow, Press Secretary
Salary: $31 870 p.a.
Allowance: $9 561 p.a.
Last increase in Salary and Allowance: 9 November 1985
Amount of increase: 3.8 per cent

(d) Mr. R. Slee, Adviser
Salary: $28 550 p.a.
Allowance: $2 855 p.a.
Last increase in Salary and Allowance: 9 November 1985
Amount of increase: 3.8 per cent.

DEPORTEES

111. **Mr BECKER** (on notice) asked the Minister of Correctional Services:

1. What daily charges are levied against prisoners held at Adelaide Gaol awaiting deportation?

2. Are deportees also required to pay costs of escorts to the nearest point of exit from Australia and, if so, at what rate?

3. Are such prisoners required to meet those costs and, if so, why and what happens if they cannot?

The Hon. FRANK BLEVINS: The replies are as follows:

1. The Department of Correctional Services does not levy charges directly against the prisoners held at Adelaide Gaol awaiting deportation but does levy a daily charge, currently $108.51, against the Commonwealth Department of Immigration and Ethnic Affairs for these prisoners.

2. The Department of Correctional Services does not provide escorts for deportees to the nearest point of exit from Australia. Therefore, there is no cost to the department. The Commonwealth Department of Immigration and Ethnic Affairs provides this service.

3. The Commonwealth Department of Immigration and Ethnic Affairs normally levies a charge against the prisoner at the rate gazetted in the *Commonwealth of Australia Gazette*. If they cannot pay, they are still deported but would be required to pay the costs before being allowed back into the country.

PUBLIC RISK INSURANCE

117. **Mr BECKER** (on notice) asked the Minister of Recreation and Sport:

1. What assistance does the Government propose to give sporting organisations faced with large public risk insurance premiums?

2. Will the Government consider waiving stamp duty on such premiums and, if not, why not?

The Hon. M. K. MAYES: The replies are as follows:

1. Public liability has been the responsibility of sporting organisations for many years and, therefore, the Government has never provided assistance in this area. It is considered to be an association responsibility.

2. No concessions are given in the Stamp Duties Act to exempt selected classes of insured persons, and in exempting sporting organisations a precedent would be established which would inevitably lead to requests for inclusion of a wide range of other bodies.

MARINELAND

118. **Mr BECKER** (on notice) asked the Minister of Education, representing the Minister of Community Welfare:

1. Why were senior citizens not advised that Marineland was not open on Monday to Wednesday of Seniors Week?

2. Is the Minister aware that many senior citizens visited Marineland on the closed days and had to wait up to an hour before return public transport was available and if so, what can be done to prevent a repetition?

The Hon. G. J. CRAFTER: The replies are as follows:

1. During Seniors Week 1985 arrangements were made with a number of recreation and entertainment facilities for free access for senior citizens. When attending functions or entertainment facilities it is normally the responsibility of participants to check times of opening. For example, Marineland is only open for five hours a day from Thursdays to Sundays.

2. Many senior citizens visited Marineland on the closed days and it is regretted that they did not check the times of opening. Negotiations will soon commence for free entry for various facilities for Seniors Week 1986 and in publicising the arrangements senior citizens will be asked to check hours of opening of various facilities.

ELECTORAL DEPARTMENT

120. **Mr BECKER** (on notice) asked the Minister of Education, representing the Attorney-General:

1. How were persons employed, and by whom, to man polling booths for the Electoral Department on 7 December 1985?

2. What were the salaries and allowances paid to the various categories of staff employed and what hours were worked?

3. What steps can interested persons take to obtain employment at polling booths?

The Hon. G. J. CRAFTER: The replies are as follows:

1. Polling booth staff are appointed by the respective House of Assembly Returning Officers pursuant to a delegation of the Electoral Commissioner under sections 9 and 12 (2) *(a)* of the Electoral Act 1985.

2. The respective salaries and allowances paid to the various categories of staff and the hours worked were:

Category	Salaries	Hours Worked
Assistant Returning Officer with 1-3 issuing tables within booth	$228	7.00 a.m. till end of count
Assistant Returning Officer with 4 or more issuing tables within booth	$234	7.00 a.m. till end of count
Presiding Officer (not at scrutiny and count)	$149	7.00 a.m. till ballot boxes delivered to counting centre
Deputy Presiding Officer (at scrutiny and count)	$185	7.00 a.m. till end of count
Deputy Presiding Officer (not at scrutiny and count)	$134	7.00 a.m. till 6.30 p.m.
Assistant Presiding Officer (at scrutiny and count)	$170	7.30 a.m. till end of count
Assistant Presiding Officer (not at scrutiny and count)	$123	7.30 a.m. till 6.30 p.m.
Special Poll Clerk (at scrutiny and count only)	$10.01 per hour	6.00 p.m. till end of count

Excess travelling involved in conveying ballot-boxes from non-counting centres to counting centres paid at rate of 28.7 cents per kilometre.

3. Persons interested in obtaining employment at polling booths should apply to the Returning Officer for their respective Assembly District.