HOUSE OF ASSEMBLY

Wednesday 5 March 1986

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

PETITION: INTEREST RATES

A petition signed by 40 residents of South Australia praying that the House do all in its power to reduce home loan interest rates was presented by the Hon. Lynn Arnold.

Petition received.

PETITION: ELECTRONIC GAMING DEVICES

A petition signed by 96 residents of South Australia praying that the House legislate to permit the use of electronic gaming devices in South Australia was presented by Mr De Laine.

Petition received.

PETITION: CEREAL PLANT BREEDING PROGRAM

A petition signed by 38 residents of South Australia praying that the House urge the Government to retain the cereal plant breeding program and facilities at Roseworthy Agricultural College was presented by Mr Lewis.

Petition received.

QUESTION TIME

The SPEAKER: Before calling on questions I point out that questions that would have been directed to the Deputy Premier will be taken by the Minister of State Development.

BUS STRIKE

Mr OLSEN: Can the Minister of Transport say whether the Government will apply immediately to the State Industrial Commission to have a clause inserted in the award of State Transport Authority employees to outlaw lightning stoppages and, if it will not, why not? Thousands of bus commuters in Adelaide have already been subjected to two days of chaos and there appears no end in sight to this dispute even though the Government has had almost three months notice of it. Further, taxpayers this financial year will contribute an estimated $104 million to meet the operating losses of the STA, even though this Government has already increased fares by well over 50 per cent, yet the Australian Tramways and Motor Omnibus Employees Union has had the gall to attempt to run some services without collecting fares. There is obviously community outrage over the current behaviour of the union and there would be widespread support for a Government move to ask the Industrial Commission to insert a clause in the award requiring 48 hours notice to be given before a stoppage could occur. This would prevent an essential community service being subjected to disruption at a minute's notice at the whim of union officials, and avoid the need for commuters, including schoolchildren and elderly people, to be stranded at bus stops.

The Hon. G.F. KENEALLY: The Leader of the Opposition said that the community was outraged at the industrial action by members of the bus employees union, but I can tell the Leader, the House and the citizens of South Australia that the Government is equally outraged because the industrial action that has been taken is entirely unnecessary and the appropriate procedures for dealing with disputes are in place and have been followed. The real question asked by the Leader has been canvassed before. The Leader of the Opposition should know (although he obviously does not know and has not the previous member for Davenport, Mr Dean Brown, to advise him) that in South Australia, as in Australia, the relevant award is a federal one and not a State one. For the Government to take the action suggested by the Leader might in a sense indicate our concern, but it would be an exercise in futility. This Government is not about an exercise in futility. This Government's record in the area of industrial relations—and we will repeat it once again—

Members interjecting:

The Hon. G.F. KENEALLY: —is the best in Australia and one of the best in the world, and that is because—

Members interjecting:

The Hon. G.F. KENEALLY: It will serve no good purpose to read to the House the record of the previous Liberal Government in terms of its relationship with the transport unions in South Australia. That would highlight the Liberal Party's hypocrisy and not help to solve the dispute, which is what this Government is on about at the moment.

An honourable member: Pretty slowly.

The Hon. G.F. KENEALLY: It is not easy, and the shadow Minister is well aware of the problems that we all face in dealing with this particular union, which has eight autonomous depots all acting independently of each other. When one does not deal with the executive of the union but with the independent autonomous depots it is very difficult to get a resolution of all the matters that are brought before it. However, I share the outrage of the citizens of Adelaide. I believe that both this strike action and the action taken at Elizabeth are unnecessary and unjustified. That is the position of the Government.

We are taking the appropriate industrial steps that are available to us in this action, and we will continue to do so with a view to bringing this dispute to a settlement at the earliest possible moment. For me to agree in this House to the suggestion—and I will not—of the Leader of the Opposition would do nothing but what he hopes it would—aggravate the position, create worse industrial trouble and extend the strike action. The Government will be both firm and responsible in the action it takes with this union. That is proceeding, and I will be able to report to the House when further developments take place.

HENLEY BEACH JETTY

Mr FERGUSON: Will the Minister of Marine say whether the Henley Beach jetty is safe?

Members interjecting:

Mr FERGUSON: I am surprised at the laughter on the other side of the Chamber because this is a very important matter, especially for my constituents. In the financial year 1984-85 I raised this matter with the Minister because I was concerned at what appeared to be a deterioration of the jetty so far as the piles were concerned. Not long afterwards workmen from the Department of Marine and Harbors made certain repairs to the jetty. In answer to a question I asked in this House, the Minister explained that many thousands of dollars had been spent on the jetty in repairs. That jetty is very important to the tourism industry so far

as the western area of the city is concerned. It affects the number of day visitors who come to the area. It is of supreme importance to the traders there and is within the plans of the local tourism group. The Henley Beach jetty featured in the redevelopment of the Henley Square and if the jetty had not been where it is then that redevelopment would not have taken place. I am extremely concerned that suggestions have been made that the jetty is unsafe.

The Hon. R.K. ABBOTT: Officers from the Department of Marine and Harbors have given an assurance that the Henley Beach jetty is quite safe. It is being maintained to recreational standards, which means that it is quite safe to walk on. It is also quite safe to fish from, but I would not recommend that any large size vessel moor against it. It is true, as the honourable member pointed out, that a considerable amount of money was spent on maintaining the jetty last year, and, in view of some of the recent criticism, I have asked the department to conduct an underwater survey to ensure that the jetty is safe. I have not got that survey report as yet, but as soon as that comes to hand I will advise the member of its contents and give him an assurance on the condition of the jetty.

AGENT-GENERAL

The Hon. E.R. GOLDSWORTHY: Can the Premier say whether or not the former Deputy Premier is one of the people to whom the Government has spoken about taking up the vacant Agent-General's position in London?

Members interjecting:

The SPEAKER: Order! All interjections from other alternative candidates are out of order.

The Hon. E.R. GOLDSWORTHY: I am glad that my question has brought forth so much interest from Government benches. In reply to a question last Thursday about the delay of more than five months in making this appointment, the Premier said that a number of people interested in the position had been spoken to but (to quote the Premier), 'It is vital that the right sort of person is appointed.' It is a play on words, Mr Speaker; I do not think that it is just a straw in the wind. The Opposition believes that there is more to that answer than meets the eye, because it has been most reliably informed that the right person the Government now has in mind is none other than Mr Jack Wright. When Mr Wright was last contemplating an overseas trip, in this case to Russia, the *Advertiser* editorialised at the time that he would have to go. I ask the Premier if it is true that, soon after this parliamentary session ends, the Government will announce that Mr Wright is indeed now going to London to take up a position which may also allow him at last to make that trip to Moscow which should really have forced him to go in the first place.

The SPEAKER: Order! I suspect that the honourable member is beginning to comment.

The Hon. E.R. GOLDSWORTHY: I think I have completed the question.

The Hon. J.C. BANNON: The Adelaide grapevine certainly works a lot more slowly these days than it used to. This suggestion has taken about 10 years to reach the Deputy Leader of the Opposition. Let me trace its origin. In 1976 the Hon. Jack Wright went on a trip to Europe and, among other places, to London, looking at workers compensation and rehabilitation techniques (that is how long that argument has been around; as my colleague has constantly said, there has been eight years of debate on this). On his return, he was heard to say (in the Trades Hall bar, I think it was) one evening—and I hope I am quoting his words correctly—'That Agent-General is a good caper. A man ought to look at getting into a job like that.' Within about three hours, it was being confidently rumoured that the newly installed Minister of Labour, then just elevated from being the member for Adelaide, was soon to be offered this vital post. So it has gone on, in ever increasing crescendo, until finally it has been dignified by a reference in *Hansard* and a question by the Deputy Leader of the Opposition. As I said, the grapevine is moving very slowly if it takes 10 years to surface.

I think that is a very interesting suggestion. I am sorry that I talked so pointedly about the '(W)right' man. It would be the equivalent of saying, 'The decor in the Agent-General's office is to be turned Brown' or, 'We Wil-soon make an appointment', if one is looking for members on the other side of the bench. I know that very often, when you ask questions about who might be filling a position, you are actually hoping that the person to whom you are speaking will look more closely at you and say, 'Ah, wait a minute—the very person.' I appreciate the Deputy Leader's interest and, in view of it, I will certainly put him on the long list of applicants.

SUBSIDISED CHILD-CARE CENTRES

Ms LENEHAN: Will the Minister of Education tell the House what representations he is making on behalf of the children, parents and staff in subsidised child-care centres with respect to the proposed Federal Government cut in recurrent operational funding (which amounts to about $10 million per year)? I have been approached by a number of parents and staff who are involved in subsidised child-care centres, and indeed by members of the general community, expressing concern that the proposed cut in recurrent operational funding budgets for subsidised child-care centres will lead to an obvious diminution in the quality of child-care being offered in our centres. It has been further expressed to me that, while many people in our community (including, I suspect, all members of this House) welcome the Federal Government's announcement that there will be 20 000 new places created, this should not be at the expense of the quality of existing child-care places in South Australia.

The Hon. G.J. CRAFTER: I thank the honourable member for her most important question. I share her concern that these cutbacks in federal funding in the area of children's services will result in a diminution of quality child-care available to many South Australian families. There is an ever increasing demand for services of this type in our community. It is to the credit of the Hawke Administration that the pre-election promise of 20 000 new child-care places in Australia is being met; and there is a tremendous explosion in this State of services of this kind as a result of that policy.

There has been also a huge increase in Commonwealth expenditure in the area of children's services. However, to have this cut come about at this time is of considerable concern to us all working in this area. I have great admiration for those parents—many of whom are facing trying circumstances—who have voiced their opposition to this Federal Government policy. I have written to my interstate counterparts asking for a meeting of Ministers of Children's Services to discuss the implications of this matter. I am pleased to say that a meeting of the relevant Ministers will be held in Adelaide in April, when this matter will be discussed with our federal counterpart. At that meeting we will be proposing that there be a full review of the effects of the cutbacks and, indeed, of the total proposals for the establishment of a much more comprehensive program of children's services throughout Australia.

I inform honourable members that the $10 million cutback in this area is not for South Australia only but relates

to Australia as a whole; it is expected that the cutback in this State will be less than $1 million, which nevertheless is quite significant. The Bannon Government has expended substantial sums of money in providing property and funding for capital programs associated with the 22 new centres which are being established in this State at the present time. There are some 3 000 children now in subsidised child-care centres, as well as many thousands of young children who are being cared for in family day care and other programs.

I think there is also an important element that should not be overlooked; that is, that this State leads Australia in its coordination of children's services. The children's services legislation which passed this House some 18 months ago and the formation of the Children's Services Office have placed this State in a position where it can carry out much more effective planning of the delivery of services to children. We are in a position where we can effectively speak to the Commonwealth Government about the needs that are being experienced in this State, and I look forward to the opportunity to do so in April, in company with my interstate colleagues.

WORKERS COMPENSATION

Mr S.J. BAKER: Will the Minister of Labour now admit that the Government's costings of its workers compensation proposals were obtained from one insurer only? The Minister is quoted in the *Advertiser* this morning as saying that he knows for a fact that the sample of insurers used to develop the Government's costings represents about 30 per cent of the market, but the Opposition knows for a fact that these figures were drawn from only one of the private insurance companies. Since those costings were made public, that company has expressed concern about the interpretation placed on them by the Government. If the Minister continues to misrepresent this matter, he will also be disputing the findings in the Auditor-General's report that the Government's data base related to one private insurer only.

The Minister also continues to talk about any delay in the workers compensation reform costing South Australian industry $1 million per week, when in fact that estimate of savings is based on a reduction in premiums of 33 per cent, whilst the figures provided in the Auditor-General's report suggested there could well be an increase in premiums under the Government's proposal. The Minister also said yesterday that the Liberal Party's position on this matter was influenced by payments made to the Party by insurers for mid-term campaigning. That was yet another false statement from the Minister—

The SPEAKER: Order! The honourable member for Mitcham will resume his seat. I pointed out to honourable members yesterday that there is difficulty in the posing of questions that relate to a Bill that is before Parliament. Questions that deal with procedural aspects of a Bill are acceptable. Those which deal with the content of a Bill are not. The initial question posed by the member for Mitcham was in line with practices of this House, as it dealt with a matter ancillary to the Bill. However, the member then began not only to touch on aspects of the contents of the Bill but also to debate his question—a procedure that is in any case contrary to accepted practice for any question. The honourable member will now resume his question.

Mr S.J. BAKER: Sir, I accept that interpretation, and I do recognise that the question was in order. The response to the Minister's statements made in this House yesterday may go a little way towards explaining the truth of the matter.

The SPEAKER: Order! I think the honourable member should resume his seat. I call on the Minister to reply to the question.

The Hon. FRANK BLEVINS: It is unfortunate that you, Mr Speaker, were compelled to draw the honourable member's attention to the Standing Orders, because I thought for a minute that the member for Mitcham was about to discuss payments from insurance companies to the Liberal Party. It would have been far more interesting to hear what he had to say about that than it probably was to hear the rest of his question. Again, just to clarify the position, I made a statement yesterday that the Liberal Party had received money from the insurance companies for a mid-term election campaign and prior to the last State election and that—

Mr S.G. EVANS: I rise on a point of order. Yesterday, I raised privately with you, Sir, Standing Order 145 in relation to the Minister who is now speaking imputing improper motives to members for voting in a certain way on the Workers Rehabilitation and Compensation Bill. I believe that the Minister is doing the same thing now. Even though it may not involve an individual member of Parliament, the reflection is on a group of parliamentarians. I believe that if you, Sir, are going to interpret Standing Orders as strictly as you have just done for the member for Mitcham, you must also do so for the Minister who has just resumed his seat.

Mr Lewis interjecting:

The SPEAKER: Order! While I am seeking advice the Chair would appreciate the cooperation of members.

Members interjecting:

The SPEAKER: Order! I indicated privately to the member for Davenport yesterday that, based on past practice of the House, it did not seem to be out of order for remarks of that nature by the Minister to be expressed in general terms. It would most definitely be out of order if they referred to any particular member specifically, because they would be reflecting improper motives on a particular member. Because of the aggrieved position concerning the member for Davenport, I call on the Minister of Labour not to reflect on members in any remarks that he makes.

The Hon. FRANK BLEVINS: I have absolutely no knowledge at all about the activities of the member for Davenport—none whatsoever.

Mr S.J. BAKER: On a point of order, Mr Speaker, would the Minister like to make the same statement as far as I am concerned?

The SPEAKER: Order! The Chair would appreciate the cooperation of all members. In view of the aggrieved position concerning the member for Mitcham, I ask the Minister to rephrase his remarks so that they do not apply to any particular member opposite.

The Hon. FRANK BLEVINS: I said that the Liberal Party got paid by the insurance companies to run a mid term campaign and also prior to the last State election. I also went on to say that if I was wrong I would apologise. All it needs is for the Leader of the Opposition—

Mr S.G. EVANS: On a point of order, Mr Speaker—

Members interjecting:

The SPEAKER: Order! Members should not interject while I deal with the point of order raised by the member for Davenport.

Mr S.G. EVANS: I bring up this matter again because it is an important point of order that we should settle once and for all. The strict reading of the Standing Order includes the word 'members', and not just 'a member'. The Standing Order provides:

All imputations of improper motives and all personal reflections on members shall be considered highly disorderly.

I believe that the Minister is imputing to a group of members improper motives for voting for a particular proposition. Past practice in recent times in this House has been changed in one instance on which we have already voted, and I do not want to reflect on that. The ruling then is strictly on the reading of the Standing Orders, which refers to the plural and not the singular.

Members interjecting:

The SPEAKER: Order! The Chair has an obligation to deal with the point of order. In so far as the Minister of Labour may have made remarks that were directed to an external body, namely, a political Party, although they may not necessarily be appropriate, they are in order. However, any imputations regarding members of the Assembly are not in order. If the Minister intends to continue his response to clarify that aspect of the situation, I will have to ask him to deal more closely with the matters that have been raised by the member for Mitcham.

The Hon. FRANK BLEVINS: I am happy to clarify the matter. I was attempting to clarify it when the member for Davenport took a point of order. I merely stated that I believe that the Liberal Party accepted money from insurance companies for a mid term campaign and prior to the last State election. I also went on to say that, if that was not the case, the Leader of the Opposition could say that it was not the case and I would apologise. I said that yesterday. I cannot see why they are so sensitive. I also would not think it at all improper if the insurance companies had, as I believe they have, given money to the Liberal Party.

Members interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: It is a great pity that the member for Mitcham raised this matter in his explanation. Had he stuck to the question, he would have received a direct response to it. However, as he chose to raise the issue in his explanation, he cannot complain if he gets this response.

As to the substance of the question, I do owe an apology to a journalist of the *Advertiser*, as I said that I would get back to him last night, but I forgot to do that. I did get back to a representative of the ABC, but I had to keep a very important dinner appointment, and I confess that I forgot all about it. The data base was very broad, involving about 30 per cent of the workers compensation business in this State. The people who worked on that data base did, as I stated last night, cross-check that data with other insurance companies, and that is how the veracity of the data was tested. I would have thought, anyway, that a 30 per cent data base was sufficiently broad but, if not, I would have thought that the cross-checking done by the two people concerned with other insurance companies would put the issue beyond doubt. The work done by the two people who did the study did put the issue beyond doubt. If the Auditor-General suggests that 30 per cent is not enough, he is entitled to his opinion, and I make no comment. I merely point out that it is a very broad sample and was checked with the data from other insurance companies.

STA DISPUTE

Mr TYLER: Will the Minister of Transport report to the House on the latest developments in the dispute involving bus operators employed by the State Transport Authority?

The Hon. G.F. KENEALLY: The latest information available to me indicates that, of the eight STA depots in Adelaide, six are working normally, whilst two are not. The Morphettville depot went on strike at 12 midnight last night and that is due to end, I am told, at 12 midnight tonight. At this stage I have not had any report on what resolutions the members of that depot have come to as a result of the meetings they were holding today. The stoppage at Elizabeth is a different matter altogether. The STA was advised yesterday that today the drivers from the Elizabeth depot would not be collecting fares. We have already heard about the massive deficit that the STA has in South Australia, and the non-collection of fares would only increase that deficit at an ultimate cost to the taxpayer. The STA and I were advised that the drivers would not be collecting fares.

All drivers in the Elizabeth depot were circularised last evening and this morning to the effect that, if they did not conform to the normal conditions of employment, that is, stopping at the appropriate stop signs, collecting fares, and so on, they would be suspended. That action followed; they were warned of the consequences of their action; they followed their threat; and those consequences have now taken place.

The Elizabeth depot has now gone out on strike. The employees concerned met at 11.15 a.m., and one of the resolutions passed at the meeting adjourned at 11.45 a.m. was to the effect that they would not go back to work until the suspension had been lifted. So, in a sense, it is a Mexican stand-off. We have told the union at Elizabeth that these employees will not be able to resume duties until they are prepared to confirm that they will act in accordance with the conditions of employment.

These guerilla tactics have gone on for too long, and enough is enough. The employees have been told, as the executive has been told, that the Adelaide commuters cannot be used as pawns in a dispute between the union and the STA. It is the commuters who suffer. This action at both the Morphettville and the Elizabeth depots is fruitless inasmuch as the members who are involved in the dispute hope to gain from it.

Because the Leader of the Opposition said earlier that we had been aware of the state of affairs since November or December, I point out that in November and December the STA and the roster committees met with employees for the individual depots, as they are constrained to do under an agreement we have with those depots, to consider any individual requests that those depots might wish to make regarding the roster. As far as the STA is able to do and so far as such requests are within the award and do not increase the deficit, they will be accommodated.

Over the years the majority of such requests have been accommodated, and on this occasion they have been accommodated as well, because five depots accepted the new roster, one depot is in dispute and that is held over for a fortnight, and two depots are now out on strike. So that members may be aware of the situation at Elizabeth, I point out that the Elizabeth depot has asked that significant changes be made to the sign-on time of each shift. It has informed the STA that, if we are able to meet 75 per cent of its requests, it would think that fair, because it is impossible to meet 100 per cent of requests. In this instance, the STA has met 92½ per cent of requests made in respect of that depot, but obviously the employees are not satisfied with that.

We hear the complaint that the industrial strife is the result of a reduction in the take-home pay, but on average the Elizabeth depot has the highest amount of overtime of any Adelaide depot. As a result of the rostered changes, employees at the depot are getting an extra 20 minutes a week. Therefore, on average, there is no reduction in the take-home pay of Elizabeth drivers. I am not saying that there are no changes within the depots and between depots because, when massive roster changes must be made such as those required by the introduction of the north-east busway, there will be adjustments throughout the system. However, if we have to deal with each individual depot as

an autonomous organisation, it is extremely difficult to resolve any differences that occur. I hope that we can deal with the union executive as we are able to do in every other industrial dispute with the appropriate union.

I would say to the striking drivers at Elizabeth and Morphettville that they should go back to work and work the rosters under the normal conditions of employment, and if there are discrepancies and anomalies in the roster changes that need to be addressed we will look at them as we have done in the past. As the dispute at Salisbury in December proved, the drivers going out on strike there believed that they would suffer a reduction in take-home pay, but there was no reduction. Over the past two years, we have increased the number of drivers in the STA by about 118, and those drivers need to be accommodated within a system that would allow for their coming in without its having an impact on the overtime and expenses already paid to the existing drivers. If there is shaving off anyone's take-home pay, it is a shaving off of the expenses and overtime. There is no impact at all on the award rates: it is the overtime and expenses that may be adjusted. I undertood it clearly to be the position in any industrial organisation that it is better to employ additional people on marginally reduced overtime than to have the existing work force working extensive overtime.

That is a situation that applies in the STA at the moment within the bus union in South Australia, and it is one that we are working to address. I clearly indicate to the House that in my view these strikes are not justified. They are causing extreme inconvenience to the citizens of Adelaide for no good reason. The bus drivers themselves cannot hope to gain at all from this industrial action, except to lose their pay for the time they are not at work. It is a fruitless exercise.

The best option for the bus drivers to take would be to work the rosters without prejudice and, in the light of the experience of those rosters, we can then sit down and talk to them about whatever adjustments may need to be made. That is an offer that they well know is available to them. All the discussion that has taken place has come to a halt. One can only talk these things so far. We cannot put up with guerilla tactics in the depots which impact on the commuters in South Australia. We need to resolve the matter, and the actions that we have taken are designed to bring a quick resolution to the dispute that is currently taking place.

MISUSE OF GOVERNMENT MATERIALS

Mr BECKER: Will the Minister of Employment and Further Education say what is the policy of the South Australian College of Advanced Education in relation to its employees using Government materials, machinery and time in the construction of goods for their own personal use? I have been informed of the activities of a person employed for some years in the maintenance section of the Underdale campus of the South Australian College of Advanced Education. During the past six months I have received a number of allegations that the gentleman in question has added quite significantly to his personal possessions through lavish use of the college's materials and machinery, not to mention time paid for by the taxpayer. To date, he has apparently accumulated the following items through intensive hard work and extensive use of his workplace for his own gain: one trailer; one bookcase; two coffee tables; one carved table; one bedside table; one double-sided wardrobe; and one single-door cupboard. A number of photographs depicting these pieces in various stages of completion have been provided to me, and they graphically illustrate the considerable talents of this handyman.

Members interjecting:

The SPEAKER: Order! Displays are out of order.

Mr BECKER: I suggest to the Minister that such attributes should be put to good use by his employer, rather than allowing a Government funded workshop to be treated as some kind of private Aladdin's cave.

The Hon. LYNN ARNOLD: The member for Hanson has raised very serious allegations about some activities at the South Australian College of Advanced Education. Of course, that is a federally funded college, but I am certain every member in this House, regardless of that fact, would be concerned about any misuse of the community's resources. I will raise this with the Tertiary Education Authority o South Australia as a matter of urgency and ask for a report.

I would appreciate the opportunity to look at the photographs mentioned by the member for Hanson; perhaps he will lend them to me so that they can be part of any investigation. I will report back to the House at the earliest opportunity which, of course, if it is not possible by tomorrow it will not be until the next session. However, I will see that the report is inserted in *Hansard.* It may be that the allegations are not substantiated, in which case that report will clearly vindicate anyone who may be implicated by the question of the member for Hanson. If in fact there is substance to those allegations, then I believe they are very serious and need to be pursued.

ENERGY INFORMATION CARAVAN

Mr HAMILTON: Will the Minister of Mines and Energy favourably consider locating the energy information caravan in a shopping centre in the western suburbs, specifically in the Albert Park electorate, to provide information to residents in the western suburbs of Adelaide? On Friday evening last I accepted the kind invitation of the organisers of the Caravan and Camping Show, at the Wayville showgrounds. I was very impressed by the wide range of caravans and other vehicles on display for the caravan and camping public of South Australia. However, during my visit I was taken by the energy information caravan, particularly the personalised schedule in relation to the conversion of motor vehicles to LPG and the display and quality of advice given by the staff. I would welcome a date being set aside for such a display to be located in my electorate, specifically for people living in the western suburbs of Adelaide.

The Hon. R.G. PAYNE: I am pleased that the honourable member has asked me this question, and I am even more pleased that he took the opportunity to go to that very interesting display down at the Wayville showgrounds. I think he would have found that the staff from the Energy Information Centre, together with representatives from the industry itself, had combined to make a very interesting display and to offer to members of the public a particularly good quality range of advice with respect to the use of LPG, in particular in motor vehicles.

He mentioned the personalised schedule, for example, that was available, and whilst I was at the show on Friday last I took the opportunity to put forward to the staff in attendance my own situation with respect to the car that I had: what would be the likely costs of continuing its operation on petrol and/or of a conversion to LPG? It was very interesting to be shown per medium of the computer readout, that on the basis of, say, 8 000 kilometres a year (which is what I might well be doing in the event that I live long enough to retire from this place), the full investment in the capital cost of the conversion—that is the equipment and

the labour—to dual operation of my car would result in that being fully recouped over three years. In fact, the computer went on to offer the net result over a five year period which showed that one would be dollars in pocket as well as having enjoyed the use of that much lower cost fuel.

The honourable member has asked whether I might consider arranging for the Energy Information Centre caravan to appear at metropolitan locations. I think he suggested the western suburbs, and no doubt he had in mind the Albert Park electorate. One would fully understand the zeal that is continuously displayed by the honourable member, and very worthily so, on behalf of his electorate. If I remember correctly, his current office is opposite the Seaton North shopping centre, and I presume that he possibly had that in mind as a location for the caravan.

I can inform the honourable member and the House that the caravan is listed to make appearances this year on what we might call a country circuit as well as in the metropolitan area. It will be appearing at Cleve, Port Lincoln, Whyalla, Port Augusta, Port Pirie, Mount Barker, Murray Bridge, Berri, Barmera, Loxton, Glossop and Mount Gambier, and the Energy Information Centre staff will spend a few days in each location working with local business people, education groups and rural organisations. They will be providing a range of advice on topics other than the use of LPG.

It is interesting to note that the caravan has been operating under the auspices of the Energy Information Centre since last year's Yorke Peninsula field days, quite some time ago, and something which the Liberal Party apparently has completely overlooked. In its minerals and energy policy released prior to November last year for the State election (which was some time after those field days I am speaking of), there was an undertaking by the Liberal Party to obtain and set up an Energy Information Centre caravan. One can only assume that either it was not awake to what was going on in the energy world, or that someone else prepared and wrote up the policy and did not check on some of the things that it proposed to carry out.

The honourable member was also looking for a date when I might be able to satisfy him with the location of the caravan in the vicinity of his electorate. I do not have that information to hand. He would understand from what I have pointed out that there is a full country schedule that takes us into December this year. In addition, the caravan will appear at certain metropolitan locations. I will obtain something more specific for the member. If what he desires can be arranged, I will certainly see whether I can do that and let him know.

VICTORIA PARK INDUSTRIAL DISPUTE

Mr OSWALD: Can the Premier confirm that legal proceedings will continue against certain union officials arising out of a recent industrial dispute at the Victoria Park Racecourse and, if so, does he reject criticism of the police action taken against those officials and can he say who, if anybody, made a 'mysterious telephone call' to the police about the matter. The trade union movement is critical of the arrest of six union officials during this dispute on 22 February. I understand that these arrests were made after a race was delayed by picketers climbing on to barrier stalls in the course of industrial action which was in clear defiance of an Industrial Commission order.

In this morning's *Advertiser* one of those arrested, Mr Paul Dunstan, is critical of police interference with a picket line. While this morning's report refers to a mysterious telephone call having been made to police which led to the officials being released with an apology, there is also a police denial of this and a statement that legal proceedings would continue. As, on the facts the activities of the union officials clearly justified police action, I ask the Premier whether he will support what the police did in this matter, reject the criticisms by Mr Dunstan and others, and say whether he has any evidence of this mysterious phone call.

The Hon. J.C. BANNON: The Minister of Emergency Services received a report on this matter from the Police Commissioner. First, let us put the whole thing in context. What occurred was in pursuance of an industrial dispute. The forming of picket lines and the taking of various methods of industrial action in pursuance of industrial disputes constantly occur where negotiations break down, and it is for this reason that we have an Arbitration Commission. I think it was none other than General Eisenhower, a former President of the United States (not the most radical person that one might imagine) who said that one of the things that distinguishes free men from slaves (if he had been more modern, no doubt he would have said free persons) is the right to strike and the right to take certain industrial action.

In these circumstances obviously the police have their responsibilities and powers to exercise. In this instance they did that. As I understand it, at a point where some picketers climbed the starting gate, thereby delaying a race start, they were effectively removed by the police. As I understand it, the six people who were involved were taken to Angas Street police station. They were not charged because they were not arrested under the Summary Offences Act. They were not perceived as having committed a criminal nuisance, but the matter was regarded as falling within the provisions of the racing committee under the direction of the stewards of the course in relation to interference with the running or operation of a race. There is power or authority under section 148 (3) *(b)* of the Racing Act to take action in removing people where there may be a blockage, disruption or dangerous situation. That is what happened.

I do not know about mysterious telephone calls, or whatever. All I can say is that no arrests were made as such. People were removed under that provision of the Racing Act and therefore no charges were laid under the Summary Offences Act. That is the end of the matter. As with any industrial matter, the sooner and more effectively the parties can get together and resolve a dispute through the proper processes, that is all to the good. I point out that this had been a very long running dispute between the union and the SAJC. There had been protracted negotiations and conferences had broken down, and this incident occurred at the end of that process. Perhaps this dramatic action, which in the event did not cause any great trauma, may aid in the settlement of that dispute. But, for whatever reason, the action was taken, and that is as it has been reported to the Government.

LONSDALE INDUSTRIAL ESTATE

Mr ROBERTSON: Will the Minister of State Development tell the House whether the Government has been able to assist with the securing of tenants for the Lonsdale industrial estate on O'Sullivan Beach Road? The Lonsdale industrial estate has enormous potential for expansion, as there is a great deal of land still to be built on.

An honourable member: That is a question of opinion.

The SPEAKER: Order!

Mr ROBERTSON: It is obviously stating a fact, Sir. Additional industry there will obviously be a great boost to industry in that part of the world: it will bring investment to the south and bring new jobs to that area. I ask the

Minister what progress is being made in bringing industry to the estate.

The Hon. LYNN ARNOLD: I thank the honourable member for his question and his obvious interest in job creation and industrial development in his electorate, particularly regarding the Lonsdale industrial estate. I know it is a matter of concern to all members in the area, including the member for Fisher, who expressed concern about that in his Address in Reply speech.

The Lonsdale industrial estate took another step forward today with the agreement between myself, as Minister of State Development, and a New Zealand based manufacturing group that has chosen Adelaide as the site to establish its Australian manufacturing operations. The company, Walk-off Mats New Zealand, is not a large company and will not be setting up a large manufacturing operation. However, any desire to enhance industrial development and job creation in South Australia will not just be done by gaining large scale projects that employ hundreds or thousands of people: it will be done by the attraction to South Australia of industrial opportunities which may employ 10, 20, 30, 40 or 50 people. We need lots of industries of that type, because they become an important part of South Australia's industrial base. This particular company, which has decided to choose Adelaide as its site, will initially employ only eight people, but over a period of five years that will grow to 30 people, and it will become the Australian base factory for that firm.

This firm manufactures a new and innovative industrially reusable carpet which can be cleaned by industrial methods, used by industrial cleaners and rented out to those who wish to have it for heavy duty areas or for carpeting areas between dirt environments and desired dirt free environments.

The product has been achieving significant marked penetration in the United States, New Zealand and other countries but it has not yet achieved that succes in Australia. Sales in Australia have been through the export of products from the New Zealand factory of this company. The penetration rate indicates that there is significant market potential for this product. A survey shows that in the United States there are 33 of these types of carpeting mats per 1 000 head of population; in Japan there are 30 per 1 000; in the United Kingdom the figure is 11; and in this country there are only four per 1 000. So, there is significant marketing potential available.

It involves some new production techniques—new amalgams of products, such as rubber with nylon or cotton—and it has even got some special varieties that allow for static removal. It also actively removes dirt from shoes of people who walk in, which is significant for those wishing to maintain a relatively dirt free environment, which is important in so many industrial processes. Whatever the case, it is certainly a new industrial venture in South Australia and significant for a number of reasons. First, the firm has a product which indicates that it may have significant market potential; and, secondly, this is a small to medium size firm, and it is upon the generation of many more such firms from within South Australia amongst South Australians that much of our future industrial strength relies.

Thirdly, it is also significant because here we have a company that rationally made a decision that South Australia was a logical place from which to have national marketing operations start. I guess it is a matter of concern to all of us that so often companies at times may determine that for national marketing purposes Sydney or Melbourne are the places to be.

This company assessed all the relevant factors and said, 'No, Sydney and Melbourne are not the places to be. Even though Adelaide may be further from those two markets, it is closer to Perth and, in any event, our product is one that can sustain certain freight costs, and we believe Adelaide is the place to be.' The company made that decision not on the basis of being bought here by significant Government incentives. True, there has been a Government incentive package that will be available to it upon setting up its operation, and not before, of some $40 000. However, the company made its decision on the basis of analysing the situation in South Australia and upon the degree of support and assistance, other than financial, it received from officers of the Department of State Development. We can be very proud of the work that they do.

So, this is a new initiative that is available in the electorate of Bright. It will start employing only a few people but will increase to be a small to medium size enterprise that will supply the Australian and, who knows, possibly the South-East Asian market as well. It is that sort of thing that will be an important element of growth in South Australia in the future. I hope that the Lonsdale industrial estate will in due course have other similar tenants operating from that site.

CHAMBERLAIN CASE

Mr GUNN: Will the Minister of Transport, as Minister responsible for the Department of Services and Supply, say whether he was asked by the Leader of the Opposition in the Northern Territory Legislative Assembly (Mr Collins) to approve the preparation of a report on certain information relating to the Azaria Chamberlain case, and will the Minister say who paid for the report? Earlier this month the Northern Territory Leader of the Opposition released the report prepared by the Chief Forensic Biologist in the Department of Services and Supply (Dr Andrew Scott). That report has been used by Mr Collins to attack investigations by the Northern Territory Government into new evidence in the Chamberlain case. Therefore, I ask the Minister to say whether he was asked to approve the preparation of the report and whether the South Australian Government paid for it.

The Hon. G.F. KENEALLY: I will get a full report for the honourable member on that question because it is an important question that does not require an off-the-cuff response.

Mr Lewis: Did you or did you not approve it?

The Hon. G.F. KENEALLY: I am aware that a forensic scientist within the department has provided certain research work for the Northern Territory. That particular matter has not been drawn to my attention for approval, so I have not signed a document. I will have the matter investigated and bring down a report for the honourable member hopefully by tomorrow.

QUESTION EXPLANATIONS

The SPEAKER: In view of the last question that came from the Government side, I point out to members that there is a difficulty when members attempt to put questions in context by way of explanations, in so far as there is a grey area between that which is clearly information and that which is comment. Accordingly, to avoid straying into comment while making an explanation, members should try to draw a clear distinction between opinions and facts.

MINISTERIAL STATEMENT: VINEYARD WORKERS

The Hon. M.K. MAYES (Minister of Agriculture): I seek leave to make a statement.

Leave granted.

The Hon. M.K. MAYES: Yesterday in the House the member for Chaffey raised the issue of tests being undertaken apparently by the Health Commission of workers in his electorate, and I wish to make a brief statement on this question. I apologise to the honourable member for not having provided a written response or statement to him, but I have only just received this information during Question Time.

A study of the thermal environment of workers in several different industries was proposed in 1984 by the AWU. These workers would include shearers, fettlers, road construction workers and the like, in areas where heat stress during summer months may be significant. The study was considered desirable by the South Australian Health Commission, and the study protocol was subjected to scrunity by an interstate expert. The study has continued in the 1985-86 summer, because mild climatic conditions in the 1984-85 summer did not provide an opportunity for monitoring the response to either very high temperatures or prolonged periods of lesser degrees of hot weather. Workers participating in the study do so voluntarily.

OIL REFINERY (HUNDRED OF NOARLUNGA) INDENTURE ACT AMENDMENT BILL

The Hon. R.G. PAYNE (Minister of Mines and Energy) obtained leave and introduced a Bill for an Act to amend the Oil Refinery (Hundred of Noarlunga) Indenture Act 1958. Read a first time.

The Hon. R.G. PAYNE: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The original indenture between the Government and the Standard Vacuum Refining Company (Australia) Pty Ltd was signed in August 1958 and ratified by Parliament in October of that year. Whilst the legislation has served the test of time, and the refinery has continued to expand and to increase its supply of vital petroleum products to the State, some of the clauses in the indenture require updating to reflect changes in terminology over the years.

Discussions with the two companies, Mobil Oil Australia and Esso Australia Limited, the joint owners of Petroleum Refineries (Australia) Limited, have resulted in agreement that it is appropriate that a number of changes be made to the indenture to clarify the operation and intent of the earlier agreement. The agreed changes seek to:

(a) broaden the definition of feedstock to recognise that hydrocarbon materials other than crude oil are now processed through the refinery;

(b) confirm that wharfage is not payable on feedstock delivered by road or rail to the refinery, such as Northern Territory crude oil;

(c) replace refences to wharfage charges with those now in use by the Department of Marine and Harbors;

(d) clarify the rates which are applicable to imports of refined products at the Port Stanvac marine facilities, and to exports of certain unprocessed materials.

None of the proposed amendments alter the arrangements as originally agreed in the 1958 indenture, nor do they change the expected receipts of the State from wharfage changes. The amendments simply clarify the situation as agreed between the three parties, and have the full support of Mobil and Esso. Where appropriate, the proposed amendments are also included in proposed changes to the Mobil Lubricating Oil Refinery (Indenture) 1976.

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

MOBIL LUBRICATING OIL REFINERY (INDENTURE) ACT AMENDMENT BILL

The Hon. R.G. PAYNE (Minister of Mines and Energy) obtained leave and introduced a Bill for an Act to amend the Mobil Lubricating Oil Refinery (Indenture) Act 1976. Read a first time.

The Hon. R.G. PAYNE: I move:

That this Bill be now read a second time.

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

The SPEAKER: Is leave granted?

Mr Lewis: No.

The SPEAKER: Leave is not granted. The honourable Minister.

The Hon. R.G. PAYNE: In July 1976, the Government and Mobil Oil Australia Ltd entered into an indenture under which Mobil undertook to construct a lubricating oil refinery alongside the existing fuels refinery at Port Stanvac. The indenture was ratified by Parliament in December 1976. The construction of the lubricating oil refinery was important to the State, not only because of the beneficial impact on capital investment and employment, but also because it enhanced the significance of the fuels refinery as a part of the Australian petroleum refining industry. The Port Stanvac oil refinery is relatively unsophisticated compared to the other petroleum refineries around Australia in that it does not contain a cracking facility to enable the heavier fractions to be upgraded to premium products such as petrol and diesel. It is, nevertheless, an important part of the South Australian energy scene.

With the closure of two Australian oil refineries during 1985 (BP's Westernport and Total's Sydney refineries), Adelaide fuel refinery has been considered by many in the industry to be the next in line for closure. The Government has been active in ensuring that this does not occur, and that both the fuels refinery and lubricating oil refinery remain economically viable and contribute to the State's long-term energy supply. Mobil, as the major partner in the Port Stanvac refinery, and the sole owner of the lubricating oil refinery, has been involved in discussions with the Government throughout 1985 to identify measures which improve the technical and economic viability of the refinery complex.

In response to significant changes occurring in the petroleum industry, Mobil has undertaken a number of actions to improve the long-term viability of Port Stanvac and increase its contribution to energy suppy in the State. New processing facilities are being installed to enable the refinery to process greater qualities of condensate, including Cooper Basin condensate and to produce significantly more gasoline. Instrumentation is being upgraded, and catalytic reforming operations have been modified. The new marketing agreement between Mobil and BP will also improve the attractiveness of processing at Port Stanvac.

The above actions taken by Mobil are a clear demonstration of its commitment to the long-term operation of the

Port Stanvac refinery complex. In the context of this demonstration, the Government was pleased to enter into negotiations with Mobil to examine the possible continuation of certain incentives which had been agreed in the 1976 indenture, but which were due to expire in February 1986.

Whereas the fuels refinery is designed to cater primarily for the local market, the lube oil refinery has a significant export component. In the present uncertain climate relating to crude oil prices, markets and exchange rates, it is to be expected that the lube oil refinery will be subject to more uncertainties than the fuels refinery. Nevertheless, the Government remains convinced that both refineries have a sound, long-term future in the State.

As an incentive to Mobil to process increasing quantities of crude oil through the refineries, the 1976 indenture established a maximum wharfage payment by Mobil of $476 000 per annum for the 10 years from 1976. If Mobil continued to import similar quantities of feedstock in 1986 as it did in 1985, its payment of wharfage to the State would have increased to approximately $1.9 million per annum. Such an increase would have placed in jeopardy the continued operation of the refinery and acted against the actions of Mobil, and the interests of the State, to ensure the long-term viability of the refinery.

Accordingly, the Government and Mobil entered into positive and constructive discussions to consider ways in which the whafage payable could be increased in a way which shared the potential receipts between Mobil and the State; assisted the long-term viability of the refinery; provided an inducement to process greater quantities of feedstock through the Adelaide refinery; recognised that the refinery operators were responsible for constructing the marine facilities and for their ongoing maintenance and operation; and supported Mobil's ongoing capital expenditure at the refineries.

The proposed amendments to the indenture reflect the agreement of Mobil and the State. The proposed wharfage arrangements are estimated to provide total wharfage payments to the State of $10 million over the next 10 years, and to reduce Mobil's wharfage payments by about $9 million (relative to what it would have paid if it continued feedstock imports at present levels and the existing wharfage charges applied).

It should be noted that, under the proposed arrangements, the marginal wharfage rate is zero, that is, there is considerable inducement to Mobil to process feedstock through Port Stanvac rather than import refined products. Surely that is in the interests of the State. Other minor amendments to the indenture are proposed, and have been agreed with Mobil, to bring the Act in line with changes in Department of Marine and Harbors regulations and to make clearer certain definitions and expressions. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 deems the amending Act to have come into operation on 1 February 1986, the date when the wharfage concessions provided by the indenture came to an end.

Clause 3 amends the various clauses of the indenture. Paragraph *(a)* brings the definitions relating to feedstock into line with the new definitions proposed by the Oil Refinery (Hundred of Noarlunga) Indenture Act Amendment Bill 1986. A definition of the 'Consumer Price Index' is provided, as certain wharfage limits will be escalated in accordance with the index. Paragraph *(d)* substitutes the inward wharfage concessional rate with the present-day concessional rate charged to Mobil. Paragraph *(e)* inserts the correct present-day reference to the schedule in the Harbors Act regulations that sets out wharfage rates for bulk liquids.

Paragraph *(f)* inserts a reference to 1 February, which is the 'anniversary' referred to in the indenture. Paragraphs *(g)* and *(h)* are consequential amendments. Paragraph *(i)* inserts a reference to 'the prescribed amount' in relation to the annual maximum amount payable by Mobil by way of wharfage. Paragraph *(j)* specifies the prescribed amount for the 10 year period that has just expired, and for each of the next ensuing 10 years. The amounts fixed in respect of all the years after this present year will be escalated in proportion to escalations in the Consumer Price Index between June 1985 and June of the last year but one preceding the particular year. Paragraph *(k)* makes a consequential amendment.

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

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 27 February. Page 729.)

Mr GUNN (Eyre): Mr Speaker—

Honourable members: Hear, hear!

Mr GUNN: I am pleased to hear my friends cheer me on, as I am normally nervous on such an occasion as this.

Mr Plunkett interjecting:

Mr GUNN: I understand that the member for Peake is about to take on a new position as advocate and salesman for wide combs. No doubt, during the parliamentary recess he will have plenty of time to push that labour saving device to the best of his limited ability. However, I now turn my attention to matters that are of concern to me and to the State as a whole. It is most disappointing that both the State and Federal Governments seem to be paying little or no attention to the needs of primary industry in general and agriculture in particular. Indeed, the Federal Minister for Primary Industry (Mr Kerin) recently told the national outlook conference that the problems of the rural industry were beyond the control of State and Federal Governments. What an abrogation of his obligations as Minister!

The nation as a whole relies on agriculture for its overseas earnings, and its importance to South Australia can be demonstrated by the following words of the Minister of Agriculture:

> South Australia's agricultural production in 1985-86 is forecast to be worth at least $1 640 million, similar to 1984-85 but still $2 million below the $1 840 million record of 1983-84, and it is anticipated to fall further.

That explains briefly how important agriculture is to this State. Over the past few months, the situation of primary producers has deteriorated rapidly and there is an urgent need for the Commonwealth and State Governments to take collective action to solve some of those problems, not just for the benefit of our farming and mining communities, but for the benefit of South Australia and the nation as a whole. High unemployment will result in country towns if remedial action is not taken, and people will be put off in the machinery manufacturing industry and in other service industries that relate to primary production across the nation.

In this regard, I consider that the following steps are required to remedy the fast deteriorating situation. First, the Government should provide a full flow-on of world parity pricing of fuel for farmers. The sum collected by the

Commonwealth Government in fuel tax is astronomical but, worse still, much of that revenue is not returned for expenditure on our country roads, which are in a deplorable condition and are deteriorating all the time. Despite this, the Government seems to want to continue to tax the long suffering motorists and to give them back as little as possible, and those who seem to be affected most are those in country areas. Indeed, the more isolated they are the more difficulties they face.

Secondly, we should remove all tariffs from farm imports, first, on chemicals. In agriculture, chemicals are being used more and more today as a means of reducing fuel costs by controlling weeds by the use of various sprays, but the cost of such chemicals has risen astronomically. If anyone has visited a country agent and filled up the boot of his car, the tray of his utility, of his trailer with a load of chemicals, he will know just what they cost. It is ridiculous that tariffs should apply in respect of commodities that are so vital to the interests of South Australia and to the welfare of the nation.

Thirdly, the capital gains tax should be scrapped. Already, there has been a drastic fall in the value of rural land in this State: indeed, by up to 30 per cent if the land could be sold. Dozens of farms are for sale throughout South Australia and the nation, but the bidders are not there. Many people who have borrowed on rural land in excellent years are now in a difficult situation. I sincerely hope that the Valuer-General will take urgent action to ensure that his valuations reflect the current value of the land. People should not be taxed by local government or by Government departments on highly inflated land values. The 30 per cent reduction in land values, to which I have referred, should be passed on.

The *Weekend Australian* of 15 and 16 February, under the heading 'Concern grows over rural land values', indicates that action should be taken, and goes on to give some examples. The removal of restrictions on offsetting farm losses is only commonsense. The next point is to free the money market to bring down interest rates. When I was coming to my office this morning I heard that interest rates were to go up by another .75 per cent.

No industry, let alone industries like agriculture, mining and fishing, can afford to pay those high interest rates because they are capital intensive industries. Those people had to pay a lot for their land, stock, plant and machinery, and it is crazy for the Government to continue a policy of high interest rates. It should reintroduce the accelerated investment allowance so that, when people have to purchase machinery, they can have a reasonable tax writeoff. That would help the machinery manufacturers in this State and across the nation that are suffering at the present time.

Further, the Government should take firm action against union pickets. There should not be any more Mudginberri disputes, where the products could have been exported if the Commonwealth Government had had the commonsense and courage to take the appropriate action. It is no good the Commonwealth Government saying that it is an industrial matter. What comes first, earnings—income for the nation—or sitting idly by and allowing irresponsible louts to interfere with the productive capacity of the country?

Many members, during the Address in Reply debate, have advocated the redistribution of wealth and spending. Before we can do any of those things someone has to earn it, and these fellows opposite are great spenders but very few have done anything to create the wealth so that the underprivileged and disadvantaged in this nation can be assisted. The Liberal Party is a compassionate Party and wants to improve the lot of the underprivileged. We realise that that can be achieved only by making sure that the nation as a whole is put work and creates wealth. We are fortunate in this nation to have a most efficient and effective rural community. It has farmed efficiently for generations, but those people need attention so that they can bring income into the nation so that we can all prosper.

It is no good people continuing to advocate programs and policies that are designed to put rural industry in a straightjacket—and some of the policies that have already been put into effect by the Commonwealth Government have had a disastrous effect on rural industry. It is time that the Commonwealth Government came to its senses. Unfortunately, throughout the world, socialist governments have a record of interfering with the agricultural industry, and they cause problems that they do not first envisage. Further, they always cause a downturn.

To illustrate some of the problems that irresponsible action has caused in this nation, I refer to an article in the *Weekend Australian* of 15 and 16 February, which is entitled 'We have got to live with the world as it is', and which states:

> Today four wheat ships are waiting off Sydney and two coal ships are idle at the Balmain wharf because of an industrial dispute by train examiners. Australia at the moment is the world's biggest exporter of coal, bu the fact that the coalminers have begun a very serious strike is not even an issue before the Arbitration Commission in its present crucial hearing. Why? Because we have not even begun to get serious about our national aims and the crucial role of exports in achieving national goals.
>
> If we are capable of getting angry about a farmers' threat to block railway lines then we must also get angry about train examiners stopping railway export traffic . . . Exporters have got to have priority in the Arbitration Commission, in taxation, in government charges, in the councils of the unions and, most important, in all our minds.
>
> Let us realise now that we have got to live with the world as it is, to trade with it as it is and that the necessary adjustments have got to be made by us and not by the rest of the world.

That lays on the line that the disastrous situation that has taken place over years in New South Wales has cost the wheat exporters of this nation tens of millions of dollars. Those people who have blocked the export of wheat in New South Wales have cost producers and the taxpayers in this State millions of dollars by their irresponsible action, and the nation can ill afford to stand idly by and allow such actions to continue. Governments must have the courage to stand up to these people, otherwise more people will be unemployed and Australia will become less competitive.

Australia, which depends on its export income, is now facing one of the most serious challenges of our time in the action taken by the European Economic Community and the American Farm Bill. However, people like those involved on the wharves and the train drivers in New South Wales are stopping exports at a time when we have secure markets. If we want to lose those markets we will have a great deal of trouble getting them back. Huge subsidies are contained in the American Farm Bill and in the EEC, and people should realise the problems that can be created for this State.

If we are to maintain our competitive edge as an agricultural producing nation, we have to reward those people who create the wealth with decent and sensible taxation concessions. When one considers that 44 per cent of the income received goes in personal income tax, the time has come to take clear stock of the situation. At the last State election the Liberal Party was belted around the ears by some irresponsible sections of the Public Service because it considered that we had the audacity to talk about privatisation. I guarantee that the current Government will continue with a program of privatisation. It is doing it already.

Anyone who has an ounce of commonsense knows that we cannot continue to build a massive bureaucracy that is cumbersome and inefficient. We cannot blame the people in it; they are locked into the system. It is not their fault. We have to dismantle unnecessary bureaucracies. The Housing Trust is building $30-odd million worth of accom-

modation each year for sale to the public, yet the Public Service Union conducted a most scurrilous and untruthful campaign against the Liberal Party, acting against the best interests of the people of this State.

In the United Kingdom privatisation has been a success. To say that the Liberal Party could not sell Housing Trust homes and to trot out some legal document is absolute nonsense when the large majority of people renting those homes want to buy them, releasing to the community the funds paid for those homes so that new homes can be purchased and freeing the Housing Trust from its maintenance commitments.

We have reached the stage where we cannot continue to increase taxes. We have to employ in a more effective and efficient manner those funds already available to the Government. That is what the privatisation policy was about; it was also a policy of deregulation. We have to move effectively and quickly in this area and, if we do not, we will not be in a position to compete with our competitors overseas and we will not be able to create the wealth that is necessary if we want to improve education standards and address the dreadful problem of youth unemployment.

It is a disgrace to the nation that tens of thousands of young people—good decent young Australians—cannot get jobs. It is soul destroying for people in their forties to lose their job and not gain other employment. The Liberal Party recognises that, and wants to put into effect policies and courses of action that will assist those people. Unless we create the wealth to do it we will not be able to overcome that problem. That is why it is essential to create a situation where agriculture, primary industry, mining and fishing can go forward. Governments have to get out of their way and allow those people to produce. In my electorate I know of people who have been treated badly by governments—those people living in the west of the State. It is deplorable that in 1986 we cannot even build a pipeline for water to places such as Penong, yet we can spend millions of dollars on other hairbrained schemes. One member in this House advocated putting FJ Holdens on a heritage list.

That may be all right if you are in Kuwait or somewhere like that where there is no taxation and you have oil revenue at Brunei or somewhere, but we are living in South Australia and we must make sure that our limited resources and opportunities are not squandered. If we compare this nation with Japan, we will find that over the last five years Japan has had an annual growth rate of 4.1 per cent compared to 2.2 per cent in Australia; the unemployment rate in Japan has been 2.6 per cent but 8.8 per cent in Australia; and the inflation rate in Japan has been 2.4 per cent, but has averaged 6.7 per cent in Australia.

Mr Becker: That figure is crook.

Mr GUNN: Of course, it has been talked down; we know that. Try and run a business and you soon know that inflation is more than that. Recent studies by Treasury officials have indicated that the reason for the Japanese performance is quite clear. They have a decentralised labour market which is sensitive to the trends of profitability, a degree of unionism with unions being company based, a small Government sector, the absence of wage indexation, over 25 per cent of earnings are made up of bonuses, more encouragement is given to export industries, and so on.

Our Premier had the audacity during the election campaign to send out a notice to all taxpayers about land tax. When I received this—and I happen to be one of those fellows who pays land tax on a house that I have in Adelaide that is not my principal place of residence—I was quite amazed. This letter from the Premier, J.C. Bannon—

Mr Becker: Did he write to you?

Mr GUNN: Well, it is a circular letter and it is addressed to myself and my wife if the property is jointly owned.

Mr Becker: Did it come with a bill?

Mr GUNN: The bill came later. All good things come later. I would say to the Premier, 'Send it back to his publicity machine, his mouthpiece, now the member for Briggs, and let him go and tell those people who are getting whacked over their heads with their land taxes.' Let him justify this Dr Goebbels propaganda exercise.

The Electricity Trust which put out that scurrilous letter, was aided and abetted by the untruthful $100 000 Public Service Association campaign, which in turn was aided and abetted by Mr Lesses, Secretary of the United Trades and Labor Council, to whose actions I have already referred. We had the classic con job pulled over the eyes of the people of this State. Unfortunately, on 8 December those problems which had been swept under the carpet were still there. The high rates of interest on mortgage loans and increasing water rates are still there. I feel sorry for those people because during the next three and half years they will have to suffer as a result of the decisions that were made.

It was all very well for sections of the media to try to reflect badly on the Liberal Party and its policies, but the long-term interests of this State and this nation will be resolved only by a Government which is prepared to put into effect the type of policies that were explained to the people by John Olsen at the time of the last election.

I am very pleased to have been given the responsibility on behalf of the Opposition of this State of spokesman on agriculture and lands. I think I am the fourth generation farmer in my family to be involved in agriculture in this State, and I hope that I can make some constructive criticism which will be of advantage to that sector of the economy which is so essential to the welfare of the people of this State.

Mr Becker interjecting:

Mr GUNN: I do not know about that. The Labor Party in this country upon election to office on this occasion slightly changed tack. When Mr Whitlam assumed office in 1972, he was something like a bull in a china shop, racing in all directions at once and setting out to dismantle the programs which had been put in place by the previous Liberal Government. This Government is moving more slowly but just as deviously in relation to its ultimate aims. The same sort of policies will end up being put in place. We must encourage people to continue to invest. We must have growth in all sectors of our economy if we are to overcome the problems. We must have sensible wage fixing policies; and taxation policies which are designed to encourage people to produce and reinvest.

If we allow the current situation to continue, where they have interfered with the taxation concessions, depreciation allowances and investment allowances, our Australian farmers, the primary producers, will not be able to compete successfully on the overseas market. We have been able to compete in the past only because we have been able to keep in advance of technological change, with new machinery and new farming methods, and with sensible taxation policies in place, where people have been able to purchase machinery that allows farmers to operate effectively and efficiently.

If the high cost of labour, which has been encouraged by people like a number of members opposite, is allowed to continue, and if this current taxation system remains, it will make us less competitive on the overseas market. The end result will be that we will have wheat silos full throughout this country. We have people advocating attempts to stop the shipping overseas of our live sheep. We require from this Government and the Federal Government a clear undertaking that under no circumstances will any interference with that trade be tolerated. There is no place in this

community for foolish people like the animal liberationists and others to go marching in the streets. One of the areas that I have had some experience in is agriculture.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr GUNN: I have had a fair bit to do with the export of live sheep. I do know when I get into a yard of sheep whether or not they are shippers. I know when I get into a saleyard what the value of the sheep is. I have been past that establishment on many occasions. It does not matter what industry is involved: on occasions there will be a problem or two. However, that does not mean to say that the whole damn industry has to be stopped or interfered with. Those sort of people such as the Adamson fellow and those who are attempting to stop this industry are acting in a manner that is contrary to the best interests of this nation. They are absolute fools and should be treated accordingly. These people who are trying to prevent the mulesing of sheep do not know what they are talking about. I will give you an example.

Someone like the honourable member for Victoria and the honourable member for Peake would have crutched plenty of fly-blown sheep in their time, and it is a most unpleasant experience. In my judgment, a sheep is not properly developed until he is mulesed. A few weeks ago when I was on the West Coast having a break after a strenuous election campaign, we decided to crutch some sheep.

The Hon. Frank Blevins: Is that what you decided to do for a break? Is that your idea of a holiday?

The DEPUTY SPEAKER: Order!

Mr GUNN: I am always an active person. I believe that the nation should be put to work. I cannot sit around idly. I could think of nothing worse than spending a fortnight lazing in the sun on the Gold Coast when there was work to be done, and I believe in the work ethic. If the nation was put to work, we would not have this unemployment. That is what is required in this country—an attitude that encourages work and does not despise it.

I do not want to be sidetracked. The figures that I want to quote are interesting. They prove the point that mulesing of sheep is essential to protect them. A mob of just on 500 ewes were crutched but they were not mulesed. Over 10 per cent of them were struck. There was another mob of lambs, which were just getting their two teeth, and this applied to two out of 350. The week before, 50 had been crutched.

That is a clear example where commonsense should have prevailed. I raise these matters to illustrate the need for proper tools of management. People should not be prevented from obtaining proper tools of management; or, if other people get their way and foolish legislation (similar to that passed in New South Wales) results, it only gets in the way. That is one area of concern. I will point out to the House how important this industry is, and I will refer to one or two other matters. For some time in this State members of the farming community, particularly those who live close to national parks, have suffered great difficulties with fires.

It appears that certain sections of the National Parks and Wildlife Service (and I think the member for Newland was an officer in that department and, I am advised, her role left much to be desired in may of these things) for some odd reason have not realised that there should be properly controlled burning off programs in all national parks. Commonsense must apply and proper bushfire breaks and access tracks through national parks must be provided. When a fire starts the Country Fire Service must be given authority to control it. It is no good having fellows who have never grown up dressed up in fancy uniforms. They have a boy scout mentality; perhaps they had deprived childhoods.

An honourable member: It's commonsense.

Mr GUNN: Of course it is commonsense.

An honourable member interjecting:

Mr GUNN: The honourable member does not know; he has never been into these areas. I have been in these areas and I have spoken to people who have had to put up with the national parks officers not being able to make a decision over a period of three or four days. We are expected to sit here and listen to the diatribe of members opposite. Members of the farming community have been involved in controlled burning off operations all their lives. The trouble is that we have interference from academics who have no practical experience. No matter what they say, in the future provisions will be inserted into Acts of Parliament and commonsense will apply.

If there was another fire at Mount Remarkable and some other places, the people up there would not go out to assist because they are so badly treated by the people in charge. Commonsense should apply. Farmers have recognised for generations that they must have some controlled burning off as a tool of their operations and that commonsense should apply.

Another important area that must be addressed by the Government is the liability of landholders if people come on to their properties uninvited and injure themselves. The Government must legislate to assist these people.

Mr Plunkett: Sometimes it is a case where people from a town are assisting farmers to put out a fire and in the process they are injured yet receive no compensation.

Mr GUNN: The member has misconstrued what I said. I entirely agree: if people are called to fight a fire, are acting under orders and are injured, they should be covered for compensation. I have no argument with that whatsoever. Similarly, if people take their private vehicles out to fight a fire and they are damaged, they should be compensated—that is commonsense and only fair. I have no argument with that at all. I was making the point that, where people enter on to private land without permission and injure themselves or damage their property, the landholder should not be held responsible and should not be in a position where legal action can be taken against him.

There is an urgent need to rewrite the Pastoral Act. In fact, there is a need to consolidate all Acts of Parliament dealing with land so that we can streamline and improve the efficiency of the land transfer system. I believe that it is necessary to repeal the Marginal Lands Act, because it is no longer required. People who hold perpetual leases should be able to transfer or mortage them without receiving the Minister's permission. I believe also that the time has come for the abolition of the Lands Board; it is no longer required or necessary. The Government could address this area very quickly.

I refer to other matters of concern in my district. Over the past 30 minutes I have endeavoured to describe some of the agricultural problems in the State. I am very concerned that the Minister of Agriculture is not going to establish the new crop breeding program at the Waite Research Institute. I repeat what I said the other day: I think it is a retrograde step which will not be in the best interests of the community at large. We have been fortunate in this State that we have had a very successful plant breeding program. We have people who have received world wide recognition for the work they have done, and the Waite Research Institute has been in the forefront of these developments. I think it is unfortunate that the Government is to proceed along the lines outlined by the Minister.

In my own district, I am concerned that many people suffer from a lack of education facilities. I place on record some points that were made to the new Minister of Education a week or so ago when he received a deputation

including the Chairman of the Coober Pedy School Council and the President of the Coober Pedy Miners' Association. The points that they emphasise are as follows:

1. In 1972 we were given a couple of temporary buildings to cope with the demand at that time.
2. This, along with an abundance of opal, encouraged a baby boom between 1972 and 1976.
3. To meet the increase in enrolments and the need for more grades we were given more secondhand temporary buildings so that any Education Department funding left over has had to be spent on repairs and maintenance every year, with very little left for upgrading and improving facilities.
4. This is most evident in the manner in which the recent funding has been allocated. It was not allocated to the highest priority such as a technical studies block or a sand sports oval but has been used to cover the largest number of priorities the majority of which are repairs and maintenance.
5. Since 1978 we have received virtually no funding from the Education Department except for the replacement of a non functional toilet block.
6. It is important to remember that because of our geographical location our dollar is worth less than half that of urban areas so that in real terms we can only get half of that obtained by other schools with the same funding.
7. Over the years the community has tried to make up some of this difference. However, our annual student population of between 400 to 500 have had to suffer more and more disadvantages in crucial areas of education i.e. sport and recreation, culture, and technical studies.
8. We are now at a stage where those babies of the mid 1970's are seeking higher standards and quality of education and with the recent improvements in the town's services we can expect the numbers to increase again as more couples and families decide to settle here permanently.
9. We have been able to gradually upgrade our classes and curriculum but for reasons already mentioned we have been unable to afford the facilities to go with it, and families are leaving Coober Pedy so that their children are not further disadvantaged.
10. This of course alarms the CPPMA as it has just run itself heavily into debt to help obtain essential services for the community and tourism.
11. The CPPMA fully supports the school in its request not for additional funding but for catch up funding for capital works necessary to provide our children with at least part of the educational needs of this day and age.
12. This could be achieved by additional funding of the same proportion for this triennium or by the provision of a technical studies block which could possibly be partly funded under the CEP.

They are making the point that there is an urgent need for a new technical studies building and facilities at Coober Pedy. It should be a joint project with TAFE, because it would be quite ridiculous to build two facilities at Coober Pedy. In this area, which has an industry that uses a lot of machinery, there is an urgent need for top class technical studies facilities. In the next financial year I sincerely hope that sufficient funds can be provided to build a first class solid construction building. The existing building is deplorable and I believe that, if it was in a district belonging to a member opposite, all hell would break loose. The Coober Pedy School Council has been tolerant, but its tolerance is at breaking point.

Recently I received from the Women's Agricultural Bureau of South Australia a letter headed 'Health services for rural women'. The bureau of South Australia has successfully represented women's issues in rural areas for many years. The letter states:

The Womens Agricultural Bureau of South Australia Inc., an organisation with over 1 600 members in the rural community, wishes to draw to your attention the needs of rural women. We believe that the specific health needs of rural women require special attention if rural women, a minority group, are not to be disadvantaged.

I understand that this information has been sent to other members and to the Minister, who I hope responds in the near future. It goes on to say:

The lack of easy access to specialist facilities in a region often means the necessity to travel long distances with added cost of transport and accommodation, as well as the need to be taken away from home for several days. Many patients do not seek a second opinion when it is recommended.

Of course, there are problems with the isolated subsidies scheme, because it is very difficult for certain people to qualify. During the next 3½ years I intend to raise in the House issues which are important not only to my electorate but to rural areas of South Australia generally. I sincerely hope that the Government will respond to those issues in a positive, effective and fair manner. For too long the nation has relied upon its agricultural sector to generate the funds to lay the foundation for the economic success of the nation. It is not good enough that during times of need the nation will not take proper action to support these important industries. Unless these people are treated fairly and with some compassion and common sense, the nation's economic situation will continue to deteriorate.

I sincerely hope that on 15 April, when Mr Kerin releases his paper on agriculture and primary industry in this nation, it is a realistic document that addresses the real needs—not a document which is based on academic considerations but one which will allow the industry to continue to produce. The areas where costs must be alleviated include transport and central commodities. We do not want any more dumping charges put on superphosphate, because that would just mean that people in my area would have to look closely at whether they were able to sow a crop. In marginal areas, where the difference between financial success or failure is minimal, those people's undertakings would become borderline, and that would be unfortunate.

The Government must provide funds to allow some of those 30 uneconomic water schemes in South Australia to proceed. On Monday I was approached at the Local Government Conference in Port Lincoln by residents of Smoky Bay who told me that they just could not get any water pressure in the area; the main is years old and has been cemented and lined, but the demand is too great for the capacity of the main. Presently, there is no way that the Government is prepared to provide funds to give those people what is accepted in most communities as an essential service, a reliable reticulated water scheme.

The situation is just crazy, and some 30 other communities in South Australia are in a similar situation. I am greatly perturbed that I have to repeatedly stand in this House and remind the Government of the problems experienced by these people in isolated communities. I do not know whether anyone has ever stopped to think about the financial effects and the strain that the situation has on families trying to give two or three children a secondary education when they live 400 or 500 miles from Adelaide. These parents have to suffer considerable personal hardship trying to give their children a chance in life. The Government has not provided this assistance, but I believe that the time is long overdue to give these people a reasonable subsidy. The Government spends $700 million on education in this State, yet it is not prepared to spend a few hundred thousand dollars to help those isolated families send their children to a high school or to a private college where they can get a reasonable standard of education. In Queensland they get a reasonable cut of the cake.

Mr Tyler interjecting:

Mr GUNN: The honourable member can laugh and make light of what I am saying. It is a pity that he does not talk to some of the managers of stations and meet these people who have been in the industry all their lives. The honourable member might learn of the sacrifices these people have to make to try to give their children some education. Up to year 7 many children are taught by their mothers by correspondence. We are fortunate to have an excellent Correspondence School in this State and to have access to the School of the Air but, when it comes to secondary educa-

tion, these country children have to be sent to colleges in Adelaide, and that costs more than $2 500 a term.

The State Government is so generous that it provides $500 a year, and that was provided only through the efforts of the Tonkin Government and the then Minister (Hon. Harold Allison). The Commonwealth pays up to $1 500 or $1 600 and parents have to meet the rest. It is bad enough with one child, but what if two or three children are involved? I put it to the House that those parents ought to be entitled to an allowance equivalent to the cost of sending a student to a high school in any centre—in Adelaide or anywhere else.

If the State were educating a child, a cost would be involved. However, because of the geographical location of these people, they are not able to take advantage of some of the excellent facilities that we have. The State is not willing to be involved, but I believe it should be. There are problems at Ceduna and other places. We have an excellent facility at Ceduna, but people living west of Ceduna have nowhere to board their children.

Mr Tyler: You believe in small government, yet you have spent millions of dollars in your speech already.

Mr GUNN: You have not listened. Obviously, the honourable member has earmuffs on or has not bothered to listen. If only he was a little fair, just and reasonable in his attitude. I refer to the funds that have been spent at the drop of a hat to fix the tank trap—the Festival Centre—amounting to $3.5 million, without even the blink of an eyelid. The Government can find millions of dollars to spend on such projects. How much will the taxpayers of this State have to spend on the great railway station development? That money was found without any problems.

Mr Tyler interjecting:

Mr GUNN: Come on, let us look at the facts. The Government can find millions of dollars for its projects: it found $85 million or $100 million to subsidise the transport system in Adelaide, apart from various other activities. The Government found the money to build the track for the Grand Prix, and so it goes on. It found another $90 million for the O-Bahn bus service. I do not object to that. All I ask is that people who are disadvantaged be given a fair go. I am not talking about millions of dollars but about a few hundred thousand dollars.

I refer the House to the hundreds of millions of dollars spent by the Health Commission, and the hundreds of millions spent by the Education Department. Why should not the Government deploy some of these funds for the benefit of people who are not within 50 kilometres of the GPO and who cannot take advantage of existing facilities?

I was elected to represent those people here, and I certainly make no apology for raising this matter. Indeed, I intend to continue to represent their interests as strongly as I can during the next 3½ years, because those people are entitled to a fair go. What about the battle we had to get even one teacher at a place like Mintabie! It is amazing. Look at how red tape and bureaucracy have clogged up this country! If we want to do those things required it is not a matter of more Government activity: the Government should get out of the way of free enterprise and give it a go. The great problem facing people is the clog up. We had the Premier grandstanding about his deregulation policy. Where is that deregulation policy now? What has happened to it? The Tonkin Government's program was criticised by members opposite. We want to see how many Acts of Parliament have been repealed. What about the unnecessary regulations?

For three years I was a member of the Subordinate Legislation Committee, and every week more and more regulations came churning out of the machine, creating more restrictions on people, more charges and fees. What value were they to the community at large? Will they create more jobs or help people earn more income? Of course not. All those regulations do is clog up the works. The Government claims to be concerned about the welfare of the underprivileged, but the only way we can assist them is to encourage people with the will and ability to employ. One successful person creates success around him.

Mr Rann: Over 600 000 new jobs have been created in the last three years.

Mr GUNN: That is the oldest trick. What we want is more industry—

Members interjecting:

Mr GUNN: The member for Briggs has tried his damnedest to cause 300 people at Roxby Downs to lose their jobs. That is his track record. He was the dishonest member of the Premier's Department who removed the back page of a so-called confidential document, and he should be ashamed of himself. He is the Premier's whiz kid who wanted to throw the people at Roxby Downs on the scrap heap—those good, decent and hardworking Australians who are doing something and earning income—yet the honourable member sought to prevent the investment of tens of millions of dollars. New houses will be built in connection with that project, from which people in Adelaide will obtain a living. That is his track record. The honourable member should not come into this House and pour scorn on members on this side. We can hold our heads high in relation to that matter, because it was a Liberal Government that got the indenture through; and it was the Liberal Government that got the Stony Point indenture through.

Yet we had members of the Labor Party doing everything possible to slow down that project. The member for Briggs has a fair bit to answer for before his track record can be wiped clean. He is the member who is so dishonest and who acted so poorly and contrary to the interests of the people of this State in doing everything he could to block the indenture and block the project when it started to develop.

Certainly, the Deputy Leader of the Opposition can hold his head high from his involvement in having that excellent indenture put in place because it will protect the interests of the people of this State—it will create jobs. Those are the sorts of jobs we want to create—not jobs in the Public Service, in the non-productive sector of the economy. Government members are great spenders, but they have no idea how to earn income to pay taxes. It is no good—

Mr Rann: What about your representations to the Parliamentary Salaries Tribunal?

Mr GUNN: I have never made any apology for my views, and I put that on record again. If we are to ask people to do a job we have to pay them properly. I have always believed that to be so in private enterprise, and if the honourable member wants—

Members interjecting:

The DEPUTY SPEAKER: Order! I ask the House to come to order. Interjections are getting ridiculous, with people trying to shout each other down. I ask the House to come to order so that the speaker can be heard.

Mr GUNN: One of my colleagues reminds me that if we pay peanuts we get monkeys like the member for Briggs and one or two others. I have never made any apology for my view that, if members are to carry out their duties effectively and efficiently, and if they have a large electorate like mine in which they have to get around, it should be at a cost to the taxpayer. In a democracy members of Parliament, no matter from which side they come, should be able to carry out their duties without having to rely on private income or sponsorship from others.

Mr Tyler: What about the $100 000 from the Insurance Council last July?

Mr GUNN: You seem to know a lot about the Insurance Council and the $100 000. I suggest that the honourable member say that out on the steps. In conclusion, I have enjoyed the opportunity to contribute to this debate. I want to thank sincerely all those people who helped me during the last election campaign. I am sorry that the Hon. Michael Wilson was defeated, because he was an excellent member of Parliament and a fine Minister, and the O-Bahn project will be a lasting memorial to the work that he did on behalf of the people of South Australia.

Also, I was very sorry to see my colleagues John Mathwin and Scott Ashenden go. I am sure that Scott will be back and, Michael Wilson, if he wants to, will also be back. Over the last 16 years in which I have been a member of this place I have been greatly assisted by many people in my electorate, and in the time that we have had electorate staff—

Mr Tyler: What about Dean Brown?

Mr GUNN: I spoke about him the other day. The Hon. Dean Brown was an outstanding member of this House. Since we have had electorate assistants I have been fortunate in the people who have assisted me and my electorate, and we have been able to solve many problems. During the last 7½ years I have had at Parliament House an electoral assistant who has given outstanding service and helped literally hundreds of people in the electorate, organising my office in an effective and most efficient manner. During the next couple of weeks when she enters new employment, her place will be taken by a person who will be able to continue the excellent work that she did. I wanted to put on the record the outstanding job that Miss Maria Kourtesis has performed for the people of Eyre. She has been of great assistance to me. I greatly appreciated it and I did not want to let this occasion pass without putting on the public record my appreciation of her hard work, which has been far beyond what was expected of her.

Our electorate assistants have to carry a great load. They work in this place under poor conditions that would not meet the requirements of the Department of Labor and Industry. I sincerely hope that in the future action can be taken to upgrade those facilities. All members have been fortunate in the people they have been able to employ to assist them. I take this opportunity to wish Maria the best of luck in her new employment, as I am sure she will make a success of that or whatever endeavour she turns to in the future.

I support the motion and look forward to the contribution of the new member for Victoria, who I am sure will make an excellent member and will serve that area for many years to come. I was delighted with the fine result that Harold Allison had in Mount Gambier. Harold has been a great member, and he will hold that seat for as long as he desires. The people of Mount Gambier are fortunate in having a member of such ability to look after their interests in such an excellent manner.

Mr PLUNKETT (Peake): I congratulate His Excellency the Governor on a speech that spelt out a clear path ahead for our State in the coming year. I would today pay a tribute to several members who retired at the last election. In particular, I congratulate Jack Wright on a career of community service that will be recognised by Her Majesty the Queen next week when she presents Jack with the Order of Australia on board the *Britannia*. I have known Jack Wright for many years, having first met him as a shearer in Broken Hill in 1950. I have known him as a union official, as the Secretary of the Australian Workers Union, as the member for Adelaide, as a Minister, and as Deputy Premier.

In all those roles Jack demonstrated a fundamental commitment to assist working people and their families. Throughout his career Jack has fought for better working and social conditions for ordinary Australians and I have no doubt that his commitment to community service will continue during a very active retirement. It must also be recognised that Jack at all times has been given the strongest support from his wife Norma. I hope that in his retirement they will both have more time for tennis and golf as well as their continuing commitment to the Australian Labor Party and the great causes of social reform in this State.

I also pay tribute to George Whitten, the former member for Price, who has given great service to the House, to the Labor Party as President and Secretary, and as the member for Price in the Port Adelaide area. I had the honour of serving under George during his time as Chairman of the Public Works Standing Committee. I am proud to follow him in the chairmanship of this important committee and I am sure that I will be able to rely on him for advice and support. Indeed, another dedicated member of the committee has retired: I am, of course, referring to Cec Creedon, who retired from the Legislative Council at the recent election.

It is very seldom that I give credence to members from the opposite side, but I feel obligated to two members: one retired recently and the other was defeated at the last election. I refer to two former members of the Public Works Standing Committee with whom I learned to work, and I found them very honourable people on the committee. I am referring, first, to Allan Rodda, the former member for Victoria. I heard the new member for Victoria mentioned. If he gains the respect that Allan Rodda gained in this House he will feel very comfortable. The other member of the committee, who was defeated at the last election and whom I feel obligated to mention, is John Mathwin.

I also thank Max Brown, the former member for Whyalla and Chairman of Committees during the first Bannon Government, for his services to this Parliament and to the Australian Labor Party. In paying a tribute to former members I also welcome the new members of Parliament. I congratulate the member for Newland on winning the seat and on her excellent Address in Reply speech, in which she highlighted the problems of child-care in the community. The honourable member has had enormous experience in environment and planning, and her work for our Deputy Premier gives her an excellent apprenticeship in serving her electors and the Parliament.

I also congratulate the member for Adelaide on winning that seat, against all odds. Like the member for Newland, he brings enormous experience in a range of areas to this House. In the southern suburbs I place on record congratulations to the members for Fisher and Bright, who represent the southern suburbs. The area is rapidly expanding and I am sure that those two members have the energy and commitment to provide their electorates with the very best of representation. I also congratulate the new members for Price and Briggs, both members with a strong commitment for the poor in our community and to industrial reform.

I represent an area of Adelaide that has serious social and economic problems. Unemployment in my district is still extraordinarily high, despite the massive increases in employment we have experienced since the Hawke Labor Government was elected in 1983. My area also includes a rich and diverse ethnic makeup and in the last few years there has been a sizeable influx of refugees from South-East Asia, many of whom obviously face enormous problems in carving out a new life in a strange urban environment. The district of Peake, therefore, has examples of serious inadequacies with many thousands of people living at levels below the poverty line. I share with the members for Briggs and Adelaide the belief that Australia must harness its resources to mount a major campaign against poverty.

Our great nation is rapidly approaching its bicentennial. A vigorous campaign attacking poverty should be an historic way of celebrating Australia's two-hundredth anniversary of European involvement. I am particularly concerned about the plight of young long-term unemployed people who often face serious accommodation problems.

The young unemployed are forced to survive on benefits that put them at a level far below the official poverty line. Many young people have problems with their families, forcing them to leave home at a young age. The combination of unemployment and leaving home in the mid teens results in serious homelessness. In turn, this situation often leads to crime, social isolation, distrust of the system, and drug abuse. I hope that any organised anti-poverty campaign would, as a priority, focus on the needs of such young people. I am also concerned about the situation of many single parent families in my district. Many single parents on welfare benefits are forced to live below the poverty line. They and their families often find it hard to break out of this cycle of poverty.

I am not disturbed when I look at the reduced ranks of the Opposition following last year's State election. For three years, we saw the most cynical efforts by the Leader of the Opposition to destabilise South Australia's economic recovery. The Leader of the Opposition and members of his front bench decided to put their own interests ahead of satisfying the needs of the South Australian people. However, South Australian voters rapidly woke up to the Opposition's game, and their record endorsement of the Bannon Government at the recent election showed the respect of South Australians for political honesty and oldfashioned hard work.

I do not intend to dwell on the fate of the Opposition: I merely point out that at State and federal levels the Liberal leadership is in crisis. In Canberra, John Howard has hit rock bottom in the opinion polls and is way below Andrew Peacock, the man whom he deposed. The media are concentrating their attention on John Howard and tending to ignore what is happening to the Liberals in this State. John Olsen is a lame duck Leader of the Opposition, and his credibility with the electors is close to zero. Unfortunately, his colleagues are doing their best to white-ant him privately, although at the same time putting up a public show of loyalty toward him. However, the Liberals are stuck with their Leader because there is no alternative. Indeed, there is nothing on the Opposition benches. One has only to look over at the ranks of the Opposition to realise how true that statement is. Indeed, there is nothing there at all.

Some Opposition members are shadow Ministers, but most of them could not throw a shadow even on a hot day. I understand that efforts to talk the Leader of the Opposition into standing down so as to give new blood a chance have failed. There are a few reasons for that, one being that three members, any one of whom might have replaced the Leader, have been lost to the Opposition. Indeed, the Opposition is running out of ammunition, and when you run out of ammunition you lose the war.

I also understand that the member for Coles has her sights set firmly on the Deputy Leadership and eventually on the Leadership of the Liberal Party. Ordinarily, she would not find that hard to achieve, but her performance as Minister of Health and Minister of Tourism showed just what a political disaster she is for her Party.

I am delighted that I have been elected by my colleagues to be Chairman of the PWSC. I am pleased that the committee does not act in a political way, and I am sure that the new membership of the committee from both sides promises a vigorous and honest approach to the committee's important work of checking and authorising major projects. I do not intend to delay the House any further with the additional information in my possession. My speech has been long enough and I thank members for their attention.

Mr OSWALD secured the adjournment of the debate.

STATE LOTTERIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 4 March. Page 818.)

Mr BECKER (Hanson): I am not the lead speaker for the Opposition on this Bill, but I shall fill in until the Leader arrives. The Lotteries Commission has served the State well since it was established. Mr Jack Guscott is Chairman of the commission and one of his members is a former member for Chaffey. The three members of the commission have had to grapple with many serious problems during its formative years, especially in meeting the tremendous competition that it is experiencing in various fields. Such competition comes from charitable organisations with their fund-raising activities, from small lotteries and the sale of instant cash tickets in hotels and, more recently, the casino. It is understandable that the original role of the Lotteries Commission has altered considerably with the public's acceptance of and attitude towards the form of gambling that the commission conducts. Fortunately, the commission has been able to join the X Lotto Bloc, and this has proved to be its saving grace.

Members interjecting:

Mr BECKER: The member for Chaffey, who is always keen on statistics, will be interested to learn what the Auditor-General has to say about the income of the Lotteries Commission for the year ended 30 June 1985. The instant money game yielded an income of $18 038 000 in 1982-83, and during the last financial year income from that source rose to $28 060 000. Income from X Lotto in 1982-83 was $36 466 000, and last financial year this increased to $55 588 000. Income from the sale of lottery tickets was $5 300 000 in 1982-83, but in 1984-85 this source of income yielded only $4 001 000.

The foregoing figures highlight the problems that have been faced by the board. However, the board has worked well under the excellent chairmanship of Jack Guscott, who I hope will continue as Chairman, and his two commissioners. They have done a good job and, with the addition of two members, the Lotteries Commission will be able to maintain its place in this State.

Mr OLSEN (Leader of the Opposition): The Opposition recognises the increased diversity of responsibilities exercised by the Lotteries Commission and, accordingly, it supports the Bill. Reference has been made by the Minister and by the member for Hanson to Mr Jack Guscott's record as Chairman of the commission and to the way in which he has performed his duties. I concur in the sentiments expressed by previous speakers in relation to Mr Jack Guscott's capacity in this regard, and I place on record my appreciation for the work that he has done as Chairman.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Constitution of the Commission.'

Mr OLSEN: I seek information from the Premier about the attributes and qualifications that he considers necessary. Obviously the Government has this in mind in the people who will be appointed to the Lotteries Commission board when increasing its membership from three to five. Obviously, the Government has given consideration to the two additional nominees. I do not expect the Premier to

indicate who they will be. I merely seek the qualifications and backgrounds of the people with whom the commission is seeking to broaden its scope.

The Hon. J.C. BANNON: We are looking for people with commonsense, in the large part, and experience in administration or in some other area—

An honourable member: Business background?

The Hon. J.C. BANNON: Yes—to look at the financial implications of decisions made by the Lotteries Commission—that kind of thing. One might recall our recent appointment of the Deputy Under Treasurer (Mr Emery), who replaced Mr Dillon and who was put on the Lotteries Commission to provide some increased financial expertise perspective. As with any board, one wants a mix of backgrounds and skills, and that is the aim in this expansion.

Mr BECKER: Will consideration be given to appointing a woman? For many years I have felt that there is a lack of women represented on the various bodies. Maybe one of these persons could be a consumer. It is important to get a good balance. While one needs financial expertise one also needs the point of view of a woman and a consumer.

The Hon. J.C. BANNON: I agree with the honourable member and hope that this will provide an opportunity to appoint a woman to the board. To date there has never been a woman on the Lotteries Commission. It is the Government's policy that they be appointed to these boards, and over the past three years or so we have put a number of women on key boards, in some cases for the first time. Indeed, in one or two of our boards now—certainly one from memory—women outnumber men. So there is a strong move in that direction, and I agree that one should have not just a particular perspective but a broader perspective and consumer representation as well.

Clause passed.

Clause 4 and title passed.

Bill read a third time and passed.

BUILDERS LICENSING BILL

Adjourned debate on second reading.

(Continued from 4 March. Page 817.)

Mr S.J. BAKER (Mitcham): It is useful to reflect that we are in much the same situation with this Bill as we were with the Travel Agents Bill. For some time there has been a demand that Government action be taken to eliminate some of the excesses that occur in the building industry. That action has been awaited for a particularly long time. Despite the fact that serious questions have been raised about the way in which a certain small sector of the building industry has operated, the Government has prevaricated on the issue.

It is relevant to note that I, amongst a number of other honourable members, have received a substantial number of complaints over the past three years. It is almost endemic to the industry that when there is a high level of building activity a few people with little responsibility enter the industry. There have been many instances indicating a lack of control of some of those people. It is useful to relate that the department concerned has failed to take appropriate action. In fact, it can be seen to have provided little assistance to consumers.

Members of Parliament might remember the formation of the Home Builders Action Group in response to the widespread dismay and concern expressed by people who were building their homes. While we are talking about a small sector of the building industry, the fact is that the reputation of the industry has suffered as a result of those actions. I attended a meeting of the Home Builders Action Group, and the examples of bad building practice that were cited were quite extraordinary.

Despite the fact that people were calling for action, little was forthcoming. There was sufficient scope under the existing rules and the Act for the Builders Licensing Board to take such action. The sort of practices that we had in the industry of poor building standards, insufficient supervision, and somewhat nefarious financial activities were swept under the carpet by the Government.

Mr Duigan: That is nonsense, and you know it.

Mr S.J. BAKER: It is not nonsense. I suggest that the member for Adelaide talk to the Home Builders Action Group.

Mr Duigan interjecting:

Mr S.J. BAKER: If the honourable member had talked to that group he would understand that the Government did nothing whatsoever. It knew that there would be a problem because of the increased activity.

The Hon. G.J. Crafter: What is this?

Mr S.J. BAKER: It is a little late in the day to say, 'What is this?', when people were asking for action two or three years ago. Perhaps the member for Adelaide would like to participate in the debate and tell us exactly what the Government has done. I tried to take action on behalf of my constituents and received very little assistance. The answer was always, 'We do not have the power to do it.' When I pointed out that the power existed to take away a person's licence and to prosecute them for operating without a licence, there was a sudden deathly silence. The member for Adelaide should well remember the estimate of around about $250 000 in builders licence fees that had not been collected. There was no supervision of the industry by the Builders Licensing Board and the Department of Public and Consumer Affairs.

We had examples of bankrupts who were participating in the industry and of people who had lost their licences because of bad building practices continuing to operate without any ramifications in relation to prosecution. The record of the Bannon Government over the past three years is absolutely appalling, and all that we have been greeted with is silence. A person in my electorate who was building units set up a dummy company and appointed a manager with limited building expertise. The person who actually built the units was the real estate agent concerned.

When real problems were identified with the quality of building, the company concerned went into receivership, despite the fact that I had made representations in this regard. No action was forthcoming. When one of my constituents (others were affected) asked if I could take action on their behalf, after some six months a reply was received stating that they could take civil action if they wanted, but that no action would be taken on behalf of the Government. That was not good enough. The responsibility lay with the Government and it failed miserably.

Many stories could come from people who have been hurt. Some of them have been overemphasised because some of the difficulties that they faced have been of their own making. Certainly, in the finance area when costs rose and the builders claimed fair rise and fall charges, some of the people who were operating on a shoestring could not find the money. Instead of working out another way of financing the project, they complained that the builder had misrepresented the original costs. When some of those cases were checked out, it was found that some of the complaints were completely false.

We had situations where people illegally held money despite the fact that the contracts had been satisfactorily completed. It is not simply a matter of there being people all of whom had done the right thing: a sufficient number of people who had experienced real difficulties formed

themselves into this group. As I said, the Government did nothing over those three years. It did not go out to the building sites to check the licences. It did not say to the people concerned that they could not operate. It did not prosecute those people who were subjected to bad building practices. In fact, it ensured that the bad practices would continue, and the Government stands condemned for its lack of action.

We now have before this Parliament a measure which attempts to address some of the basic problems of the industry itself. We are all aware that the building industry in South Australia is probably one of the best in Australia, but there are some people who do not live by the rules and who must be brought under control. This Bill goes a fair way along the track in addressing the questions.

The Opposition has a number of amendments on file. It is basically a Committee Bill. My colleague, the Hon. Trevor Griffin in another place, has canvassed most of these amendments, and has done a very thorough job of reviewing the Act, in fact, he has done an excellent job. Many of the amendments that he put foward were accepted by the Government, but there are still one or two remaining that we will raise in Committee, as is the normal practice.

When it comes to seeing whether this Act will work, it will not be clear for the next few years whether the measures that it contains are appropriate or necessary in some circumstances. A number of areas have to be prescribed by regulation, and there is always some fear that Government will over-regulate the industry and not allow it to operate efficiently. Those questions will be answered only by the test of time. It should be stated at this stage that the home building industry in South Australia is in a state of severe wind-down.

Members opposite would appreciate that the impact of interest rates on home building has been quite severe. There are, of course, other aspects, that times of boom cannot be sustained for long periods. I do not wish unduly to take up the time of this House, but I have spent a number of years involved in studies on the building industry and have written reports on its various aspects.

Perhaps I can make the observation that this latest boom was fuelled in the original instance by lower interest rates and because more people felt that they could afford to build. It was also fuelled by some very poor management by the Federal Government when it introduced the home ownership scheme at the same time as the market was reaching peaks, as a result of which we had an excessive pressure in the market. I raise this issue because excessive pressure in the market creates peaks and troughs, and we have been writing for some 15 years that peaks and troughs are to be avoided. The Federal Government must look at the way in which it operates, because it was offering assistance when the market was unable to cope with the demand that was being generated through natural processes.

The other aspect of the peaks and troughs, which are very damaging to the industry, is that we bring in all the nefarious elements into the industry at the time of the peaks and they disappear during the troughs. The question of how we control an industry is probably beyond our comprehension. I do not really believe that we can come up with an answer, but certainly the Minister of Housing must have a look at the way that the Government provides top up in the market through the housing construction undertaken by the South Australian Housing Trust. I believe that he will have to look at new mechanisms for satisfying the demand that exists in the community today. The Opposition supports the Bill.

Mr TYLER (Fisher): I was pleased to hear the remarks of the member for Mitcham, and I suppose that in a backhanded sort of way he paid a compliment to the Government. Certainly, it is true as he said that we have just gone through a big building boom and that that certainly led to a substantial recovery in South Australia, and there is no better example of this than my electorate.

It gives me pleasure to support the second reading of the Bill, which is part of the Bannon Government's package to protect new homebuyers. The Bill includes sweeping changes to the building, licensing, and administration procedures. The Commercial Tribunal, the main occupational licensing authority in South Australia, will take over the role of the Builders Licensing Board. It will also be responsible for the licensing of builders and classified tradesmen. The main feature of the Bill is that it gives far greater disciplinary powers to the Commercial Tribunal than the previous Builders Licensing Board had. The tribunal will be able to suspend or counsel, reprimand or disqualify builders. It will have power to order a builder to carry out work that has not been done or work that has been carried out but deemed to be faulty. The tribunal can also award damages if the builder does not comply with the order of the tribunal.

Under the Bill, bankrupt builders or those associated with an insolvent company will have to give special reasons why they should be granted a licence. The Bill is also designed to protect homebuyers from contractual problems. There is also an obligation on the builder to provide an information guide explaining the cooling off period and other rights of both parties. The vast majority of Australians make their biggest lifetime investment in their family home. A great deal of heartache is caused when a tiny minority of irresponsible builders cut corners to take advantage of families, particularly young home buyers. I have been contacted by scores of people in my electorate who have had problems with their builder, and I am sure honourable members have been in that situation.

In fact, many of us attended a meeting, held last year, of new homebuyers on this matter. Indeed, I know the trauma that builders can cause families, and it seems to many of my constituents that the builder relies on wearing down the couple concerned so that they become so frustrated with the system that they just do not bother after a while. In lots of cases, it ends up costing new homebuyers thousands of dollars more to repair faulty workmanship.

At the meeting there were literally dozens of examples of that. The present licensing and disciplinary arrangements have been criticised for some time as amounting to a paper tiger. I believe the Bill rectifies this situation by being quite tough minded in trying to protect home buyers from a few unscrupulous builders. The Bill will also do away with the fly-by-nighters—the people with dubious qualifications who exploit the upsurge in the housing and construction industry.

On 5 June last year an article in the *News* headed 'Complaints on builders at record levels', I believe highlights the problem that we have had in recent years. It states:

> Home buyers' complaints against builders are running at record levels. The Consumer Affairs Minister, Mr Sumner, admitted today the number of complaints against home builders was 'unacceptably high'. More than 330 telephone complaints had been made to the Consumer Affairs Department in the past eight weeks. About 80 were against one firm. Departmental officers are investigating more than 550 formal, written complaints against home builders and more are flooding in each week.
>
> Mr Sumner said home buyers' complaints had become the department's biggest area of concern in recent months. 'This level is unacceptably high,' Mr Sumner said. 'We know there is a building boom, and that is a good thing, but builders should be paying far more attention to the quality of their service and workmanship.'

As a result of those sorts of statistics, the Bill places stronger emphasis on the need to have building work supervised by an appropriate qualified person. This person will be required

to be registered as a building work supervisor. There will be four categories of licences. The educational qualifications which will be required by an applicant for registration for each of the categories will, as I understand it, be specified in the regulations. Consequently, every licensee will have to have a registered building work supervisor approved by the tribunal to supervise the work carried out under the licence.

A great number of consumers visit display homes erected by builders to demonstrate to the consumer the quality of workmanship they could expect when their home is completed. In some cases 'The Great Australian dream', that we as Australians have of owning our home, turns into 'The Great Australian nightmare'. Some people claim that too many first home buyers expect Rolls Royce homes for a Holden price, but we should all expect that the consumers' product is of not less a standard than the display home the builders so proudly put on show.

The Bannon Government has taken firm action following consultation with home owners and the vast majority of honest builders. The Bill will ensure that standards are maintained and home buyers protected. I believe the Bill should be strongly supported, and I congratulate the Minister on behalf of all home buyers.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its support of this measure and the member for Fisher for his interesting contribution. This is a complete rewrite of the Builders Licensing Act and the provision of updated administrative and judicial mechanisms to deal with the proper conduct of building and, in particular, home building (which is of concern to us all as members of Parliament) in South Australia. Apparently, the member for Mitcham did not study the second reading explanation in any great detail, because it sets out the sequence of events undertaken by the Bannon Government with respect to the report that it released on reform of the law in this area, and the discussions it had with the industry and with home buyers.

The honourable member referred to one action group, but many other interests must be taken into account in the preparation of legislation of this type. The honourable member also chose not to refer to the changes to the administration of this legislation brought about by the Tonkin Government and, indeed, the philosophy with respect to regulation of this industry which pertained under that Administration. I believe we now have before us legislation which will give protection and stability—because that in itself is an aid—that is so important to the industry. It is an industry that fluctuates greatly with the economy and, often as a result of that, there is a falling off of standards and service to the community. The purchase of a home is the single largest purchase that the overwhelming majority of families in this State make throughout their lives. The quality of the home when it is built is vital to that investment.

I also place on record the appreciation of the Government and home buyers to the work of the Consumer Affairs Department and the Minister of Consumer Affairs. Our laws in this area and the administration have led Australian and common law jurisdictions throughout the world. Once again, this legislation will certainly take us into the forefront of consumer protection in this important area.

Bill read a second time.

In Committee.

Clauses 1 to 9 passed.

Clause 10—'Application for a licence.'

Mr S.J. BAKER: I move:

Page 6, line 31—Leave out '10' and insert '5'.

Members in another place debated whether or not we should have a 10 year or five year embargo on people who have become insolvent. As the Committee would be well aware, the normal bankruptcy legislation provides a five year limitation. This Bill goes somewhat further than that. I take into account the three items involved, because they are all related. The question of jurisdictions and the way the law operates causes some concern in this instance. We are preventing certain people from carrying on a business for 10 years should they be subject to insolvency. It is noted that there is a let-out clause, as follows:

> ... the tribunal shall not grant the application unless satisfied that there are special reasons (proof of which shall lie upon the applicant) why the application should be granted.

As there is no indication from the Government exactly what is to be classed as 'special reasons', we felt that the best way of handling the situation was to bring the legal provisions back to that which was acceptable, namely, five years.

When insolvency is beyond the control of the person concerned, that person should be able to re-enter the industry. A further amendment, which is part and parcel of bringing the provision back to five years, provides that the tribunal shall not grant the application unless satisfied by the applicant that the insolvency arose through no wrongful act, default or neglect on the part of the applicant or director. We are clearly specifying that if the insolvency was due to a wrongful act it should not necessarily prevent the Commissioner from granting a licence, unless there are some other special reasons. We are trying to provide guidance to the Commissioner. Businesses do fold up for a wide variety of reasons, such as financial difficulty, an overextension, bad health of a member of the family, or because of a whole range of circumstances which could have prevailed at the time.

In order to prove a special reason, a person may have to go back five, six, seven or eight years and demonstrate to the tribunal that he had a sick wife, that their mortgage was over-extended, or that something prevailed at the time which was beyond their natural control.

The Opposition feels that it is more reasonable to say that if there had been malpractice that would be recorded; therefore, it would be quite clear to the tribunal that this person was unworthy of re-entering the industry. However, the 10 year limitation does involve a blanket ban on some builders who, for a very good reason, may not have been able to perform their contracts at the time. I believe that the Minister understands the point we are making, and I commend the amendment to the Committee.

The Hon. G.J. CRAFTER: The Opposition must really sort out whether it is serious about these consumer protection measures. If, as the honourable member said in his second reading speech, it is a matter of great concern in the community that there has been lack of action by the Government in this area and if there has been a call for stern action, that should be followed through with a resolution that this be strong legislation.

The Opposition, by this amendment, wants to weaken the strength of this consumer protection measure and allow by Statute the right of a person who is declared insolvent to come back into the industry within a period of five years. The legislation before us provides that 10 years is an appropriate period, and I find it difficult to understand this approach being taken by the Opposition. It is, however, consistent with the approach that some of the Opposition spokesmen took the other day with respect to legislation to confiscate the assets of persons who are convicted of criminal activity: once again, there was a fear within the Opposition that that was too harsh a measure. I think we have some degree of schizoid behaviour in this approach to such measures.

The reasons that were given by the Attorney-General in another place for this measure and the other parts of the amendment that the honourable member has moved have been canvassed thoroughly. I will briefly go over the point of special reasons, where it was explained, Once again, this did give a more restrictive interpretation to this matter and, once again, the Opposition is seeking by its definition and the insertion of the words that form part of the amendment to allow a much broader definition of discretion for the tribunal in hearing these matters. That simply is not satisfactory to the Government in order to provide the protection that the community deserves.

Mr S.J. BAKER: It was rather patronising of the Minister to suggest that we had become schizoid about the measures being adopted by the Government. It fascinates me that, if we claim that measures are inappropriate, we suddenly become schizoid. I note now, and I have mentioned it previously, that whilst we are taking extreme measures—the Minister has the support and we are raising this as an issue, which is our right—in certain areas the Government seems to be quite lacking in others. So, there is a total inconsistency in the Government's action. We are raising legitimate questions about provisions in two Acts: one deals with bankruptcy and the other applies in this instance.

One can go through all the professions. In some cases people can be struck off for life. There are varying degrees of penalties when people breach their responsibility. We are saying that it seems a little difficult to reconcile five years under one set of laws and 10 years under another, as in this case. Even if we leave the period at 10 years, why not make the special reasons clearer so that people can understand them? It would be clear to individuals who have been insolvent through circumstances other than malpractice that they have a right to reapply. Under this Bill there is no incentive for people to come back.

The wording indicates that 'special reasons' do not necessarily relate to insolvency. We are merely highlighting the difficulties with that terminology. Although I am not going to insist on a division, I merely bring this difficulty to the attention of the Committee. We do create anomolies and inconsistencies with our legislation and it behoves all Oppositions—whether they be Liberal or Labor—to bring those inconsistencies to the attention of the Committee.

Amendment negatived.

Mr S.J. BAKER: I will not proceed with my foreshadowed amendment to line 35. I move:

Page 6, lines 38 to 40—Leave out all words in these lines and insert 'the tribunal shall not grant the application unless satisfied by the applicant that the insolvency arose through no wrongful act, default or neglect on the part of the applicant or director.

I have already explained the reasons for this amendment. It clearly sets out for people reading the Act that, if they have done things in good faith and have been bankrupt, they can be readmitted to the industry. This is a better set of words than those in the Bill, which leaves it to the vagaries of the tribunal at the time. We believe people should have some idea of what we are trying to achieve. There is no watering down of the provision. Obviously, if a person has committed a wrongful act it is covered under the wording.

Amendment negatived; clause passed.

Clauses 11 to 13 passed.

Clause 14—'Building work must be supervised by registered and approved supervisors.'

Mr S.J. BAKER: I move:

Page 8, lines 17 and 18—Leave out 'approved by the Tribunal under this Act' and insert 'who has been nominated by the licensee in accordance with the regulations'.

We could get ourselves into a difficult situation on building sites if the building supervisor in each case has to be approved by the tribunal. The amendment of my colleague in another place attempts to clear up that point. The amendment was not accepted by the Government in another place, where it was suggested that it seemed to limit the power of the tribunal. We believe there should be checks and balances and that the triubnal should have the right to oversee the general running of the industry. We do not believe it should be burdened every time a builder changes a supervisor on site. Provided they have the right qualifications, the tribunal's approval is needed, but that is over-regulatory or harsh in having to go through that procedure each time.

The Hon. G.J. CRAFTER: I find it hard to fathom the Opposition's stand on diminishing the capacity for adequate supervision on building sites. The Government cannot agree that the provisions in the Bill relating to proof of a registered building work supervisor should be replaced by a simple notification system. The tribunal needs to have some oversight of this matter in order to ensure that there is proper and meaningful supervision rather than just token nomination of a supervisor. It is for this reason that the tribunal has a discretion to refuse approval if the person is already approved as a building work supervisor in relation to another licensee. However, where the tribunal is satisfied that a building work supervisor can, because of the nature and extent of the work, properly and meaningfully supervise the building work of more than one licensee, it could accordingly grant that approval.

Mr S.J. BAKER: Without pushing the point too far, we are not talking about a single letter but about approval by the tribunal, a process that takes time. It is not an instantaneous turnaround. If a building supervisor is sick and someone else has an appropriate qualification and record, why should they have to go through the process of going to the tribunal when there is a house to be built that cannot wait until the tribunal gets around to approving the application or otherwise?

It is not just a simple letter to the tribunal. The provision is overly bureaucratic. We are suggesting that such people have to be nominated by the licensee, and it is obviously on the head of the licensee to ensure that the person has appropriate qualifications. Otherwise they will both be subject to the forces of this legislation. My only response to the Minister is that it is not instantaneous: bureaucracy can take an inordinate period of time, as everyone here recognises.

Some of the most urgent things that require decision by Government in one or two days can take two or three weeks. Indeed, I know of a case that has dragged on for five months and someone is going gently bankrupt in the process. There is no such thing as instant action on behalf the Government. We are trying to say that, providing a person has the appropriate qualifications, as already deemed by the tribunal, they should be able to operate in the industry if the circumstances arise where they are needed rather than having to send off a note and wait for a clerk to shuffle it through the system and for someone else to make up their mind.

It is quite inappropriate that we go through this process, particularly when time is money. An extra week on a home building site involves a considerable amount of money, as most people here would recognise. We might be talking in a week in the order of $10 000 worth of building activity on that site. That cannot be slowed down or held up because the Government deems it appropriate that a letter be sent off. Better mechanisms are available than are provided here. I commend the amendment to the Council.

The Hon. G.J. CRAFTER: I am not sure whether the honourable member realises how this amendment could diminish the effectiveness of the work of the tribunal and, indeed, the effect of the legislation if his system were to be adopted. It is fundamental to good building work that it be

properly supervised by persons qualified to do so. It is important to have supervision by the tribunal of that occurring. The practical consequences of the examples to which the honourable member referred are not real at all. In the big building firms a number of persons will be licensed accordingly. In smaller firms it is not simply a matter of someone being there every minute of every day. If someone is sick for a day that will not stop the building work going on, but it is a matter of there being that power vested in the tribunal to ensure that the building work is carried out properly.

Bearing in mind all of the comments made earlier in the debate on this matter about the importance of this decision in a consumer's life, this is the focal point of that decision—the erection of a sound building. This is the very heart of the issue and to diminish it in that way would indeed be giving the consumer something less than the Government believes is satisfactory.

Amendment negatived.

Mr S.G. EVANS: It appears that it is necessary for a licensee, a person who may be a general builder and who wishes to be a supervisor, to apply for a supervisor's permit or licence. If a person is qualified to be a general builder, why do we put them through this process, even if we want to collect more money from them? Why do we not just inform them that, as a general builder licensed to be such, they automatically carry the right and enclose their licence to be a supervisor or state that if they pay a fee they can be a supervisor? Are we saying that some general builders or people with restricted builders licences are not capable of supervising the work, even though they may only be a one man or one woman business? Why place this obligation on them? It is more red tape for the department, and more red tape in particular for small business. For the life of me I cannot understand why, if one holds the qualifications for a particular classification of builder, one must also apply to be a supervisor.

The Hon. G.J. CRAFTER: I thank the honourable member for his question. If he refers to the Bill before us he will see the radical change in the qualifications that one holds in order for that person or body to be eligible to hold a general builders licence. It is possible for other than the traditional builder to hold a general builders licence. People in other spheres of endeavour—accountants and people in business—can be holders of licences. Therefore, in order to be a licence holder and also a supervisor of building work, there needs to be the scrutiny by the tribunal of that person's qualifications. That is the reason it is there.

With respect to persons currently holding both such entitlements, provision exists in the legislation for that to continue in the form of a grandfather clause. It is important, under the whole tenor of this Act, which does change the thrust of the legislation from one of the licence holder to that of supervision, that the work of the tribunal is focused particularly on the capacity to properly supervise building work.

Mr S.G. EVANS: Only tradespersons can hold a restricted builders licence. In that case the argument the Minister uses does not stand because a tradesperson has a restricted licence and is qualified to not only carry out the work but also to supervise it. Secondly, if the grandfather clause is there (and I accept that), will the Minister's department inform all those people that they are qualified supervisors, or do they have to go through the humbug of writing in to get a piece of paper to say that they are a supervisor? Why create double work? The individual should be informed that a new Act is operating and that they are now classified as a general builder with a supervisor's licence or a restricted builder with a supervisor's licence.

Many people will be caught out because they did not get a notice through the post and they will be in trouble with the law. It is quite simple. The Government is here to represent the people. If the law is changed and the law states that one carries a right automatically, with records being held by a Government department, such persons should be informed automatically that they have those two classifications and two licences.

The Hon. G.J. CRAFTER: With respect to the first point raised by the honourable member, this legislation abolishes the restricted builders licence and puts licences into a series of categories. Once again, the grandfather clause applies to existing licence holders and places them in the appropriate categories. If a person wants to apply for a category licence appropriate to a specific trade, that person, not being already licensed, would have to show cause to the tribunal that they possess the necessary qualifications to both supervise and do the substantive work.

Mr S.G. EVANS: The Minister missed my second point. Is it the intention of the department to inform all existing holders, without them applying, that they fall into a certain category and have a builders licence of whatever classification and the supervisors licence within that category instead of them having to go through the humbug of finding out, writing in and having another letter come back.

Secondly, I understand that there is a different classification of licence. However, in future if a person applies for a builders licence in one of the classifications that are restricted to one particular trade, the Minister is suggesting that they also have to answer other questions to see whether or not they qualify as supervisors. The Minister is saying that a supervisor's qualification is higher than that of a person holding a licence to conduct a trade in a particular classification. That seems back to front to me. I believe that, if someone has a qualification to carry on business in a trade, that person must automatically have qualifications to carry out the supervision. Therefore, one does not need to apply for the second classification; it should be automatic.

The reverse should be the case: if a person applied for a supervisor's licence and had a restricted builder's or general licence in a certain classification, I could then understand that. A supervisor's licence needs more qualifications because one is actually carrying on the business as well as supervising the actual work on site, and they are two different fields.

The Hon. G.J. CRAFTER: In relation to notification, I am advised that a memorandum will be forwarded to the 16 000 holders of builders licences in South Australia explaining the provisions of this legislation when it passes into law.

Mr S.G. Evans: Will they automatically receive notice of their licence in both areas or will they have to apply?

The Hon. G.J. CRAFTER: In accordance with the grandfather clause of this legislation, they will be informed of their rights and privileges; that will be explained in the memorandum. In relation to the automatic right of any person who holds a builders licence in whatever category to receive permission to supervise his own work or the work of others, it is suggested that that would be a substantial weakening of the legislation—indeed, of the role of the tribunal. As I said earlier, the thrust of this legislation is to concentrate on proper and adequate supervision of building work. There are many situations where it would undoubtedly be the view, of the tribunal, that a particular builder required supervision. All members know of the circumstances in which that arises.

Apart from the 16 000 existing licences, it is important that this matter is clarified by the tribunal in granting new licences. To weaken that and to remove the objectivity and scrutiny of the tribunal in these circumstances would be to

substantially diminish the capacity of this legislation to protect consumers.

Clause passed.

Clause 15 passed.

Clause 16—'Registered architect deemed to hold category 1 registration.'

Mr S.G. EVANS: I raise this point because in the main the Architects Act is a farce, as it is aimed at protecting architects more than it is consumers. Why are only registered architects included in this provision? A registered architect is only a person who has taken the opportunity to register and has worked with someone for two years. Many architects have chosen not to register in terms of the Architects Act although they have qualified and graduated as architects.

Why is a qualified and practising architect who advertises that they have a degree in architecture not given the right automatically to act as a supervisor under this provision because they did not apply to be a registered architect? I would have thought that we needed merely to refer to someone who is qualified as an architect. I think that the department has looked at it and thought about what qualifications are needed; they could suddenly have looked at the Architects Act and found that there was such a thing as registered architects.

Many architects in the community have not bothered to register, but are still qualified to practise architecture. Why do we fall into this trap of eliminating that group who are just as capable as the registered architects? I go further and say that sometimes they are more capable than the registered architects, who probably sit in an office and do a lot of plan drawing, never supervising work on a building site. Individual qualified architects may not be registered as such, but they are the people who are more likely to go on site; this is because of the small nature of their business and because they do not employ anyone else, except perhaps a draftsman.

The Hon. G.J. CRAFTER: I am somewhat at a loss to follow the honourable member's question. Is he saying that there is a group of people who practise architecture in this State who are not registered architects and that any person who wants to call himself an architect, whatever his qualifications or lack of qualifications, and who does not have to go through any statutory procedure to obtain any accreditation for those qualifications or meet any requirements laid down by the Parliament should also be deemed to be qualified by some extraneous experience, or whatever, to hold category 1 registration as a building work supervisor?

If that is what the honourable member is saying, I think that that matter is more appropriately debated in other legislation, as I think the honourable member said he had attempted to do. It really then brings about a complete diminution of the role of the building work supervisor with respect to the legislation that we have before us. The whole thrust of this legislation is to ensure that there is proper and adequate supervision of this work which is carried out by people who are qualified to do so. The role of the tribunal to ensure that that occurs to the satisfaction of consumers is provided for and guaranteed here. In relation to each of the amendments, the comments made by members opposite indicate an attempt to whittle away the strength of the legislation. If some people, for whatever reason, cannot obtain registration as architects, or are denied it by the appropriate authority, that matter is more properly addressed within that legislation and profession than within this legislation.

Mr S.G. EVANS: The Minister has misunderstood me. I am not suggesting that any person who is unqualified should automatically become a supervisor. I am saying—and the Minister may be unaware of this—that there are in the community a group of people who have gone to university, qualified as architects, gone out into the community and operated as architects. One such person, who was in a neighbouring office to me (he came from Greece or somewhere) qualified here and is now in Tasmania, but he is not a registered architect.

In other words, he did not register with the Architects Society, but he is a qualified architect. He has taken himself through the university, has his degree, and has had the experience out in the field. I do not care if it provides that other than a registered architect must have two years experience in the field, but we are eliminating these people just because they choose not to join a society and go through a period of two years practise with other registered architects.

I make the point strongly that in a situation at Ironbank, where there was a big court case over a house, the President of the Architects Society was the architect who was found at fault for many thousands of dollars. That person, who should have been supervising the work, would under this legislation automatically get a supervisor's licence. One of the biggest court cases in the State resulted from this person's so-called supervision.

I am not trying to claim that all architects are good, that all registered architects are bad or that all registered architects are the best. I am just saying that there is a group of qualified architects and asking why do we not recognise them. I may be fortunate in that I have had a link with the industry for most of my life, and I know something of what goes on with it. I do not think that the Bill will do much in the end except increase the costs, and that is because of our soil problems. Why does the Minister exclude that group of people who are qualified, capable architects, but are not registered? They have their degree, as the Minister has his degree in law.

The Hon. G.J. CRAFTER: As I understand the Architects Act and the requirements for registration as an architect, there is nothing in the legislation which says that an architect needs to be a member of any society or institute. He must satisfy the requirements of the Architects Board of South Australia, which is established by that Act of Parliament. The protections that consumers have is that that appropriate statutory board has the power—and it is the only authority that has the power—to accredit architects and persons who call themselves that and hold themselves out to the community to be able to practise that profession. Other people may well have all sorts of qualifications but do not meet the requirements of that board or choose not to do so. They do not have the capacity to hold themselves out as architects as such. They may give themselves some other title; they may well choose to apply to the tribunal to have powers to supervise work, and that would be subject to the discretion of the tribunal under this legislation. However, that is a different matter from whether we can bring them into the category of persons who are so-called architects.

Mr S.G. EVANS: I still do not think that the Minister is quite accurate. I believe that the Act does not stop anyone from advertising to do architectural work or, if it eliminates the term 'architectural work,' it does not forbid them claiming that they have a degree in architecture. In other words, they advertise, 'Joe Bloggs: degree in architecture', and they can carry out work in that field. That is not unlawful. This was argued out in the Tonkin Government when I was given the responsibility of trying to solve the problem with draftsmen, home designers and so on. We then found this problem. The engineers do not have any sort of recognition at all. They do not have to worry about joining the board or being judged by it. However, there are people who are quite legally operating in the community who hold degrees in architecture and who are designing and supervising the

same as an architect would, except that they are denied the use of the word 'architect' by the Architects Board.

However, such persons can claim that they are a qualified architect by referring to their degree. That is the position. I believe that these people should have been included in this legislation as being acceptable, or they should all be put under the hammer of having to go along and prove that they are good supervisors. There are architects who, within the past 10 years, have never done one ounce of supervision on site, and most probably would not have the qualifications to know what to do on some of today's building sites. In other words, they have been office architects—registered but mainly working from an office. Their supervisory qualifications would not be great.

I would have preferred not to have them included, because their practical ability on site would be quite limited. I might get a couple of letters from them over that, but that is how I feel, and that is my experience in the industry. I repeat the point that the President of the Architects Society was the architect involved in that case at Ironbank, where one of the worst cases of supervision in this State occurred. To say that they should be automatic, and not include the other group who have a degree in architecture, I think is a joke.

Clause passed.

Clause 17—'Duration of registration.'

Mr S.G. EVANS: I know that when people fail to carry out their duties in a responsible way, eventually, if they cause problems, they will lose their supervisors licence. I take it that that is the position. If that is so and the licence has an indefinite duration, and the quality of their supervision causes problems and people come back with a lot of complaints, they can end up being deregistered. Would that same case apply to architects who were given an automatic licence? Would they also be removed from the list of registered supervisors if their supervision was not up to standard?

The Hon. G.J. CRAFTER: I would have to take some further advice on that for the honourable member. He has raised an interesting point. Whether the tribunal has authority to affect the professional qualifications of an architect, or whether it should involve a reference to that other tribunal in relation to the appropriate qualifications and what sanctions vest in the board, is a matter that we will need to look at. I will take advice on it for the honourable member.

Mr S.G. EVANS: Am I correct in the assumption that, where a non registered architect becomes a building supervisor but then fails to come up to standard, that he automatically would be barred if the tribunal saw fit to prevent his practising as a supervisor?

The Hon. G.J. CRAFTER: That is correct.

Mr S.G. EVANS: That just shows where there is an injustice that we have not looked at, and we are passing legislation not knowing what we really mean in these two areas.

The Hon. G.J. CRAFTER: I just point out, before the honourable member gets too carried away with his concern about the profession of architecture, that those persons are really subject to two statutory authorities that are vested with disciplinary powers and responsibilities. So, it is not as if the registered architect is having a free ride in any way or is occupying a privileged position. In fact, that person is responsible to two statutory authorities. The mechanism between those authorities is something on which I said I will take advice.

Mr S.G. Evans interjecting:

The Hon. G.J. CRAFTER: I will clarify that for the honourable member. I think it is wrong to gain the impression that they occupy some privileged position as compared with those persons who for whatever reason are not eligible or choose not to become registered architects.

Clause passed.

Clause 18 passed.

Clause 19—'Tribunal may exercise disciplinary powers.'

Mr S.J. BAKER: I move:

Page 12, after line 26—Insert subclause as follows:

(2a) An inquiry shall not be commenced under this section in relation to any matter if more than two years has elapsed since the occurrence of the matter.

This amendment arises from a simple point made by my colleague in another place that, if we are going to have inquiries, we should place a time limit on them. I think that the Attorney-General was going to look at this matter. We should not make it open-ended so that people rush to the tribunal five or 10 years hence (if problems have not become evident earlier than that). We think it is useful for the operation of the legislation to place a two year or three year time limit on it. We say that there should be some limitation so that the tribunal does not become overloaded with unnecessary complaints.

The Hon. G.J. CRAFTER: It is true that there is no time limit on the lodging of complaints under clause 19(3). However, it is obvious that the tribunal will not take disciplinary action in respect of something that occurred some years beforehand, if there is no indication that a licensee has been guilty of any recent conduct that warrants disciplinary action. In any event, it is difficult to determine, in the context of some of the factors that may give rise to disciplinary action, when a time limit would commence. For example, how can you establish a precise time at which a person has ceased to be a fit and proper person to be licensed? There is no time limit under the present Act for the purpose of commencing disciplinary proceedings. As far as I am aware, this has never presented problems in the past.

Amendment negatived; clause passed.

Clause 20—'Restriction upon disqualified persons being involved in business of builder.'

Mr S.J. BAKER: I move:

Page 15, after line 9—Insert subclause as follows:

(2a) No offence is committed against this section by reason only of the fact that a person is, without the prior approval of the tribunal, employed under a contract of service to perform work in a building trade or as a labourer.

People (for example, an owner or a building supervisor) may have held positions of responsibility, and for whatever reason those positions have been taken away from them by the tribunal. That should not restrict their opportunity to again become fully employed in the industry as, say, a labourer. Under the Bill they cannot approach members of the industry and say, 'I would like a job, even if it is moving bricks, putting down mortar or glazing.' We believe that it is somewhat unfair that a person cannot engage in useful labour, even if it is on the bottom rung, so to speak. It is unusual that this same proposition would apply in any other industry. I cannot imagine, for example, that a car mechanic who has had a very poor record in relation to doing up cars suddenly cannot serve petrol at a bowser. The principle is really to enable some flexibility in the system and not cut off the option.

The Hon. G.J. CRAFTER: Once again, we see an attempt to weaken the legislation. I will clarify the circumstances whereby this action, albeit extreme, would occur. This was the subject of debate in this place last year on amendments to the previous legislation. The range of penalties that the tribunal may impose in disciplinary proceedings is such that a disqualification order, which is different and far more serious than a suspension or cancellation order, will be made only when the conduct of the person in question has been

so terrible that that person should be prevented from working in the industry at all.

I expect that orders of this kind will be extremely rare. However, the power is there in case it needs to be exercised in a particular case. I am sure that members are only too aware of cases in which persons are the *de facto* controllers of a business but are able to pretend to be only employees. In fact, last night on the *Willesee* television program there was an instance in another area of consumer protection where the employee of a person who had been prohibited from holding a position of authority in the delivery of services admitted that his employer was his 17-year-old daughter. So, there are circumstances where persons can reenter the profession and be in positions of power other than at law.

These are rare circumstances, but the power for the tribunal to make such orders is important if we are going to have realistic consumer protection laws. Without a provision such as this clause, it would be relatively easy for a disqualified person to continue to control a building business while posing as an employee of his or her spouse, for example. I point out that the tribunal has power to grant approval under this clause. At least this ensures that the tribunal can inquire into the circumstances in which a disqualified person seeks to be employed in the industry.

Amendment negatived; clause passed.

Clauses 21 to 23 passed.

Clause 24—'Provisions with respect to price in domestic building work contracts.'

Mr S.G. EVANS: Subclause (4) *(b)* provides:

> . . . some cause beyond the control of the builder that the builder could not reasonably be expected to have foreseen at the time the contract was made;

In the building industry today many pressures are brought to bear on some smaller operators whose employees are not union members. Threats are made and action is taken to ban sites and stop work from proceeding. I know that it is left to the tribunal to decide what is reasonable, but I think it is fair to ask the Minister responsible how he will interpret it. I refer to a situation where a building site is banned by a union with a trade interest on the site because it wants overall extra pay or benefits for that trade throughout the State and the project is stopped; or the Storemen and Packers Union, for instance, may tie up all the stores for supplies of goods for some time because of a dispute.

I know that a builder can write to the owners and tell them that he has a problem, but the existence of that problem does not automatically rule out the possibility of a claim; in other words, there may be a penalty to pay. I use that as an example because it is happening in this industry in our State at the moment. The Minister should have some idea of whether he thinks that the builder could reasonably have been expected to know that the problem would arise and should have done something about it in relation to the contract. Does the Minister believe that that is the sort of example where the tribunal will have to give way to the builder being placed at a disadvantage?

The Hon. G.J. CRAFTER: As I understand it, the honourable member has answered his own question. It does rely upon an interpretation of the facts in each case and on whether the builder could reasonably be expected to have foreseen at the time the contract was made that there was likely to be disputation that would involve delays in the work being done. That depends on the facts of each set of circumstances.

Clause passed.

Clause 25—'Payments under or in relation to domestic building work contracts.'

Mr S.J. BAKER: I move:

Page 17, after line 38—Insert paragraph as follows:

> *(ab)* constitutes an amount, or a fair and reasonable estimate of an amount, to be paid under the contract to a third party for engineering, drafting, surveying or other professional services or in respect of any approval, permission or consent required by or under an Act;

There are two areas that can be naturally claimed by a builder: progress payments and those set out in paragraph *(b)* concerning authorised payments under the regulations. We believe it is important that nothing slips out of the regulations and that it should be included in the Act. The point was made in another place that these matters will be prescribed, but some people have reservations about regulations and what they do and do not include. Regulations are subject to less scrutiny than the legislation itself, as the Minister will agree. I have read the Attorney's argument about why he will not accept the amendment.

The Hon. G.J. CRAFTER: I repeat the undertaking given by the Attorney in another place that, when the regulations are drafted, they will be subject to consultation with the industry, consumer groups and members of the Opposition, so that they can be fully considered at the time rather than trying to incorporate details of this kind in the substantive legislation.

Mr LEWIS: What information can the Minister give me about inquiries made over the last 12 months concerning a house constructed by a builder at Meningie for a young couple named Broomfield? I will not name the builder because I believe that the matter may be *sub judice*. The builder made demands on the young couple for payment and, in the absence of approval from the council's building inspector—there was not one at the time—the builder managed to coerce the council into approving work that had been done. The couple were then required to make progress payments on the work, and they did so in good faith.

They have subsequently refused to make further payments to conclude the total contract. The house is in a hell of a mess: the roof does not meet the chimney, doors do not fit their door frames, and the same applies with regard to the windows. There has been extensive damage to the soft furnishings, and sarking was not put in the roof. Other aspects of the contract were simply not met. I know that the Department of Consumer Affairs has recommended to the Builders Licensing Board that the builder have his licence revoked. Why has not something been done about that? That course of action was advised four months ago.

The Hon. G.J. CRAFTER: Although this matter is not relevant to the amendment, I undertake to get a report for the honourable member on the matter that he raises on behalf of his constituents, and I will see what action may have been taken in the circumstances that he describes.

Amendment negatived; clause passed.

Clause 26 passed.

Clause 27—'Statutory warranties.'

Mr S.G. EVANS: Under this legislation, can the Minister say whether we are allowing the existing practice to continue whereby an individual can subcontract and build his own home or employ his own tradesperson, or even do all the work himself? If that is so, I raise this matter, because I believe the present Act stipulates a certain period during which people cannot sell their home (I think it is two years) and provides that they must inform the purchaser in the event of a sale that they built it themselves. Is no obligation being put on people to offer any guarantee in regard to a warranty if they sell their house within 12 months or two years after they have built it?

The Hon. G.J. CRAFTER: I am not sure that I can give the honourable member a complete answer, but I refer him to clause 40 (2) in the evidentiary provisions. It provides:

> . . . a person has, during a period of 12 months, sold or let (whether by lease, licence or other agreement) two or more buildings each of which has been built or improved as a result of

building work performed by that person during that period, the person shall, unless the contrary is proved, be deemed to have been carrying on business as a builder.

People are, I believe, caught by that provision if they are attempting to pass themselves off as persons in the category to which the honourable member is alluding.

Mr S.G. EVANS: That does not answer the question, although the Minister may not know the answer. A person who, under the existing Act, may build a house, can employ anyone to work on it or can build it himself. They do not have to employ licensed people if they do it themselves. The person doing the work is liable, but the individual using them to build the house is not liable under the old Act. Even if these people do all the building themselves and do not employ anyone else but then subsequently sell the house at the end of 12 months, what is being done to ensure that the new purchaser knows the house was built without supervision? How will they know the house was built by unregistered tradespeople? What happens about a warranty in such circumstances?

The Hon. G.J. CRAFTER: There are two different situations. One is that the person who built his own house is not covered by a warranty. Concerning a person who builds his own house but subcontracts the work, the subsequent purchaser has grants against the subcontractors who have performed negligent or unsatisfactory work. However, the matter of notification to which the honourable member refers would be caught by the provisions of the Land and Business Agents Act and the section 92 provisions under that legislation involving notification of the property.

Progress reported; Committee to sit again.

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

BEVERAGE CONTAINER ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendment:

Page 1, line 33 (clause 4)—Leave out '6' and insert '8'.

Consideration in Committee.

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

That the Legislative Council's amendment be agreed to.

This amendment relates to an amendment which I accepted in Committee in this place in relation to the definition of the wine cooler beverage. Members may recall that there was some disagreement between the member for Coles and me as to whether my drafting of the Bill in fact allowed me by regulation to deal with these containers. Although it seemed to me that the writing of the amendment did not add anything significant to the Bill, I was prepared to do so.

At the time I also warned the Committee that I was concerned that we could be having a stab in the dark in relation to the 6 per cent alcohol content. I was prepared to accept it and it would be further considered in another place. It was further considered in another place where, on advice, it was accepted that in fact 8 per cent would be a more realistic definition to write in. That was accepted by the other place, and now I recommend that it also be accepted by the Committee.

The Hon. E.R. GOLDSWORTHY: In view of the explanation of the Minister, of course we have no complaint with the Government stance in relation to this matter. The Opposition raised this question of coolers and the Government in its wisdom accepted it. This is a further refinement in view of information which became available to the Legislative Council, and under those circumstances we go along with what the Government is proposing.

Motion carried.

ACTS INTERPRETATION ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

AUSTRALIAN FORMULA ONE GRAND PRIX ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendment:

Page 4, line 35 (clause 8)—Leave out 'verbal' and insert 'oral'.

Consideration in Committee.

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

That the Legislative Council's amendment be agreed to.

I have to say that I have not really given this amendment a great deal of deep thought. It would seem to me there is perhaps some semantic subtlety here which has completely escaped me. I do not think I am going to do very much damage to the legislation if in fact I recommend that the Committee accept this amendment. One well recalls a former Premier of this State who used to talk about sending people a letter in writing. This reminds me a little bit of whatever sort of subtlety he saw in that semantic usage. So, I have a great deal of pleasure and the utmost enthusiasm in entreating the Committee to accept this amendment from the other place.

The Hon. E.R. GOLDSWORTHY: I am not really happy with what the Minister has told us. He has really told us that he does not understand what the amendment is all about, and it could be very significant. I am not sure. I think of the common usage of the words 'verbal' and 'oral'. We do not talk about verbal contraceptives but we do talk about oral contraceptives. There is definitely a difference: verbal pertains to use of words and oral has something to do with the mouth.

There must be good reason to urge the Committee to move this amendment. However, in view of the Minister's obvious trust in what people in the other place have done, I will not raise any serious objection to it, but it is far from clear to me what it is all about. I would have thought the Minister would have apprised himself of the benefits in this amendment. Having raised that question of doubt about the Minister's pursuing his responsibilities with the vigour that he should, I will say that we really will not object to the amendment.

Mr BECKER: I seek further explanation. The relevant subclause provides:

(2) A direction—

(a) may be verbal or in writing and may be issued to the licensee, the manager of the licensed premises or patrons of the business conducted at those premises.

If we insert 'oral' in lieu of 'verbal' it will read 'may be oral or in writing'. Who moved the amendment? Has the Minister a more detailed explanation?

The Hon. D.J. HOPGOOD: I make absolutely clear that it is not the Government's intention that conception should be prevented in relation to the Grand Prix. I can only assume that the mover of the amendment had in mind here that 'verbal' could mean any form of verbalisation, and could therefore include a written direction. It could be that a neater distinction would be something that was purely oral and did not have the benefit of written language on the one hand, or on the other hand, something that was purely written did not have the benefit of oral language. It

could be that it is a neater distinction but it is one which is a subtlety beyond what I would have thought was required in legislation.

Motion carried.

STATE GOVERNMENT INSURANCE COMMISSION ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 1, line 23 (clause 4)—Leave out 'person' and insert 'officer or employee of the commission or to any body corporate in which the commission holds shares'.

No. 2. Page 2 (clause 6)—After line 34 insert new paragraph as follows:

'(b) the commission holds, at the end of a financial year, any shares in a body corporate which is a public company;'

Amendment No. 1:

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

That the Legislative Council's amendment No. 1 be agreed to.

The actual words proposed in relation to the delegation do not create a problem for SGIC. They perhaps more neatly encapsule the definition of delegation that we want here, and I recommend that the Committee supports the amendment.

Motion carried.

Amendment No. 2:

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

That the Legislative Council's amendment No. 2 be disagreed to.

The Government opposes the amendment and urges the Committee to recommend likewise. It relates to the extended reporting provisions, of the proposed subsection (4) *(a)* changes, and the Government believes that it is contrary to normal commercial practice for this form of reporting to take place. I believe it would put the SGIC in a difficult position in regard to the normal commercial procedures which obtain. We believe that what the Bill provides for is reasonable, and we urge the Committee to reject the amendment.

The Hon. E.R. GOLDSWORTHY: I cannot at first glance accept the explanation of the Minister in that the only reason advanced for the rejection of this amendment is that, to use the Minister's words 'it is not normal commercial practice'. SGIC is not a normal public company.

In a Government which proclaims that it subscribes to the view that we should have open government, should know what is going on (and we ought to know in relation to a body such as the SGIC), I would have thought that this amendment was plainly evidence of the Government's intention to follow that course. To simply assert blandly that this amendment is not normal commercial practice does not advance a very strong argument for rejecting out of hand an amendment from another place. Will the Minister explain a little more carefully what harm there is in such information being available and how it is in any way going to be damaging to SGIC? A snap judgment would be that SGIC ought to be prepared to lay its cards on the table.

The Hon. D.J. HOPGOOD: The honourable member would well know that the Government administratively treats the SGIC very much as a commercial operation. There is no political interference with the way in which it does its business, nor is it appropriate that there should be. I can only reiterate what I have said with that in mind. It would be creating additional administrative responsibility for the SGIC that I think it should not be asked to carry.

The Hon. E.R. GOLDSWORTHY: Is the Minister suggesting that there is some administrative burden on the SGIC in relation to what this amendment requires? I would have thought that it was about five minutes work to establish what a commission holds at the end of any financial year in terms of shares in a body corporate which is a public company. That does not constitute an administrative burden but simply a disclosure of information. To claim to the Committee that that will involve a burden is something that I cannot accept. This is information which the public has a right to have access to. I do not understand the Minister's rejection of the amendment. Does SGIC not want to make the information available? Has the Government had advice from SGIC in relation to this matter? What is the score?

Motion carried.

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

That the reason for disagreement to the Legislative Council's amendment No. 2 be that it renders difficult the operations of the Bill.

Motion carried.

BUILDERS LICENSING BILL

Adjourned debate in Committee (resumed on motion).

(Continued from page 927.)

Clause 27—'Statutory warranties.'

Mr S.G. EVANS: The Minister answered my previous question up to a point, and I have received further advice on this during the break. When a person builds a home for himself or employs others to do the work, at present nothing in the Bill obliges them to declare that the home was constructed without a licensed builder or supervisor being involved. Before the break the Minister stated that this was picked up in section 90, and I think he meant that it will be picked up in section 90 of the Land and Business Agents Act. I do not believe that that section presently covers it; there will have to be a new provision for that to occur. What is the position in those circumstances? Will new provisions be brought in with respect to section 90 of the Land and Business Agents Act? Will that occur so that any intending purchaser of the home will be advised that no licensed supervisor and/or builder was involved in the construction of the house?

The Hon. D.J. HOPGOOD: The honourable member is correct in saying that section 90 of the Land and Business Agents Act at this stage does not specifically read as if that power is there. However, the head powers are there for that to be done by regulation. As I understand it, the Minister has in mind that there will be such a regulation. At this stage it is difficult for me to canvass whether the regulation will address exactly the matter that the honourable member has raised, because one can imagine a circumstance when at a subsequent sale of a property the vendor may not have all the details of what happened initially when the property was constructed. All I can say at this stage is that I will report the honourable member's concerns to the Minister, and I anticipate that he will take them up in the drafting of the regulation at the appropriate time.

Mr PETERSON: There has always been the opportunity for people in the community to build their own home. The point raised by the member for Davenport is valid. The cost of building a home today is prohibitive for many people, yet they can stage the construction of their home and do the work themselves. Not many people do this today, but a few years ago it was common practice. Indeed, I did it myself. Where do these people stand under these regulations if someone wishes to buy a block of land, and, when they have the money, lay the foundation, make the bricks (if they wish), lay them or have someone else do it, and be

in control of the cost of construction of their home? That has been a basic principle in Australia since the war.

Mr Lewis: That is scab labour, though.

Mr PETERSON: The honourable member can call it what he likes, but it has been a basic right in this country since the war, at least.

The Hon. T.M. McRae: With many leading unionists!

Mr PETERSON: Many unionists have done it, myself included. One could control the construction of one's own home until today, and I believe that is an Australian citizen's basic right. I am concerned that this legislation will not allow that to happen.

An honourable member interjecting:

Mr PETERSON: Let me have my say. The honourable member can get up and speak for half an hour if he wishes. I am concerned that home builders will now be put in a position where, unless they can somehow obtain a licence or have someone in charge of the construction, they will not be able to construct their own home. This will merely bring about a series of cheats, where someone with a building licence is willing to say, 'Use my licence number'—and let us not kid ourselves, that has been done. I know many people in the community who have constructed their own homes, as do other members. Can they or can they not do that now without restriction?

The Hon. D.J. HOPGOOD: The honourable member is talking about the classic back-ender. Many back-enders were built, particularly in the days immediately after the war, when there was a shortage of materials and that sort of thing, and many of those places remained in that condition for years. First, I remind the Committee that this legislation is not the only legislation that would be relevant to the honourable member's concerns. I will confine my remarks first to the legislation, and then give the honourable member a little more advice. In relation to this legislation there is no problem regarding the situation as the honourable member puts it.

Two forms of regulation operate. The first is the one that was raised with me by the member for Davenport. I wonder whether the member for Semaphore misunderstood the nature of the exchange that occurred. The member for Davenport was not in his question, nor was I in my answer, seeking to canvass the possibility that the owner/builder should be hampered in his desire to build his own home. The concern there was the disclosure of that fact at any subsequent sale. We regulate in relation to that matter, but not in relation to the right of John or Elaine citizen to be able to build his or her own home with the sweat of the brow and the labour of their hands.

There is a second provision, that is, that if a person seeks to sell more than two such houses in a 12 month period that person is deemed to be a speculative builder rather than an owner/builder. I think the honourable member would appreciate that if that control was not there, we would be leaving somewhat of a chink through which a few trucks could be driven.

So, I give that commitment to the honourable member that we are not here interfering with the right of an individual to build his or her own home. We are merely providing for disclosure of that fact at the point of sale and, secondly, we are also providing that people cannot use this provision to get around the fact that they are in business and selling.

The other point I should make is that two other Acts are relevant at this point. One is the Building Act and the other is the Planning Act. In each of these cases, I think it would be theoretically possible for a local government authority to say to a person, 'We will allow you to do that but we will give you a certain period of time.' A personal friend of mine was given five years by the District Council of Port Elliot and Goolwa in which to construct his own home. That is a control, but it is one which lies right outside what we are discussing in this Committee.

Mr PETERSON: If somebody wants to buy a block of land and do the work, he is not bound by anything bar the building code of the local council and the Planning Act, depending what he wants to do. Therefore, that option is still open to any South Australian citizen who wishes to do it.

Clause passed.

Clauses 28 and 29 passed.

Clause 30—'Nature of the policy.'

Mr S.J. BAKER: In the Upper House, clause 30 (2) was questioned by the Hon. Trevor Griffin. There was some concern as to the interpretation of the subclause and the right to sue.

The CHAIRMAN: Order! I must say that Standing Orders do not allow an honourable member to refer to debates in another place, so the member for Mitcham ought very carefully to frame his remarks about what happened in another place.

Mr S.J. BAKER: A question was raised of the Government concerning subclause (2) and whether indeed the wording was sufficient to do what the Attorney intended. The Attorney said at the time that he would look into the matter, and we are now looking for a response.

The Hon. D.J. HOPGOOD: This matter has been checked. The provision is necessary because the person entitled to the benefit of the statutory warranty, whether he or she is the person who contracted with the builder or subsequent owner, is not a party to the insurance policy. Such a person therefore needs some statutory authority to be able to make use of the policy. We have taken advice on this. Parliamentary Counsel is satisfied that the provision is properly drafted to meet the intended objective.

Clause passed.

Clause 31—'Right to terminate certain domestic building work contracts.'

Mr S.J. BAKER: I move:

Page 21, line 15—Leave out '5' and insert '2'.

The object of this amendment is to reduce the cooling off period from five days to two days. The Attorney said that specific circumstances were associated with housebuilding. It is inconsistent with at least two other areas—those dealing with motor vehicles and the sale of goods—and certainly if a person buys an existing house only a two-day cooling off period is involved.

Mr Tyler interjecting:

Mr S.J. BAKER: The member for Fisher interjects and says that it is the biggest investment that a person can make. I suggest to the honourable member that he tell me the difference between buying an existing house which has been properly papered over, with all the cracks sealed, and entering into a housebuilding contract. I suggest very kindly to the honourable member that he check to see whether he is not putting up a spurious argument.

The question is not overly important, but it again raises this question of whether we are going for an overkill. People should be able, in the space of two days, to determine whether they wish to proceed with a contract. We know that a person who buys an existing house has only two days in which to determine whether or not they should go ahead with that contract, and it seems anomalous to us that the house building contract should be somewhat different. It is raised as a matter of anomaly rather than something on which members on this side of the House believe we should divide.

The Hon. D.J. HOPGOOD: I urge the Committee to reject the amendment. The honourable member would well

know that a contract to purchase is likely to be a document of about two pages long, whereas a building contract could be 40 pages long with a good deal of detail about plans and specifications. The consumer needs time to be able to study in detail these plans and specifications to ensure that they meet the consumer's requirements. All of us, surely, would have had through our electorate offices from time to time people who signed willy nilly and later regretted that they had accepted a particular form of building contract.

Mr Tyler interjecting:

The Hon. D.J. HOPGOOD: That would certainly be the effect of this amendment. I believe that as a consumer protection measure it would significantly be weakened if we accepted the amendment. In another place, the Attorney undertook to give further consideration to the possibility of providing an exemption by regulation, and this can be done under clause 5, so that the cooling off period would not apply if the consumer, before the contract has been signed, has been given a copy of the contract and specifications and has obtained the advice of an independent architect. That is a consideration which the Government is prepared to take on board but, as to the wording of the Act, I believe that it is important that we retain it because I believe that the two days is quite insufficient.

Mr S.J. BAKER: I thank the Government for its assurance on this matter. We are all aware that anomalies creep into the system. As the Minister points out, a house building contract contains far more detail than a normal house sale contract. We did raise it as a matter that could cause some difficulties, particularly with a five-day cooling off period. We take the Minister's point that the Attorney will actually be looking into perhaps an amendment or something which will allow for those circumstances where the builder has taken the trouble to take the people through the clauses and, where they have had the opportunity to seek independent advice. Once the contract is signed, no more than two days is appropriate. We accept the Minister's explanation.

Amendment negatived; clause passed.

Clause 32 passed.

Clause 33—'Harsh and unconscionable terms.'

Mr S.J. BAKER: I have lost my bit of paper, but I understand that the Attorney was going to respond to the deletion of subclause (6). I understand that in another place a question was asked about the validity of the deletion, and an undertaking was given to respond to my colleague.

The Hon. D. J. HOPGOOD: The Hon. K.T. Griffin suggested that there should be a time limit within which an application to the tribunal should be made under this clause. He pointed out that proceedings before a court would have to be instituted within six years of the cause of action arising and suggested that at the very least the same time limit should apply to proceedings before the tribunal. The Government is satisfied that no such time limit is necessary for the purposes of this provision. Proceedings under this clause are not the same as proceedings before a court under any other cause of action. If proceedings are issued in a court within the appropriate time limit, a court is obliged to deal with the matter and make appropriate orders according to law. However, an application to the tribunal alleging that a term of a domestic building work contract is harsh or unconscionable amounts to a request that the tribunal exercise its discretion and grant the remedy sought only if it considers it reasonable to do so.

Having regard to the discretionary nature of the tribunal's jurisdiction under this provision, and having regard to its obligation to act according to equity, good conscience and the substantial merits of the case, I believe it is most unlikely that the tribunal would exercise its discretion in favour of an applicant who has been guilty of some inordinate delay in commencing proceedings. On the other hand, if a six year time limit were included in this provision, the tribunal may feel obliged to deal with the matter even where there has been a delay of up to six years before commencing the proceedings. For this reason the Government does not believe that it is necessary to include any time limit in the provision.

Mr S.J. BAKER: What guidance will the Minister give the tribunal as far as appropriate time limits are concerned?

The Hon. D.J. HOPGOOD: It is not for the Government or any Minister to give any guidance to a tribunal.

Clause passed.

Clauses 34 to 39 passed.

Clause 40—'Evidentiary.'

Mr S.G. EVANS: Subclause (1) provides:

> In any proceedings in respect of an offence against this Act where it is proved that a person performed building work for another for fee or reward, the person shall, unless the contrary is proved, be deemed to have been carrying on business as a builder.

Paragraph *(b)* of the definition of 'building work' refers to—

> the whole or part of the work of excavating or filling a site for work referred to in paragraph *(a)*

Paragraph *(a)* refers to any construction, underpinning, and so on. Does this clause compel all earthmovers who work on building sites to take out a specific class of licence? Are we even compelling a person who operates on small filling sites with a tip-truck and small compacting roller (and no other earth-filling equipment) to take out a licence? Such people will be deemed to be carrying out building work, according to this clause. If we are taking it that far, during the negotiations were earthmovers contacted about this clause, or did consultation occur only with the Master Builders Association, the Housing Industries Association and the unions?

I believe it is a rather draconian provision on these workers. When an earthmover finishes on a site an engineer carries out soil tests. If the soil is not compacted enough when the engineer makes his inspection, he will report in that way; or if it is a filled site and one has to go to some depth through filling to reach a solid base, the engineer will state that that is the case.

I cannot see why we are including the earthmover classification, because the engineer is between the earthmover and the construction point. I ask all members, including Liberal Party members, to think about this matter seriously, because we will be tying up another group unnecessarily. We should not over-regulate and over-control. I hope that Government members understand what I am saying: building work cannot commence until an engineer provides a certificate, and an engineer will not provide a certificate for a site that has not been excavated. A site must be prepared for an engineer to test before the foundations can be poured. An engineer is responsible if he makes an error. If my reading of the clause is correct, I want to know why we are doing this.

The Hon. D.J. HOPGOOD: First, there is no intention whatsoever on the part of the Government to require people in the category described by the member to take out a special licence under the legislation. I think that in drawing the conclusion that that might be necessary the honourable member is reading more into the clause than is either there or is intended.

An honourable member interjecting:

The Hon. D.J. HOPGOOD: I am giving the commitment that the Government is not moving in this direction. As far as I am aware, the wording is not substantially different from a form of words that has been in the legislation since 1967. We are dealing here merely with an evidentiary provision to facilitate proof that someone is carrying on business as a builder. The words 'unless the contrary is proved' can be used at the appropriate stage when judicial proceed-

ings are carried out. Certainly, there is no intention on the part of the Government that the form of licensing indicated by the honourable member should be carried out; nor was the clause drafted for that purpose.

The honourable member also asked about consultation. As an individual I was not privy to exactly what consultation the Attorney-General, as Minister of Consumer Affairs, carried out. I am aware that the Master Builders Association and the Housing Industries Association were consulted. However, neither body raised the point mentioned by the honourable member. I cannot say exactly which groups beyond that were consulted.

Mr S.G. EVANS: I have said recently in this Chamber (and I do not reflect on the present Minister or any other Minister) that we cannot accept what may be intended as what will finally happen if legislation passes with certain wording. I would like members to note the wording of the clause. I believe that people who carry out building work without a licence for fee or reward can be charged with operating unlawfully. I hope I am correct on that point. I hope that anyone without a licence who goes out to work for fee or reward and performs what is described as building work is liable. In fact, the clause states, 'in any proceedings'. In other words, if an individual—myself, for example—has been working with a bulldozer for fee or reward or has excavated a site and a member of a future Government wants to take it to the 'nth' degree (I am not referring to the present Government), an inspector could come along and say, 'You are carrying out building work, Stan Evans. The work you are doing is excavating for a home. Under the Act it is defined as building work. You do not have a licence to do that. You are acting unlawfully, because the Act says that you can carry out building work only if you have the right licence classification to do that work.'

My concern is how a court would interpret this provision if I were charged with working without a licence. Clearly, I would be liable regardless of what was intended by the Government, the Minister or the department, and regardless of what might be provided in legislation elsewhere. We are creating a new classification that will be tougher on those involved. We admit that we are changing the law to make it more difficult to make errors. I am concerned about the coverage of the provision, because it needs only one person to complain about an earthmover, and inspectors will immediately be going around saying that they have sufficient power.

The Hon. D.J. HOPGOOD: The honourable member is really concerned about the definition of 'building work'. Let me share with him the definition found in the 1967 Act.

Mr S.G. Evans: It was amended in 1976.

The Hon. D.J. HOPGOOD: The draft in front of me dates from 1967, the original parent Act, and provides:

> 'building work' means work in the nature of—
> *(a)* . . .

Certain things are set out that are not relevant to this debate, and paragraph *(b)* provides:

> the making of any excavation, or filling for, or incidental to, the erection, construction, alteration of, addition to, or the repair or improvement of any building:

Reference is then made to paragraph *(c)*. The Committee is not being asked this evening to approve anything that has not been in the Act since the very beginning.

Mr S.G. EVANS: Through these amendments we are taking the Act much further in order to be tougher on people. Regardless of what we are told tonight, the next step down the track may well be to move in on the next classification of operator. At least there will be a reasonable period before there is a change in personnel and someone starts saying that other people should be licensed like bricklayers, carpenters and so forth.

Clause passed.

Remaining clauses (41 to 52), schedule and title passed.

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

That this Bill be now read a third time.

Mr S.G. EVANS (Davenport): As the Bill comes out of Committee it is clear that power is given to the Government and departmental officers to undertake greater scrutiny in the building industry and to create a new classification of person—a building supervisor. With it comes the responsibility for people in the industry to do more bookwork and answer more questions, thus increasing overheads. The Bill also allows, for the first time, for departmental officers or the tribunal to take certain action or to take greater control over the actions of tradespersons, that is, people with restricted licences, than has occurred in the past.

In the past the problem has been that general licensed builders carried the can, and restricted licence operators (the trades people), were able to carry out shoddy work without any action being taken against them. I hope departmental officers and the Government will ensure that there is dual responsibility, rather than just slamming the general builder at times when it is obvious that the tradesperson has ignored directions or has abused the system.

In supporting the Bill I know that I am automatically agreeing to an increase in the cost of building of about 5 per cent. True, that increase will not occur within the first six months, but in 12 to 18 months, as the Bill's repercussions become evident in the industry, costs will increase. Once any Government interferes with such an operation, more and more administration is required, incurring greater costs. Another cost will result through the sheer fear of errors being made and people will be unduly cautious of over-regulation. That fear will be in the mind of every general builder and restricted builder. The definition of 'contract' is tighter and is more in favour of the consumer. Indeed, if a consumer wishes to fiddle around with some work afterwards and rig the system, the builder will have hell's own job to prove that it was not his fault.

There are unscrupulous consumers and in this Bill we have done nothing to say that consumers undertaking unscrupulous action will be penalised. That matter has not been touched. I predict that within a couple of years Parliament will be looking at how to overcome problems created by unscrupulous consumers, that is, people who rig the system, few as they may be, in order to benefit from putting a builder or subcontractors to some test.

I support the Bill reluctantly. A few rabbits have done foolish things to the detriment of the vast number of responsible builders. I know that result will be to the detriment of future home owners because houses will cost them more. No house will be better built. Already houses in South Australia are built to the highest standards in the world. Unfortunately, South Australia has terrible soil and the problem we have encountered in the past mainly involves nature. No regulations can overcome the problem of economics facing future home owners in trying to prevent further problems arising. Cracked housing will go on as long as we go on building solid construction homes in this State. I will support the Bill with those reservations.

Bill read a third time and passed.

ACTS INTERPRETATION ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill incorporates part of the Bill introduced in the Legislative Council earlier in this session. It includes all of the provisions of that Bill apart from those providing for the use of extrinsic aids in the construction of Statutes. That matter will now be dealt with separately. This course of action is being taken principally in order to secure the passage during this session of the proposed amendment to section 16 of the principal Act.

That amendment is designed to ensure that where an office, court, tribunal or body would cease to exist on the repeal, amendment or expiry of a provision, the office, court, tribunal or body nevertheless continues in existence for the purpose of instituting, continuing or enforcing any investigation, legal proceeding or remedy. The passage of this amendment is required as a result of Crown Law advice based on a decision of the Supreme Court in which the view was expressed that section 16 cannot be construed to continue bodies in existence for that purpose. The result of that advice and decision has called into question the transitional provisions contained in several measures which are to be brought into operation prior to the next sittings of Parliament.

Prior to that advice and decision, Bills have been commonly drafted upon the basis that section 16 operates so as to enable matters under a repealed or amended Act or provision to be disposed of by the appropriate body referred to in the Act or provision, whether or not as a result of the repeal or amendment that body is to continue in existence. This is, of course, most obviously necessary where matters have been only partly dealt with at the date of operation of the repealing or amending provision. In such cases there is really no other satisfactory alternative. However, it may also be preferable, depending upon the particular circumstances, to have matters not yet commenced, but which arise under the old provisions, commenced and disposed of under the old provisions by the body that was required to deal with the matters under the old provisions even though it is not to continue in existence or is to be replaced by some new body. This of course depends upon how long the old body may have to continue for that purpose, questions of administrative convenience and other factors.

The Bill seeks to overcome a difficulty that can arise when a provision of a Statute has received a particular construction in the hands of the courts and is later repealed and picked up again in a new, consolidating Statute. Some authorities think the old judicial construction of the provision should continue to apply: other authorities consider that the courts should be at liberty to reinterpret the provision. This Bill puts these doubts at rest.

Furthermore, it is proposed to amend section 26 to insert a complementary provision to that which provides that the masculine gender is to be construed as including the feminine gender by providing that the feminine gender is to be construed as including the masculine gender. Another amendment to section 26 provides that a phrase consisting of both a masculine and a feminine pronoun may be construed as also being applicable to a body corporate in appropriate cases.

Finally, various amendments in the nature of a statute law revision exercise (associated with the republication of the Act) are included in the schedule to the Bill.

Clause 1 of the Bill is formal.

Clause 2 provides for the amendment of section 16 so that an office, court, tribunal or body can continue in existence (and if necessary appointments be made for that purpose) on the repeal, amendment or expiry of a provision in order that investigations, legal proceedings and remedies may be instituted, continued or enforced in relation to matters occurring before the repeal, amendment or expiry.

Clause 3 provides for the insertion of new section 18. Proposed new section 18 relates to the presumption that the re-enactment of a provision constitutes parliamentary approval of a prior interpretation. This presumption, applying as a principle of statutory interpretation, cannot be described as being other than highly artificial. Commentators have explained how it has become hedged about with qualifications and decisions of the High Court have raised doubts as to whether it should ever be followed. It is certainly most tenuous to argue that Parliament re-enacts provisions having considered earlier interpretations by courts. The Law Reform Committee recommended in its ninth report that the presumption should not be applicable in this State. Accordingly, by virtue of new section 18 it is proposed that the presumption should no longer apply.

Clause 4 provides for the repeal of section 22 and the insertion of a new section. Proposed new section 22 provides that where a provision is reasonably open to more than one interpretation, a construction that would promote the purpose or object of the Act should be preferred to a construction that does not. This provision is consistent with approaches applying in several States and the Commonwealth.

Clause 5 inserts a new paragraph in section 26 relating to the use of words of the feminine gender and a new paragraph relating to the inclusion of bodies corporate when both a masculine and a feminine pronoun are used.

The schedule includes various amendments that may be classified as 'statute law revision' amendments. Section 2 of the Act may be repealed as it serves no further purpose and section 3 will be replaced by a general index to the Act on its republication. Various amendments are to be made to section 4 of the Act to remove obsolete definitions and references. A reference to an 'Act' is to be redefined to include an Act of the Imperial Parliament that has been received into the law of the State or applies by paramount force. A reference to a 'Judge' is to include a District Court Judge. The definition of 'statutory declaration' is to be revised so that it will mean a declaration made under the Oaths Act 1936, or a declaration made outside the State in pursuance of a law that renders the declarant liable to a criminal penalty for a false declaration when made before a person who has authority under that law to take declarations. A new section 7 is to be enacted as an amalgamation of existing sections 7 and 8. A new section 15 will operate to save all administrative acts done in pursuance of provisions that are being replaced by others that substantially correspond to those being repealed. Section 30 is to be revised to accord with contemporary styles of drafting. Sections 43 to 47 (inclusive) are to be replaced by two new provisions that will consolidate the useful elements of the existing provisions but not include provisions that also apply by virtue of the Justices Act 1921. Finally, various other amendments are to be effected in order to ensure that the principal Act will, on its republication, be in a form that accords with modern drafting practices.

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

STANDING ORDERS

Adjourned debate on motion of Hon. D.J. Hopgood:

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

(Continued from 25 February. Page 517.)

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): We approach this debate with a fair deal of consternation. The changes proposed by the Government are the most far-reaching to the Standing Orders in the operation of Parliament in living memory, certainly within the memory of those of us who have now been here since 1970. I do not wish to generate too much heat in this debate, in the hope that commonsense in the long run will prevail, but I certainly hope to infuse a fair bit more light into the consideration of these amendments than it appears by an examination of what the Government is proposing.

Let me put what is being proposed in its perspective. In the ministerial statement that accompanied the amendments, the Minister states that the proposed amendments arise largely from the work of a subcommittee which was set up by the Joint Select Committee of the Houses on the Law, Practice and Procedures of the Parliament. I think it pertinent, however, to report to the House that that subcommittee did not report to that joint select committee, so that the proposals certainly do not have the imprimatur of the acceptance of the joint select committee, nor were they discussed with the Standing Orders Committee. To suggest that there is some measure of bipartisan agreement, on the basis of that statement that they arise largely from the work of the subcommittee, would be a gross overstatement.

The plain fact is that they are not recommendations of the joint select committee into the practice of Parliament, nor were they discussed by the Standing Orders Committee, and this is the first marked point of contrast with what has happened in the past when some significant changes have been made to the Standing Orders (but not as significant, I might say again, as is suggested by these amendments).

I well recall the Chief Justice, then Attorney-General, moving some amendments to Standing Orders on a couple of occasions in this House—certainly within the living memory of the 1970 influx into the House—that did generate a degree of resentment, I believe, from the back bench particularly, whose rights are most severely circumscribed by all these changes over the years. However, they were discussed by the Standing Orders Committee and they at least could be brought into the House with that assertion being made.

So let us not beat about the bush. These changes are in no way agreed, nor do they have the approval of that joint select committee into the practice of the Parliament, nor have they been discussed by the Standing Orders Committee. Unfortunately, in my judgment, there was some public discussion of these. The work of that subcommittee found its way into the daily press, where individuals sought to press their own views no doubt as to how they thought Parliament ought to operate. However, the views of those indiviudals are no more valuable than is the view of any other member in this place, and I make no bones about stating that I deplore people within a political Party or within a Parliament peddling their views publicly when these matters are the subject of a committee, a subcommittee, or a group within Parliament discussing them, to see that their view will prevail in the long run.

I do not believe that is a proper way for the debate to be advanced, and it was with some degree of consternation that I read of these public debates about what should happen in Parliament according to an individual serving on that subcommittee. If the events were to follow what I believe is a proper course, that subcommittee should have completed its deliberations, reported to the joint select committee of both Houses, some degree of consensus reached—maybe not complete consensus but some degree of consensus reached—and report to both Houses of Parliament should have been made in due course. Some further discussion on those recommendations should ensue, and then proposals could be put to the Parliament. So, without labouring the point, I suggest that in seeking to validate what is before us a fair bit is left unsaid—and it leaves a fair bit to be desired.

All these changes over the years have tended to diminish the contribution and the rights of backbench members of the Parliament, minority groups and other people who have been elected to this place as spokesmen for the citizens of South Australia in their respective electorates. Any sort of democracy which deserves that name should give the maximum possible opportunity for freely elected members to express a point of view on any subject which they believe is of importance to the people who put them here.

Unfortunately, the pressures of modern government and the desire of the Executive to push through its legislative program to the exclusion of all else leads to the changes which occur over the years. It is a question of balancing competing interests. Unfortunately in this day and age, the legitimate interests and rights of backbench members of the Parliament tend to be overlooked or certainly diminished, and I deplore that fact.

We acknowledge the constraints of time. We are not here at a Sunday school picnic. We do not have limitless time, but we do not sit for very long in the course of a year. I think the longest sitting in my time has been about five months in 12. At the moment we are engaged in a four week session with a fairly heavy legislative program. That is certainly not the fault of backbench members. It is certainly not the fault of those whose ability to present a point of view in this House would be severely circumscribed if these Standing Orders are carried by the House. I make that point initially, before I discuss what the Government is proposing.

The proposals do not have the imprimatur of agreement at any real level of the processes which were set up to discuss changes. Having said that, let me say that it is not the wish of the Opposition to be obstructive simply to be obstructive. We wish to be cooperative and to make this place work more effectively if we can, without, however, diminishing markedly the rights and privileges of members, and certainly we do not want to be regimented to the extent that these changes propose. If anything was designed to create discontent, disharmony, frustration, and ill will during the next four years and thereafter, I believe—perhaps unintentionally but nonetheless inevitably—that that will occur as a result of some of these changes.

I say quite honestly to the House that we have no wish to be destructive or uncooperative. However, I firmly believe that some of these changes will lead to a great deal of resentment and disharmony over a long period. However, more of that in a moment. Let me now proceed to refer to the changes proposed. The Opposition has no argument at all with the view that we ought to be able to leave this place by midnight during the normal course of events and therefore have no objection at all—

The Hon. D.J. Hopgood: By 10.30.

The Hon. E.R. GOLDSWORTHY: Yes, it should be 10.30 p.m. We have had discussions previously and agreed that a reasonable program should be delineated so that we could leave the place on a normal working day at 10.30 p.m. However, when we have a four week session, crowded as it is, it is a virtual impossibility. It is not the fault of backbenchers or the Opposition. It is the program the Government has set and it is a direct result of that. We certainly would not object to the proposal that there be a suspension of Standing Orders if it is the desire of the Government to sit beyond midnight. There is no problem at all with that.

Taking these amendments in the order in which they appear in the Minister's explanation, we have no objection

to giving over more of the week to the normal sittings of the House, nor do we have any objection to sitting more weeks if the program is heavy. We have no objection to the proposal of the Government to sit on Thursday mornings—that is done in other places. Party meetings normally take place at the beginning of the week to discuss the legislative program: we know where we are going by Thursday.

There are not many meetings on Thursday except perhaps select committee meetings, Public Works Standing Committee meetings or meetings of other committees of the House. We will have to accommodate them. We have no basic objection to the wish of the Government to have the normal sittings of the House extended by sitting at 11 a.m. on Thursday. We do, however, have considerable difficulty with the way in which the Government intends to structure these sittings for a number of reasons which the Minister will readily understand. First, the sittings as proposed are unconstitutional. If we look at the Constitution Act—

Mr S.G. Evans: We cannot even take a vote on things.

The Hon. E.R. GOLDSWORTHY: We will get to that in a moment. I refer to page 764 of volume 2 of the Statutes, where the Constitution Act, under which we operate, states clearly and unequivocally that we must have a quorum. Section 37 (1) states:

> The House of Assembly shall not be competent to proceed with the dispatch of business unless there are present, including the Speaker or a person chosen to preside in his absence, at least seventeen members of the House.

We do not need the Supreme Court of South Australia or the High Court to interpret that Statute for us. It is plain, clear and unequivocal. The Government's proposal for a second-rate sitting on Thursday mornings, where the House cannot be counted out and where a quorum is not required and where votes cannot be taken, is plainly unconstitutional. We do not need to advance the argument further than that.

If by some method quite obscure to me the Government can get around that constitutional requirement, it just will not work. How on earth would a private member's Bill progress at all if we cannot take votes and cannot have the normal passage of a Bill? How on earth would we get to the second reading? How on earth will we deal with clauses? It would make complete nonsense of a private member's Bill. We may be able to get people up during this second-class session to talk about motions, but we could not vote on them. We could have the Parliament assembled with two people present. I will bet my bottom dollar that part of the reason for this suggested form is so that Ministers do not have to turn up. I do not want to generate heat, but rather light. Why would we want a second-class sitting of Parliament where we do not have to have a quorum and cannot take votes? It would make a complete charade of the Parliament.

Ms Gayler interjecting:

The Hon. E.R. GOLDSWORTHY: The honourable member should have listened. How on earth can we progress a private member's Bill if we cannot take a vote? How on earth can we get into the second reading or go through the clauses? Every clause has to be voted upon. When will we deal with the Bill? The honourable member will learn. A Bill cannot progress if we cannot take votes, full stop. We do not argue with what the Government is trying to do—I make that perfectly clear. We do not argue that we should not sit on Thursday mornings. We will not oppose that, but we would have enormous difficulty with the way the Government proposes it should proceed.

We also believe that it is imperative that if, for arguments sake, it could get off the ground and if a matter was concluded (not a Bill, but a motion), it should be competent to vote on it at the time it is concluded: otherwise it is a nonsense. There may be some pressing matter of importance to a backbench private member. He wants to get Parliament's decision on it. He mounts a debate, carries the debate, the matter is to be decided or concluded and he has to wait around (until the end of the session, presumably, in terms of the proposed changes), before a decision is made. That is nonsense. If the matter has been concluded (and only motions could be concluded) it should be competent to take a vote.

It has been difficult for us to devise—if somehow the Government can get around the constitutional problem—some mechanism for organising votes on that day. If the second-rate sitting is to proceed votes will have to be taken in the afternoon. I have prepared amendments to try to give effect to that, but it will be a difficult situation where people who have not attended the morning sitting of Parliament are asked to vote in a series of divisions on clauses in the afternoon. I am sure the Government will look at that issue and take note of the fact that the Opposition is not opposing in principle what the Government is about but believes that it will not work in the way it proposes it to work. It is clearly in breach of the Constitution and a private members Bill will be worthless if it cannot be progressed by being voted upon at various stages.

To read between the lines, it appears that the Government wants to get rid of private members business during this second-rate sitting of the House. It is a complete cop-out for those who do not want to attend, particularly for the Government whose normal responsibility it is to keep the numbers of the House up to a quorum. Without getting too hot under the collar about it, I just say that it will not work.

The Government is proposing amendments to speaking times. Again, the Opposition cannot accept the overall package that the Government is proposing. Last week, I took the trouble of looking up the Standing Orders of every other State Parliament to see what strictures there are on backbench members in particular in relation to speaking times. The times allotted to members of Parliament to speak on matters on which they wish to speak (the time taken up in debate) and the number of members in the Houses (which has a significant impact on the time that will elapse during the course of debate) are as follows.

In New South Wales, which has 105 members, the maximum time for any debate, according to its Standing Order 142, is 30 minutes; Queensland, with 80 members, has a maximum time for debate according to its Standing Order 109, of 40 minutes; Victoria, which has 88 members, has a maximum time according to its Standing Order 104, of 30 minutes; Western Australia, with 57 members (we totalled this up from a list of members and I think it is accurate; we are in the ball park unless we made an inadvertent slip), has a maximum debating time, according to its Standing Order 164, of 45 minutes; Tasmania, with 35 members—the smallest Parliament—has a maximum time, according to its Standing Order 138, of 40 minutes; and South Australia, which presently has 47 members—by far the smallest of all the Chambers except Tasmania—has a maximum debating time of 30 minutes.

The Government is seeking in these amendments to institute in South Australia a regime that will allow, in the second smallest Parliament in the land, by far the smallest amount of time for a member to debate an issue. I will take some convincing that the behaviour of this Parliament is so much different from that of all the other State Parliaments around Australia that we need to halve the speaking time of members in relation to the other Parliaments that have more than twice the numbers of members, all in the name of allowing some of the Ministers to go home to bed a bit earlier.

Ms Lenehan: Come on!

The Hon. E.R. GOLDSWORTHY: The honourable member is getting a bit hot under the collar and, as I said, I do not want to generate heat—I want to convince the Government that some of these proposals—

The Hon. H. Allison: It's a heat test.

The Hon. E.R. GOLDSWORTHY: Perhaps we need one of those thermometers.

Ms Lenehan interjecting:

The Hon. E.R. GOLDSWORTHY: Some of your colleagues are slightly amused. The honourable member has been around here for one term and seems to know all the answers. The Government is proposing to halve speaking time, which would be by far the shortest of any Parliament around the nation—including Parliaments that are three times as big—for no good reason other than that it wants to cut back the speaking time. We do not believe that is on. This downgrading of the opportunity for a member to talk about something that is worrying him or his constituents is important—whether or not the Government values it.

Looking at the practice around Australia, I do not think that anyone in their right mind could agree that there was a compelling reason why South Australia should be so much out of step. In a spirit of compromise, despite the fact that there are very few opportunities where a member has an hour at his disposal in this Parliament—the Address in Reply being one, when a member has an hour for a wide-ranging debate on matters that are of consequence to him and his electorate—the Opposition agrees to reduce speaking time to 45 minutes.

As I said, that time is available in several Parliaments around Australia in any debate on any Bill. It is 45 minutes in Western Australia, 40 minutes in Tasmania and 40 minutes in Queensland. However, the Opposition would agree, as a compromise, instead of cutting back the time limit to half an hour, to cut it back from one hour to three-quarters of an hour. The suggestion that there should be a slashing of speaking time to 20 minutes across the board is not justified. A suggestion was put to me today (this indicates that that subcommittee certainly had not completed its deliberations, although points of view were expressed publicly; as I pointed out when I started speaking in this debate, that subcommittee certainly had not reported to the Joint Select Committee, nor had the Joint Select Committee reported to the Parliament, which appointed it) by the member for Light—which was another compromise and certainly more acceptable, I believe, although the Liberal Party has not discussed it—that, if the Government was hell bent on reducing speaking times, perhaps it should limit the first two speakers, other than the lead speaker, to, say, half an hour and then look at subsequent speakers. However, there has been no discussion on these matters, and here we are cutting back markedly the opportunity of members to make a reasonable contribution to a debate by reducing speaking time to 20 minutes. The Opposition is not happy with that.

The amendment that will generate the most ill feeling and create a running sore for the whole life of this Parliament and hereafter is the Government's proposal in trying to validate, by what I think is nothing short of a ruse, the use of the guillotine on a daily basis on every Bill that comes before the House. That is what the amendment seeks to do.

Mr Lewis: Gutless wonders.

The Hon. E.R. GOLDSWORTHY: Before I get too excited, and respond to the interjection, I want to keep it low key with enough force to make my point. The Opposition has no wish to unduly delay the sittings of House.

Ms Lenehan interjecting.

The Hon. E.R. GOLDSWORTHY: Again, we have the scoffer from down south.

The SPEAKER: Order! The member for Murray Mallee and the member for Mawson will not conduct a private conversation across the Chamber.

The Hon. E.R. GOLDSWORTHY: The Government in this very short session has laid the ground rules for a degree of public acceptance of what it is proposing. We had brought into this House the workers compensation Bill, and it was suggested by the Government that we put it through in a day—a completely unrealistic suggestion. In the event, the lead Opposition speaker made a long speech. I well recall during the whole of my time in this House—and that is in 15 years—another speech that went for about that time. When one suggests that—

Mr Klunder: Which one?

The Hon. E.R. GOLDSWORTHY: The Bill relating to the casino. I believe that this is the Bill that the Government is trying to hang it on, when the Standing Orders suggest unlimited time for a lead speaker. I believe that the lead Opposition speaker made a valid point, if anyone cared to listen to him. Nonetheless, to suggest that we change Standing Orders on the basis on one speech in this House is pretty thin evidence.

Ms Lenehan interjecting:

The Hon. E.R. GOLDSWORTHY: Well, the honourable member has not been here all that long; let us face it. The fact is that the Bill then went into Committee. What took all night until 7 a.m. was the Committee consideration.

Mr Groom: What, the Casino Bill?

The Hon. E.R. GOLDSWORTHY: No, I am talking about what has happened in the past three weeks. I am talking about the workers compensation Bill.

Mr Peterson interjecting:

The Hon. E.R. GOLDSWORTHY: Of course you cannot. That is the point I am making. We often agree, but the honourable member just will not come across when he ought to. We know when in his heart of hearts he wants to cross the floor. The honourable member knows what side his bread is buttered on. He knows the nature of his electorate and the first rule is look after home base, and he does just that. We know that the honourable member would love to come with us but he cannot afford to.

Mr Groom: What about Blacker in the National Party?

The DEPUTY SPEAKER: I suggest that the Deputy Leader returns to the matter before the House.

The Hon. E.R. GOLDSWORTHY: The member for Flinders knows what side his bread is buttered on; that is why he always comes with us. Otherwise, Arthur Whyte would be there. Let me return to the point that I was making. The Committee stage of the workers compensation Bill was delayed as much as anything, and more so if you have a look at *Hansard,* by the replies of the Minister of Labour than by the questions of the member for Mitcham.

The Hon. H. Allison interjecting:

The Hon. E.R. GOLDSWORTHY: If one was inclined to be cynical, one would suggest that the Government was deliberately protracting the Committee consideration of that Bill. It was floated in the *News* by Mr Ashbourne that there was a crying need for some dramatic change to the Standing Orders because the House had sat all night until 7 a.m. If anyone could be accused of filibustering during that protracted consideration of the Committee stages of the workers compensation Bill it would be the Minister.

The Minister was proving a point. Here he was, this bright new shining Minister from the Upper House, proving that he could front up fresh all night and answer the questions, and he answered them—at length. However, if anybody took the trouble to follow that debate and listen to the points raised by the member for Mitcham, they would have to concede that that was a legitimate consideration of the most important Bill to be introduced into this Parliament

for a good many years. To suggest that the Government wished to chop that off by trying to validate the use of the guillotine, which this change to Standing Orders dictates, is completely wrong.

Mr Peterson: It is going to happen.

The Hon. E.R. GOLDSWORTHY: If it happens, I reinforce the point that I made earlier: if anything is designed to frustrate the proper working of this House, to frustrate members of Parliament and therefore to lead to resentment, ill feeling and a lack of cooperation, guerilla tactics and obstruction, it is that change. It is suggested that every day that this Parliament operates we will be so regimented that the speaking time for the debate will be prescribed before the event, the number of speakers will be prescribed, and the time for the Committee stages will be prescribed for every bit of legislation that comes before the House. That is an absurd proposition.

Let me recount to the House the attempts that have been made over the years to get some sanity into the operations of this place and to reach some measure of agreement so that we can all benefit from a sane consideration of legislation. It was proposed by the Labor Party some years ago that the leaders of the House (and in the case of the Liberal Party that has been me for 10 years or so) meet on Monday to discuss the week's program and agree as to what would be a reasonable program. But what happens? No meeting ever occurs.

I am quite happy to meet the Government on Mondays and talk about the week's program, but as often as not I ring up at midday and ask, 'Where's the program? We have a shadow Cabinet meeting straight after lunch and we want to discuss it.' The program comes down, and it appears to me that it is put together by a ministerial officer.

Mr Peterson: What about the Independents?

The Hon. E.R. GOLDSWORTHY: Bad luck; you miss out. I am talking about how the system was supposed to work and how it does work. This is so that before we get into the week's work people have some idea of what the legislative program will be, and so that we can discuss what our attitude to it will be. We will be prepared, as has been the Labor Party, to discuss it at a Party meeting on Tuesday.

We found in this session that the program has changed as often as not during the course of Monday afternoon. I am talking about the practical difficulties of putting into effect this iron fisted proposal of an agreement reached, to be handed to the Speaker and to be enforced by the use of the guillotine daily. I am saying that no genuine attempt has been made by the Government over the years for there to be a real meeting on Monday to discuss a program, and to hammer out a reasonable agreement whereby we could try to put it into practice. I would like to see that be given a go. I would like to see a meeting on Mondays between the Deputy Premier, who is the Leader of the House, and me, while I am in charge of the business for the Opposition, so that we can work out a reasonable program for the week.

How on earth are we going to register with the Speaker a program that is changed constantly? It was changed four times last week. Two new Bills bobbed up out of the blue on Wednesday for debate on Thursday. We were not trying to be obstructive. We could have kicked up hells delight, I suppose. I said, 'Well, we will give it a go for you,' and we put them through. How on earth do you register that on Monday when the Government does not even know what the hell it is going to bring in? There must be some give and take in any arrangement between Government and Opposition if any program is to work. However, if a regime is to be instituted where the Government by this mailed first use of the guillotine daily is to ram through legislation to a set timetable with no flexibility, it will fail. Of that I am absolutely sure. There is no way in the world that I, as manager for the Opposition in this place, on a Monday could agree to a program for the week on a timetable to be enforced by use of the guillotine before I had had the opportunity of discussing it with my shadow Cabinet colleagues in the first instance and my Party colleagues at a joint Party meeting on Tuesday—no way! I would not try. It would be stupid because one Party does not know what will worry some members or who will want to talk in a debate. One does not know what the concerns are.

I am not omniscient, nor I believe is the Deputy Premier, although the Government members have had the opportunity of discussing a measure and knowing what the degree of support in their Party is. To suggest that somebody can front up and say, 'We will allow half an hour for this debate, including the Committee stage,' or, 'We will allow 2½ hours for this one, with three speakers, including the Committee stage,' and to plan a week's program on that basis is stupid. It will lead to discontent at all levels in the operation of this House.

I am speaking at length and with some vehemence in relation to this matter because I think it is critical to the harmonious working of this Parliament during the next four years. It will not work. It demonstrably will not work in view of what has happened during these three weeks of the session. The Government has changed its mind regarding the program and introduced Bills at short notice or without notice, amd we have accommodated it by putting the Bills through. Two Bills came in today to change the Indenture Act. This happened out of the blue and with no notice, and those Bills are to be debated tomorrow. To hell with an agreement registered with the Speaker on Monday or Tuesday! This is an absurd proposition.

If I was so minded, I could kick up hell's delight about that. It is an unreasonable request, but I will do my best to accommodate the Government and see that those Bills are debated tomorrow. If the Government is going down this track with the use of the guillotine to chop off debate on every Bill, there will be a radical change of attitude, I suggest, by every member—including those on the cross benches—in relation to the way this place works. Before these things are discussed in Committee tomorrow, if the Government wants cooperation and if it wants the Opposition to expedite the work of Parliament, it will rethink this proposed change.

I propose some amendments to this Government proposal. We will certainly go along with working out a weekly program, we will certainly agree to a Standing Order that compels a meeting of the Leaders from both sides, and we will certainly go along with a proposition of trying to come up with an agreed program that contains a bit of give and take. However, there is no way in the world that we will, by this underhanded method, agree to allow the Government to use the guillotine on a daily basis to terminate debate in a quite unrealistic fashion on the basis of very scant information when agreement is sought to be reached. The Standing Order is there. If the Government wants to guillotine a debate, let it do so. However, it does not want to wear the flak.

I can recall cases when the guillotine has been used—when things got out of hand. The Hon. Geoff Virgo used it once, the Hon. Des Corcoran used it once in a fit of pique, and I used it once in government. Few members opposite may have been in the Chamber between 1979 and 1982, but one of the most difficult tasks I had in government was trying to reach some agreement with the then Labor Party Opposition. I would seek to reach agreement with the then Deputy Premier, but he could not control the Labor Party in relation to meeting deadlines that we had agreed.

The Hon. B.C. Eastick interjecting:

The Hon. E.R. GOLDSWORTHY: The retired Deputy Premier (Hon. Jack Wright) could not control the Labor Party, particularly in the evenings. It was absolutely uncontrollable.

Mr Groom: Ha, ha!

The Hon. E.R. GOLDSWORTHY: The honourable member can laugh. On the matter of late sittings, I refer to *Hansard* of 1981 at page 619. We had reached an agreement about the sittings of the House, but that was not worth a crumpet because there was no spirit of cooperation; it simply did not exist. That was a rather frustrating time. In fact, we sat all night debating the budget and adjourned at 7 a.m. until 11.30 a.m. There is nothing new in this world. I recall a debate which sought to change industrial law in this State. The debate continued for a whole week, including all Thursday night and well into Friday, simply because the Labor Party was vehemently and inexorably opposed to the Liberal Government proposal. The debate went on and on.

Mr Klunder interjecting:

The Hon. E.R. GOLDSWORTHY: That certainly has a fair bit to do with it.

Mr Klunder: That's not what you said a little while ago.

The Hon. E.R. GOLDSWORTHY: Let us get this in context. What I said a little while ago is that I was quite prepared to sit down and try to work out a weekly program with the Deputy Premier and seek to get the Liberal Party and others, if they were so minded, to cooperate. I suggest to the House and to the honourable member that I have had a significant degree of success in terms of achieving that. With all due modesty, I would say that I have had a far greater degree of success than the success achieved in reaching agreements with the Labor Party when we were in government. I have no complaint about the degree of cooperation Liberal Party members have given me in seeking to honour agreements that I have made. I do not recall any occasion of significance when an agreement that I have made with the Government has been breached. I pay tribute to members of the Liberal Party who have been prepared to cooperate with me to honour any undertakings that I have given in that regard. No undertakings were given regarding the debate on workers compensation.

One of the problems (I might say with due humility) with the Deputy Premier is that he is not one who seeks me out for consultation: that is not his style. If people come to me seeking information, I will try to give it to them to the best of my ability. If I give an undertaking that we will seek to wind up a debate at a certain hour, it will be in the sure knowledge that members of the Liberal party will cooperate—and they do. However, the Government is making a grave mistake if it suggests that because of one late night sitting—where I believe there was genuine Committee discussion of the most important Bill to come before this House for many years (if it was delayed by anyone, it was delayed by the Minister in charge)—that validates the daily use of the guillotine on every debate. I have said a fair bit about this matter because I believe it is fundamental to any hope of cooperation and harmony in this place.

I now turn to the other amendments proposed by the Government. I think I have canvassed the major issues—the frequent changes the Government seeks, the cooperation we seek to give in relation to that, and the fact that I do not believe for a moment that the daily use of the guillotine by the Government is necessary. If matters get out of hand, let the Government use the guillotine (it has happened on three occasions since the guillotine provision was included in Standing Orders). As I have said, I am totally willing to cooperate in any discussions with the Government about the weekly program. However, I hardly think it can be described as 'discussion' when all we receive is a piece of paper with the outline of a program—come hell or high water. At least previously we were given an indication of what the Government thought the daily program would be in terms of extending the sittings of the House, but we do not even get that now.

A number of other matters are canvassed in the changes, which I will mention briefly. However, before doing so I refer to one other point. I know that in this day and age we are very largely in the hands of the media, and political Parties go out of their way to play the media's tune. Quite frankly, I deplore that. The battle is to get the media on side and to get them to sing your song, to agree to what you are doing—whether it is right or wrong—so that the public perception is that you are on the right track. Much of what happens in this place is simply playing to the press gallery. I do not give a damn what they think or say. That is not what this place exists for.

The Hon. R.G. Payne: They've all gone home.

The Hon. E.R. GOLDSWORTHY: I do not care whether or not they are listening. Everyone is trying to woo the media, and that has accelerated over the years and has been exaggerated to a stage where we have almost become paranoid about the media. Because the media had a view about a member suddenly bobbing up on a certain chair in the House, that does not deter me or the members of my Party from putting a point of view when we think a matter of principle is at stake. When we think we have a set of rules by which the Westminster system operates and someone suddenly wants to change them without consultation, we will say something about it, and to hell with what the media thinks. We are not here to be playthings of the media; we are here to do a job basically for the people who put us here.

If it takes time to do that job, we should make time. If it does not suit the Government's convenience, or if the Government wants to truncate the sittings of the House to four weeks and put through eight weeks work, the Opposition cannot be blamed. I mention the media because we are all so paranoid about it. We are going to change Standing Orders because someone said something about an all night debate—a rational, sensible and good debate—on the clauses of the Workers Rehabilitation and Compensation Bill. We even divided on the clauses, one gossip columnist said!

How does one express a point of view in Committee if we do not divide? That has been happening since this place was established, and suggesting that one is wasting time by dividing on a matter of principle indicates that someone is peddling a point of view that is quite phoney.

The Opposition has proposed a couple of other changes to Standing Orders while they are open to debate. The Government proposes a right of reply to a motion to suspend Standing Orders which would not take any more time. As I read it, the mover of the suspension will have only 10 minutes, including his reply. I believe there is reference to 'no extra time', so if the mover takes seven minutes to explain his reasons, he will have three minutes left. I hope I am wrong, but I do not believe the mover gets another 10 minutes: he has only three minutes to respond to the one other speaker.

We do not object to that: it is the mover's choice. The mover can take the full 10 minutes to explain his reasons for suspension. If he wants to take five minutes and then hear what the Government or whoever is opposing the motion has to say, he will have five minutes to reply. We have no complaint. True, it is not a major change, but it is one that gives more flexibility to the system. It is not one of the hidebound changes about which I have been talking at length. Such a change gives more flexibility and choice, and that is fair enough. One matter that has worried all Oppositions over the years is prolixity—to use the word in Standing Orders—involved in answering questions.

While Standing Orders are under discussion we have taken the opportunity to move an amendment restricting Ministers' replies to three minutes. That is a good suggestion. One has only to visit Westminster and see the time allotted to the British Prime Minister during Question Time. At Westminster the Prime Minister has something under 20 minutes (from memory), but may answer 20 or 30 questions. There are none of those rambling answers in which all political Parties indulge if they want to waste time.

I am not pointing the bone at the present Government in particular. When we were in government and if we wanted to choke the Opposition, someone would give a long answer. If we want a long answer we can get the Minister for Technology to speak for 20 minutes.

Mr Duigan: You're suggesting three minutes?

The Hon. E.R. GOLDSWORTHY: There should be a time limit of three minutes to replies to questions.

Ms Lenehan: What about the questions themselves?

The Hon. E.R. GOLDSWORTHY: Fair enough, although I cannot think of any instance involving either Liberal or Labor where it has taken more time to ask the question than answer it. If the Government comes up with the limit on the time available for asking a question, we will not buck. I am sure the Liberal Party would go along with that (although we have not discussed it), because we would think it would be sensible. If we are going to get through some questions, we ought to put a time limit on the length of replies.

We also believe that Question Time has become the focal point for the media. We have television cameras in the Strangers Gallery and hanging over the press galleries. Unless there is now a three ring circus every day, the media are disappointed. That is the way the situation has developed. At last the honourable member nods her head in agreement to something I say. During that time, unless we put on an act, provide a circus, titillate the media and try to get on the front page, the press and media are not happy. That is not what it is all about either.

If the member for Murray Mallee, the member for Victoria or the member for Mount Gambier have a problem that needs immediate airing in this House, and because they do not want to put a question on notice and wait six months for an answer, especially because it is important to the people who put them here, they should have that opportunity. The question might be about a fire escape at a school or another matter worrying them, they should have the opportunity to ask their question—but they do not get it.

That sort of question is more important, and new members, when they have been here for a while, will understand what worries people in their district. It is certainly not big issues of State or the Government's program. What worries people, for example, is the problem at the local school or a problem, say, at Henley Beach Jetty. Sadly, members do not get the chance to raise such questions here, although they know that those are the issues that worry people. People want those issues raised here. If they are raised, constituents are satisfied and happy. It gives them a place in the sun—that is what democracy is supposed to be all about, but that has disappeared from the scene.

When I first came here, we had two hours for questions, during which time backbenchers had plenty of time to raise parish pump questions. The term 'parish pump' should not be seen as a derogatory term, because such issues are just as important as the grand plans of the Government, and it is the right of the little bloke out in the electorate to have his concern raised at the highest level, because it is important to him.

That is what succeeding Governments over the years have denied by circumscribing the rights of backbench members: they are circumscribing the rights of those little people. The Opposition believes Question Time should be extended to 1½ hours as a compromise. It was chopped from two hours, but during those two hours backbenchers got a go. We could titillate the press, who would get their bit and could duck off to write their story, and we could then get down to the business of asking questions on both sides of Parliament which were important to the people who put us here.

What has this place degenerated into? We worry about what the media will grab, as the member for Briggs will know, because he is an expert at it; he is good at it, and let us give him his due. Feed the press a line, get in the paper—that is what it is all about for some—but that is not what this place is all about. It is part of the public popularity game, and it is part of looking after the people in the press galleries, but there is more to it than that. Basically, it is about the people who put us here.

If Question Time does not accommodate that and accommodates only the press—titillation of the media—then we have degenerated into a three ring circus and, as I say, that is not what it is all about. We propose amendments sincerely and not just to give the Government a poke in the eye. It is to give backbench members an opportunity to ask questions about the parish pump matters that are of vital concern to the people who matter—not the gurus in the media but the people in the street who want their concerns aired.

So, three minutes for answers and an hour and a half for questions: that is our proposal. The honourable member snorts and snears and gives me short shrift. She gets up and asks her questions about things that may not seem to be of great importance but they may titillate the press. Any member who takes notice of what comes through their electorate office will know exactly what I am saying. So, changing this place into a factory for turning out Government legislation day in and day out, by the use of the guillotine and circumscribing backbenchers' rights, we are deteriorating rapidly in terms of a democratic Parliament.

We also believe that one supplementary question without explanation would be an advantage, and that is a Standing Order similar to that which applies in the Upper House. An honourable member can ask a supplementary question and pursue it—that happens in the majority of Parliaments, I would suggest—and the Minister would answer that. So we are suggesting some changes. We certainly do not disagree with the contention of the Government that we now regularly have the suspension of Standing Orders for Question Time to go for an hour. We do not suggest for a moment that is not sensible, but we think the place ought to be democratised a bit further in terms of the changes I am suggesting.

I think I have canvassed most of the matters that these changes envisage. If not, I shall certainly raise them in Committee, but to sum up, the Opposition welcomes the wish of the Government to streamline the operations of this place in a spirit of cooperation, I hope. We do not believe that the changes are justified in terms of any consultative processes which may have occurred heretofore. The honourable member shakes her head. The subcommittee had not reported—

Ms Lenehan interjecting:

The Hon. E.R. GOLDSWORTHY: I will be listening to what the honourable member has to say. I will be greatly interested in the fruits of her erudition and her experiences in this place, but I am saying quite honestly that if we want this place to work more harmoniously and effectively it will happen only with a degree of cooperation between both sides, and it is in that spirit that I approach this debate.

We applaud the Government's attempt to make changes, although we do not accept the way in which it has attempted to do it. The changes certainly do not have any degree of agreement with any forum of the Parliament which has

reached any conclusion at all. We agree with some of them, but we believe that others, particularly the proposition in relation to the daily use of the guillotine, could not have been more cleverly designed to encourage disharmony, discontent and obstruction at every turn in the operation of this House. If an agreement is reached after a sensible meeting between the Leaders and if in fact something then goes wrong and agreement cannot be brought to fruition by the Leader on this side, whoever he might be, then let them look at the guillotine, but to suggest we are going to institute this is plainly destructive. All in all, I hope the Government will take note of what I have said, and I hope that we can institute changes which will enhance the operation of this House. I only hope this speech has not been adjudged to be too long—

Ms Lenehan: It certainly has. How long have you been going?

The SPEAKER: Order!

The Hon. E.R. GOLDSWORTHY: I am sorry if the honourable member's judgment is that this speech has been too long. I have simply canvassed all the amendments which the Government seeks to introduce in what I think is probably the most important debate in terms of the operation of Parliament that has occurred in my 15 years in the place, which is a little longer than the honourable member opposite has enjoyed. I think it is a most important debate in trying to get some degree of harmony in the operation of this place, and if the 1½ hours which I have taken in canvassing these amendments, with I hope not too much degree of repetition, the honourable member has found to her dislike, then I am sorry, but I felt impelled to say everything I have said. I am quite sure the Deputy Premier for one has taken note of what I have said. I am quite sure that he, too, would like life to carry on in as harmonious a fashion as we can organise for the next four years. That is what this debate is all about. I make no apology for canvassing at some length all of these changes because, as I say, some are good and some are horrific.

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.

Mr M.J. EVANS (Elizabeth): In the spirit of the new proposed Standing Orders, I will try to keep my contribution brief. I think the Deputy Leader had a number of points to make and he made many of them very well indeed, and I will not seek to cover again any of the ground which he did. I am sure other honourable members will also wish to contribute.

I have now had an opportunity to consider at some length the proposals which the Government has placed before the House, and it is fair to say the path of reform is never an easy one, particularly when the institution is as old and as complex and as full of tradition as is this Parliament. Therefore it is always a more difficult task to propose any reform to the procedures of such a body. The Government has made an attempt to do what it considers to be in the best interests of the efficiency and dispatch of business of this House, and while much of the principle behind that could be supported, as the Deputy Leader indicated, there are a number of practical matters which I would like to draw to the attention of the House and a number of difficulties which I have with the consequences of some of the proposed Standing Orders.

While I believe it is quite a reasonable proposal to transfer private members business to Thursday morning—that would certainly provide the Government with more time during its program and would give private members perhaps a better time slot in which to debate their proposals—I am very concerned about the impact of the proposed 45(a), which says that no vote shall be taken between 11 a.m. and 2 p.m. on a Thursday, nor may the House be counted out.

The last phrase, of course, relates to the want of quorum which the Deputy Leader has covered in respect to the possible unconstitutionality of that point, and I will be interested to see if the Deputy Premier has taken legal advice on that, because I believe there is a substantial difficulty, at least in theory, with the principle which he has put forward.

However, I have much more difficulty with the first part of that sentence, that no vote shall be taken during that time. If I may share with honourable members the dictionary definition of 'vote', something which I should imagine everyone in this place would be quite familiar with, it says it is a formal expression of will or opinion in regard to election of office, etc.; sanctioning law (which is what we do here); passing resolutions; expressing thanks, etc. (which very much defines the business of this Parliament), which is signified by a ballot (read division), show of hands, voice or otherwise.

So, it is quite clear that to vote encompasses not only a division but also a declaration on the voices. Therefore, the words 'no vote shall be taken' would quite clearly, under that definition—and I can see no evidence to accept any other definition—prohibit this House from proceeding beyond the introduction of a Bill; in fact, it would be impossible even to introduce a Bill because you could not move that you have leave to introduce the Bill and have it read a first time because no vote could be taken on that.

I believe that would place private members in an absolutely impossible and unworkable position, because unless the Government has a mechanism whereby votes can in fact be taken despite the prohibition, it would be impossible for private members to progress a Bill at all. If the Government were, for example, to make time available during Government time later that day, that would hardly address the point because one would have to do that each time the Bill moved through each stage, and during the consideration in Committee it would have to be done at each amendment and each clause. That would clearly be unworkable.

The Government's intentions in prohibiting a vote and a count-out of the House are open to debate, of course, and I am sure the Deputy Premier will have good and adequate reasons why that is the case. One might be cynical and say it is so that Ministers need not be here, but of course the effect of it could be far worse than that. Given that private members time is exclusively used for backbenchers and often for members of the Opposition, it is quite feasible in fact that, apart from, say, one token Minister we would have no member of the Government here, back bench or otherwise. Given that no vote can be taken and no quorum can be called, there would be no purpose in attending that part of Parliament unless directly and actively interested in those proceedings. That would put private members time in a very difficult position.

So apart from the practical difficulties in not being able to vote, I find it extremely difficult to contemplate that kind of session of Parliament. If we are to be genuine in extending private members time—and I believe it is a very important concession and step forward that the Government is indicating here, that private members time will take place every Thursday, regardless of the status of the Address in Reply and regardless of Government business, so in fact we will have that opportunity every Thursday—it will be a Pyrrhic victory for backbenchers to have that time if in fact there is no-one but their colleagues on the Opposition benches to listen to them and perhaps the odd Independent and

member of the National Party, *Hansard* and the Clerks, if that is all they are addressing.

Given that votes cannot be taken, it is obvious that members of the media to whom the Deputy Leader referred would also show little interest in the proposal. Therefore, I believe that those extra opportunities for private members time would be entirely valueless if it is not possible to take votes during that proceeding. Of course, a number of major legislative initiatives have come out of private members time.

Although many honourable members may disagree with the principle, it is quite clear that no casino would ever have been established in South Australia if private members time had not been available, and available to use rather than simply to participate in. It is important that private members time is no different in quality from Government time. It is simply use of the time of the Parliament by other than the Government and it should not be different in quality even if it is different in purpose. I leave the House and the Deputy Premier with those thoughts in relation to that clause, and I will be interested to hear his response on the way in which a vote is to be defined and business to be progressed if those votes are to be prohibited.

With respect to the midnight adjournment, I have no objection at all except to say that it is a little late. The principle is beyond dispute and it certainly has my full support.

Members interjecting:

Mr M.J. EVANS: Indeed, that is clearly contemplated by this amendment and in the spirit that the Government put it forward. Putting that prohibition other than for a suspension of Standing Orders in the Parliament means that clearly the Government is saying to the House that it is not intending to sit beyond midnight except in the most exceptional circumstances. We know that they arise immediately a controversial Bill is put forward, but the Government has put it forward in an honourable and reasonable way and until we have evidence that that is not what it intends to do, I think it is up to the House to accept it on that basis, and I certainly do.

The remaining Standing Orders 4, 5 and 6 that are proposed are consequential and do not need further discussion. The next major point worthy of debate is proposed Standing Order 144b. The Deputy Leader canvassed that at some length. It relates to the so-called agreement between the Opposition and the Government. Of course, the proposed Standing Order only actually mentions in its terms Her Majesty's official Opposition and the Government itself. Other persons who may also be present in this House (and four others fit into that category) are not covered by that, and neither the Government nor the Opposition would be obligated to take their wishes or requirements into account in putting that Standing Order into effect. I believe that the Deputy Premier has every intention of consulting with those four members in respect of preparing the procedures and timetables put forward.

However, the very short time frame available, namely, Monday and Tuesday mornings during which any number of Party meetings, Caucus meetings, Cabinet meetings and shadow executive meetings take place, makes it difficult at a practical level for the Deputy Premier and the Deputy Leader of the Opposition to come to an agreement, which also takes into account the needs of the other four members of the House. How they will be reconciled into the process I am not sure, because clearly it is the advantage—

The Hon. E.R. Goldsworthy interjecting:

Mr M.J. EVANS: I do not mind speaking last, as long as I get to speak. The Government will have a wish and requirement to minimise the total time for debate. The Opposition will wish to maximise its total contribution and, of course, the four people who are likely to be left out in the cold as a result of the coming together of the two requirements are the four people I mentioned previously. Whilst I am sure the Deputy Premier's intentions are honourable in that respect it is not easy to see in an institutionalised basis in Standing Orders how they would be put into effect, especially as it refers only to the official Opposition and to no-one else.

I have no dispute that the official Opposition is the Opposition and I do not intend, nor do I imagine anyone else in my position would, to set myself up in that capacity. The Opposition's and the Government's requirements have to take a degree of precedence, but clearly the people of Elizabeth, Semaphore, Flinders and Davenport have equal rights to be heard in this place.

Mr Lewis: And the Mallee.

Mr M.J. EVANS: I do not dispute that—it is up to the honourable member to put that forward. It has never been his failing in the past. The other difficulty I have is not one of principle. It is an eminently sensible principle that the Government and the Opposition should attempt to arrive at a reasonable program for the House. I would have no dispute with that. Having been personally peripherally involved in that process over a period when I worked for the former Deputy Premier, I know how difficult it is to secure an agreement from the Opposition (and I am sure that that is true of whatever Opposition sits on those benches, be it Liberal, Labor, or whatever), and I would think that it would be even harder to secure an agreement in writing.

The Hon. E.R. Goldsworthy: You used to arrange the program, didn't you?

Mr M.J. EVANS: Jack Wright used to arrange the program, but I assisted him in that process.

The Hon. E.R. Goldsworthy interjecting:

Mr M.J. EVANS: I am sure that my successor is doing a very good job, but it is up to others to make those comparisons. However, to return to the point, it seems that a Deputy Leader of the Opposition who will enter into an agreement with the Government in writing is a very strange creature indeed. I doubt that such a person has yet been elected to Parliament.

While the principle embodied in proposed Standing Order 144b is a good one, I have difficulty with its implementation and the way in which it will incorporate the needs of non-political Party members. It will have the effect of institutionalising in the Standing Orders the two-Party system. Whilst it is clear that the two major Parties continue to run the State alternately between them, other people must also have a say. Whatever may be the intention or agreement now, once it is institutionalised in Standing Orders it will be very hard to change. I would prefer to see, if it is to be incorporated, that Standing Order incorporated as a Sessional Order for the next session so that we can try it out for one session of Parliament.

The Hon. H. Allison interjecting:

Mr M.J. EVANS: That is a negative attitude taken by the member for Mount Gambier. I take a more positive attitude. If the Government and the Opposition are able to demonstrate in the course of the next session, which will run from July or August and which I assume will be a long and complex session, that that amendment can stand the test, I would certainly support its retention because the principle is a good one. If during that period we can see that that system will work, it could be retained. I suggest that the Deputy Premier may like to consider that that Standing Order, which is of some contention and difficulty, might be incorporated as a Sessional Order for the next session in order to experiment with the process as it will have a number of practical difficulties that he might like to amend in the course of that period. It will be easier to do

so if it is a Sessional Order. Members would have more confidence in adopting it in that case.

I also refer to column 2, regarding maximum time prescribed for speaking. This is an important part of the package. The Government has chosen to leave in that a number of unlimited responses and unlimited speeches by those who move motions and introduce Bills. That is an essential and very important part of this total package before us. If the Government proposes to introduce an agreed program with agreed times and to enforce that with the regular use of the guillotine, as occurs in Federal Parliament, clearly the availability of unlimited speaking time by both sides will place those four Independent and other members in some greater difficulty because, by utilising their rights under the column 2 provisions for unlimited responses and speeches, the Government and the Opposition can clearly monopolise the whole of the available period well within their rights. If we are to adopt this package, some consideration needs to be given to the retention of those unlimited times and in fact their replacement by much more limited but still reasonable periods of time.

I would say, for example, that an hour is an adequate time in which to move the second reading of a Bill and an adequate time to respond to it. Anyone who cannot move a Bill or cannot respond to it in that time, knowing that there are other speakers after them who also have to contribute, is perhaps not fully cognisant of their abilities and responsibilities in this place. I suggest to the Government that, if it wishes to adopt this more compressed timetable contemplated by the guillotine, the reduction from unlimited time to one hour would give a degree of safeguard to those who do not sit on either of the front benches.

Mr Lewis: Explain how.

Mr M.J. EVANS: Because the time available is clearly to be limited to, say, three hours or whatever, it is quite clear to me that if the Government takes 1½ hours to move the proposal in an unlimited time speech and the lead Opposition speaker takes a similar time to respond to it in unlimited time, clearly there is no time left for anyone else. If the time is limited to an hour at the most for the mover of a motion or a second reading, and for the response by the Opposition, then an hour is left for other people to contribute.

Mr Lewis: Why have the guillotine?

Mr M.J. EVANS: Clearly in an ideal Parliament one would not need the guillotine. However, I have yet to find the ideal Parliament, and if the Government considers it needs a guillotine, it already has one in Standing Orders and quite clearly it is at liberty to use it. It is also obvious that proposed Standing Order 144b could be used to legitimise the use of that guillotine in accordance with the program, and that will need some flexibility and sensitivity on the part of the Government. It has been my past experience of the Premier, the Deputy Premier and other members of Cabinet that they are most reluctant to use the guillotine—and that is very commendable. I hope that they retain that reluctance.

The Hon. E.R. Goldsworthy: They will use it every day if this is passed.

Mr M.J. EVANS: That is not the case.

Members interjecting:

The DEPUTY SPEAKER: Order! I ask members to allow the speaker to continue and not interject.

Mr M.J. EVANS: I have been here now somewhat over a year, and I think that this part of my speech can be made without assistance. It seems to me that the Government to date has been very reluctant to use the guillotine, and I do not see why that attitude will change. I have every confidence that the Government will retain that reluctance and use the guillotine only in the most extreme circumstances. If that does not prove to be the case, the Government will have to answer to the House and the public at large.

While I support the general principle and thrust of the Government's amendments, which are to reduce the late night sittings of the House, to expedite the business of the House and to ensure that it is adopted efficiently and by a consensus among all honourable members—and that is a reasonable and commendable approach—I believe there are a number of practical difficulties some of which I have highlighted in my contribution and some of which have been highlighted by others.

I hope that the Government will be flexible in considering those proposals, particularly in relation to the question of voting during private members time and the question of written agreements, which I think should be put on trial. However, I find it very difficult to support the concept of a private members time without votes because, if a Parliament is here to do anything, it is here to express opinions and make decisions. That is the most important function that we can undertake, and I believe that we have an obligation to all the people of South Australia to undertake that fairly.

Mr LEWIS (Murray Mallee): Like the member for Elizabeth, I do not wish to indulge in anything that might be regarded by anyone either in this Chamber or elsewhere as prolixity. I say at the outset that for years now I could see this coming. The proposals that have been put before the South Australian House of Assembly by the Government, without consultation with the Opposition and without the Standing Orders Committee having met for over 18 months, were utterly predictable given the way in which the ALP has used South Australia as the testing bowl—crucible if one likes—for its view of how the country should be governed. The ALP sees itself as being in the sort of *noblesse oblige* role in a nouveau sense—born to govern. It obviously never contemplates serving any time in Opposition. That is evident from the thrust of these propositions.

In consequence, I cannot see how members opposite can in all fairness conscientiously claim to be upholders of parliamentary principle. They are not—not if they support this proposition on this occasion. The effect of it is to turn Parliament even more so than it is now—and I deplore the fact that it is now—into nothing more than a piece of theatre, and an increasingly irrelevant piece of theatre. When in government the ALP has quite clearly and very happily debates its issues behind locked doors, and nowadays in the faction rooms. Not even the Party members who do not belong to a faction know how the members of the faction feel about the attitude expressed by any one member in that faction, committee or caucus.

They take their decisions so strongly held into the arena of the general Party forum and then crunch the numbers behind locked doors, and have a right royal punch up, judging by the looks on members' faces some Tuesdays at lunch time. We can see who won and lost the issues during the morning. In due course—

The DEPUTY SPEAKER: Order! I ask the honourable member to link his remarks to the matter before the House.

Mr LEWIS: I thought I was. I was pointing out that the measure before us now as it affects Standing Orders was quite predictable because of the way in which the ALP works, and you, Mr Deputy Speaker, would well know that; you are a part of that process.

The DEPUTY SPEAKER: Order! I ask the honourable member to link his remarks to the matter before the House.

Mr LEWIS: The measure before the House seeks to restrict the capacity of ordinary members of the Parliament to participate in its proceedings, because, to allow that to happen, it extends the capacity of members of the Parlia-

ment who are not members of the ALP to embarrass the ALP when it is in government. That is the reason for it. The ALP simply wants to spend as little time as possible in this Chamber, and as much time as possible outside it, doing as little work as possible to secure its re-election. Accordingly, it cares not one whit for the democratic process that Parliament, by virtue of its name—to parly the argument—was intended to follow. It is a place where views of contending concepts are put before colleagues who are elected to the place by their peers to make decisions about the directions in which society should go tomorrow.

That is what Parliament is about; as well as enabling those people so elected to obtain information from Ministers of the Crown—and that is a more recent introduction to the role and function of Parliament. At the outset, of course, there were no Ministers of the Crown in the Commons. Members opposite, if they had done any reading of the history of Parliament, would understand and recognise that point.

The notion of having Ministers of the Crown swearing allegiance to the Crown as the constitutional head of the State in the Lower House is only a few centuries old. In this instance I want to return to the comment that I made at the outset, namely, that I could see it coming when the card carrying members of the Labor Party, who were not members of the Parliament, orchestrated the arrangement whereby the proceedings of the Federal conference of the ALP were broadcast. That now becomes the forum in which decisions are made about the future political direction of this State and nation.

There is no question about that. In fact, all members of the Labor Party would know, as members on this side of the House know (and as I place on record now), that they are bound by Party rules not to cross the floor against the Party's vote and, once the Party has decided its attitude to a particular issue at the federal level or at State level, that is it. Accordingly, as uncomfortable as it may be to members opposite, they are bound by that decision. More specifically, after it is affirmed in the caucus that legislation will be introduced to implement the decision of the federal conference or the State conference and make it law, to give it the breath of life, the imprimatur of reality, ALP members minds close.

Then Parliament, this place, is used as a rubber stamp in the final process to do that. It is therefore understandable that the ALP would want the public to think that there was fair and free open debate on the issues of the day. But they do not occur in the Parliament. Not one member of the ALP has ever stood up in here and said anything that sounded like a compromise or a contradiction of something that had been included in a Minister's second reading explanation of a Bill. However, I had no compunction about doing likewise when the Liberal Party was in Government from 1979 to 1982. Members of the ALP in this place know that if they decide—leave alone express an opinion that is contrary to that contained in the Minister's second reading explanation—to vote against the Minister, they would find themselves as did Norm Foster in another place—expelled.

These measures to change Standing Orders are now before us in order to deliberately restrict the length of time over which the House will sit to consider Government legislation and thereby restrict the likelihood of embarrassment to a Labor Government. It enables a Government to clearly marshall its numbers with the threat of Standing Orders hanging over other Independent members, be they members of the Liberal Party or any other Party, and prevent them from freely participating in debate.

Mrs Appleby interjecting:

Mr LEWIS: Yes, and Standing Orders have just been ripped up, in the sense that there will no longer be an opportunity, for instance, for me in this Address in Reply debate (we will rudely ignore the Governor) to say anything about what I have been studying since the election, or about the concerns of my constituents. I cannot even answer the propositions put through the mouthpiece of the Government, the Governor, in his opening remarks to this Parliament.

The ALP Government has deliberately pushed private members time quite into the background in these sittings. It has prevented any debate of motions that are on the Notice Paper from private members. I do not see that as in any sense fair. In fact, as I have said in other terms (and I have no compunction about saying it here), it is a bastardisation of the original intention of Parliament for the convenience of one political Party.

Those of us who belong to political Parties ought to remember that the institution of Parliament with which we are playing when we decide to follow the Party line dictated to us, if we allow that to happen, are further prostituting ourselves to the whim of that political Party and the influences which are brought to bear upon it from people and vested interests quite outside this place. They are undemocratic, in the sense that not everybody has had a vote or say in who can express such opinions. Therefore, not everybody is represented in the views which are expressed on issues upon which decisions are made. So, the political process within a political Party is therefore by some degree narrower in its focus than the political process of decision making where there is an abstraction of the total society. That is why we have Parliament. It is not, and will never be for so long as I am a member of it, a place which I consider or will allow political Parties to play with in the fashion that the ALP proposes in these amendments to Standing Orders.

To illustrate the points that I have made, I state that only today the member for Briggs, who knows so little about Standing Orders, in the course of what was supposed to be an explanation of his question, simply and blatantly (and ignorantly, I believe, being unaware of the Standing Orders) expressed personal opinion. There was not one phrase or sentence in that explanation which was a statement on behalf of his constituents or which came from any other source of inquiry whatsoever. He was merely expressing personal opinion and giving comment—quite out of order. During the course of the day, the member for Whyalla—(the Minister for Labour, or whatever he is known as)—was able to stand here in the Parliament under what is a lax interpretation of, or at least a different interpretation to that which I would place on, that Standing Order, and sorely abuse members opposite.

The DEPUTY SPEAKER: Order! I ask the honourable member to resume his seat. I have already asked the honourable member to link his questions to the Bill that is before the House. What occurred in Question Time this morning has nothing to do with the Standing Orders in front of us.

Mr Lewis: I thought they did.

The DEPUTY SPEAKER: I am asking the member to link his comments to the Bill that is before us.

Mr Oswald: It isn't a Bill.

The DEPUTY SPEAKER: I am not asking for comments from other members. I am referring to the member for Murray Mallee. I asked him earlier in his address to return to this matter, and I ask him to come back to it again. The question of what arose in Question Time this morning is not under discussion here—

The Hon. E.R. Goldsworthy: This afternoon.

The DEPUTY SPEAKER: This afternoon—I thank the honourable Deputy Leader for his assistance. The honourable member had his opportunity to take points of order at that time, and I ask him to return to the subject matter that is now before us.

Mr LEWIS: The changes to Standing Orders, Mr Deputy Speaker, as you would be well aware, envisage the increase of the power of Government in marshalling the time in which it can get legislation through the Parliament. Furthermore, it restricts the total number of days on which the Government would allow Parliament to sit during any session to get its legislation through. It is doing that by restricting the extent to which honourable members can participate in debate. It is doing that in two ways. It proposes to restrict the number of honourable members who can participate and proposes to restrict the amount of time for which they may speak on a variety of issues, according to the kind of subject that is before the House at any time.

That is the way in which it is relevant for me to then make the points that I am making. Moreover, the matter before us at the present time is not a Bill; it is a change to Standing Orders, and I am therefore canvassing those parts of it which relate to the length of Question Time. It is not appropriate—and I make this point following the point made by the Deputy Leader of the Opposition in the course of his remarks—for Ministers to have unlimited time to answer questions put to them by honourable members from either side of the House.

Ministers should be required to give to the House succinct statements of fact in direct response to inquiries put to them. They should not make statements of policy or heap abuse on other members. I gave an instance of when that occurred, namely today, and where I think it is inappropriate that it should occur.

From time to time I know that Speakers in this place change. During the course of the last Parliament it was quite parliamentary to use the word 'lie'. However, in the life of the present Parliament it has been found to be unparliamentary. I recall a time when the former Deputy Premier used the word 'lie' no fewer than 13 times in one speech. I believe that the sort of flexibility that is exercised by the Speaker from time to time should also be tightened up. Standing Orders should have something to say about that.

Since we are considering Standing Orders in this debate, I see no reason and know of no Standing Order preventing me from saying what I believe ought to be before the House at the present time to improve the way it conducts its business and to also improve the behaviour of members who have the honour and responsibility of representing others in this place. To that extent, given the amount of time that may be available for me to do it, I believe that an amendment will be in order later in the proceedings, and I will see that it is circulated to members.

As the Deputy Leader pointed out, a joint select committee was appointed by the last Parliament. That select committee established a subcommittee, but it was not a subcommittee of this Parliament; it never made a report to the select committee, and it leaked all over the place. I do not know which member of the committee it was, but several comments in the press about the way in which Standing Orders should be changed were directly attributed to the current Speaker (the member for Walsh, or the member for Ascot Park as he then was). That is my second reason for believing it was possible for me to foresee these changes.

My third reason relates to former Speaker McRae and the way that he constantly made statements to the media, some of which were made spontaneously arising from whatever it was that prompted him to stand to lecture us during Question Time or at other times during the proceedings of the House when he rose to tell us what naughty boys we were, how his hands were tied and how he was unable to do anything. He did this whenever it suited him to castigate someone at length, and usually it was a member of the Opposition. It became clear to me from the statements made to the press by former Speaker McRae that sooner or later (and probably sooner) the ALP would move, if it was in government following the December election (as indeed it is), to change Standing Orders to make things more comfortable for itself, for the very reasons I have outlined.

It was a careful process of orchestrating public awareness and support for the Government to make changes in the direction which suits the Government. It saves the Government the embarrassment of being scrutinised, as it reduces the number of days the Government has to be in here, subjected to the scrutiny of Question Time. That is my third reason for believing it was possible to foresee that this proposition was already in the pipeline three years ago.

New backbench Government members should not look so amazed at the way their own Party has orchestrated changes through this place to suit itself. It is of everlasting regret to me and will be to this Parliament that, without the Standing Orders Committee ever having met to consider this proposal and without the joint select committee ever having received recommendations from the subcommittee (members of which were members of this House) the Government has chosen to bring in these alterations which substantially reduce the capacity of ordinary backbench members to make any contribution to legislation or raise points of concern to their constituencies, or to raise points of concern about the direction in which the Government is taking society by the continual effect of its decisions (be it social, economic or any other legislation).

Those changes are now before us without the usual consultative mechanisms having been engaged in. Members of the Government, especially those on the backbench, apparently need to be reminded that they will not be in government for ever: it just does not happen that way. Having torn up the rule book and ignored the procedures which have served this Parliament well for 130 years (and which were substantially copied from other similar institutions, such as the House of Commons) this Government should not be surprised if it gets a nasty serve of bitter medicine of the same order by a Government of a different political persuasion at some future time. My voice will be raised in disagreement if that does happen, because the Government is now screwing down the pressure valve on society by restricting the number of days that it is possible to release the head of steam below that valve here in Parliament on behalf of the people who feel these concerns.

There has been no opportunity during this session—and there will not be until August, when it is too late—to debate the effects of, for example, the fishing regulations introduced by stealth on Christmas Eve when all Government officers went on holidays and grace leave until the new year, when many people were on annual leave, anyway. No-one knew that the regulations were coming in: they were brought in by stealth, and people suddenly found themselves unable to do certain things, because the new regulations prevented them from doing so. They had no means of protesting or doing anything else.

I have no means of protesting now, either, because the Government has set aside the Address in Reply debate and prevented private members time coming on to the Notice Paper, and it intends to wind up without even the courtesy of going to the Governor and presenting him with an Address in Reply to the Address he gave Parliament. If that is not treating the people of my constituency and me as their representative with contempt, what is? These changes to

Standing Orders make it even easier for the Government to do that. Talk about circumscribing the rights of ordinary members of this place—I could think of other words.

I have made the point and will clearly underline the relevance of the amendment to be put by the Deputy Leader (which I support), that Ministers should be restricted to no more than three minutes in their replies to questions asked by an honourable member. That will ensure that we will not see the kind of prolixity we have seen in the past during my time in this Parliament and before I was here (when I sat in the Gallery from time to time), and it will ensure that we receive straight answers to straight questions.

I turn to the proposal that Thursday mornings be private members time. Presumably, that time will secure an opportunity for members to say something every week. It does so at the expense of an hour! Previously, members had from about 3 p.m. to 6 p.m. on Wednesday afternoons, until that time was sorely abused by Governments. We will now lose that time, but the Government holds out a carrot and says, 'We will give you a Mickey Mouse session of Parliament, when you can rock up here with any other bod who belongs and say your piece'. It is a Clayton sitting—the sitting you have when you are not having a sitting. There will be no votes, we cannot count out the House and, if you are talking to an empty House and an empty gallery—stiff! It does not matter if a member is abused!

Members who disagree with what the member on his feet was saying could interject. In the event that the Presiding Officer of the House behave in an utterly disorderly way (it does not say that it has to be the Speaker, it could be his nominee) attempts to discipline any member, there is no provision about how the member concerned would be dealt with. It would be impossible for a member to be suspended, because voting would be out of order.

If I was speaking on a controversial issue that other members (particularly Government members) did not like, they could play up considerably, and there would be nothing that I or the Speaker (or the Presiding Officer at the time) could do about it. The members could not be named or suspended, they could sit there with impunity. There is no disciplinary provision in these changes, and that is why it is quite inappropriate for us to pursue the Government's proposition to have a Claytons session for two hours on Thursday mornings. It just will not work. If we will not be voting on a proposition during the time allowed for debate, when will we vote?

Does the Government say that time will be set aside after Question Time on Thursday when all the votes will be taken one after another? If that is the case, it supports the point I have been making all along—that members on the Government backbench do not understand the nature of Parliament, are not even interested in the substance of debates that would go on in private members time, and would rock up in here to crunch the numbers and do whatever the relevant Minister said had to be done. It would be a Caucus decision, and the arguments and the material on which the arguments were mounted would not be put before members—they would be doing as they were told and not listening to any reason whatsoever. I find that situation utterly repugnant and a gross abuse of my responsibilities and rights as an ordinary member of this place.

Mr Tyler: This speech is a good case for reform!

Mr LEWIS: I remind the honourable member that Parliament is the highest court in the land. I have not heard of any judge who sits in judgment of a case without having heard argument for and against. If the honourable member thinks he can make a better judgment by ignoring the argument for and against and then coming back into this place to use his vote the way his Whip tells him, it is a clear illustration that he does not understand either the present procedures of Parliament or the principles of jurisprudence in our society, where by one is presumed innocent until one is proven guilty.

If a member has a case to put, surely it is at least reasonable for other members who are interested in the proposition to hear it out. So, I stand here now as an ordinary member on the Opposition backbench expressing what would be my view regardless of where I sat in this Chamber at any time if such propositions as we have before us now were brought in by any Government of any political persuasion. I am opposed to their effect, and I support the amendments to be moved by the Deputy Leader at a later stage when we consider each Standing Order on a clause by clause basis. I commend that position to all members and ask them to sincerely consider what they are doing to the institution to which they have been elected and to the people to whom they are responsible while they are members of it: do not destroy it.

Ms LENEHAN secured the adjournment of the debate.

LOCAL GOVERNMENT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 4 March. Page 845.)

The Hon. B.C. EASTICK (Light): The Opposition supports the Bill, which is commonly referred to as a rats and mice Bill, although it contains some important provisions. This measure has been debated at some length in another place and amendments were moved.

The DEPUTY SPEAKER: Order! I ask the honourable member to take his seat. I am having much difficulty in hearing the honourable member, and I am in a very good position to hear him. I ask members of the House to keep their conversations down so that we can hear the debate.

The Hon. B.C. EASTICK: Thank you, Mr Deputy Speaker. In another place two amendments were passed, one moved by the Government and one moved by the Opposition, and they materially improved the Bill. I will comment on that in more detail later. Suffice to say that, like many local government Bills, it is basically a Committee Bill. The clauses cover a wide range of issues that will involve much Committee discussion. Several subjects are embraced by the Bill. Indeed, 16 clauses remove obsolete and archaic provisions. After all the attention that has been given to the Act in more recent years, how so many of these matters were not previously removed I cannot work out.

Only 12 months ago we got rid of the 'sparrows' provision in the Act, recognising that it was superfluous and in this Bill a number of the measures in question have been out of time by about 20 years where, for example, they relate to Acts of Parliament that were changed or to final dates involving a grandfather clause effective about 15 or 20 years ago. Such matters will keep coming before us, I imagine, as the major overhaul of the Act takes place.

I expect that later this year we will be looking at the provision that brings to reality the assessment, rating and general financial aspects of the Act, whereas virtually there are no such measures in this Bill although some incidental financial matters are dealt with relating to the gazettal of certain matters that have been excluded.

It is regrettable but inevitable, but there are several amendments to the most recently introduced provisions of the Local Government Act involving sections 1 to 150. During the period of the previous Government it was said that changes would be necessary over time to ensure that the intention of the legislation was carried through into reality. Experience has shown that there is a certain ambi-

guity about some of these provisions: this is now addressed through these amendments in terms of improvements to the drafting, and we support those measures.

The flexibility now provided in promoting community schemes for the benefit of residents breaks new ground. It is really an extension of some specific benefits that have been available under the general purview of the Local Government Act over the years, for example, the situation involving Rundle Mall, specifically affecting the City of Adelaide.

It has been seen that such developments could be an advantage in other areas and the flexible nature of promoting community schemes follows a period of consultation with the public. Eventually, with the concurrence of the Minister, if there is an alteration to the council's original intentions, there is a reassessment of that discussion with the public so that the public is not giving sanction to a measure that is markedly altered before it is implemented. Those matters are valuable.

My colleague in another place, in talking to this measure, questioned why it was necessary for the Minister to have such a high profile in decision making. If we genuinely believe that local government has a particular place in the scheme of government, then we ought to leave it to them to make decisions which are, in the belief of those individual councils, to the advantage of their communities. I notice that the Minister, in answering that question from my colleague in another place, indicated that she, as Minister at this time, recognised that there probably was a responsibility of the central government (the State Government in this particular case) to make sure that the community overall was being satisfied and not only the community which was the council, if the council saw fit not to exactly agree with what its local community was wanting to do.

I accept the position in this learning period or in this transitional period. I would like to believe that eventually the very fact that we have written into our State Constitution that local government has a place will mean that we trust local government. Then again, I would have to be a realist and indicate that local government has not always necessarily fulfilled the expectations that members of State Parliament or the community at large would have of the council. So we find the Minister here exercising the role of Ombudsman to the local community, quite apart from the role that the true Ombudsman can apply, but the Minister is applying a check and balance situation for the benefit of the council community.

I believe that, with the greater degree of professionalism which is now coming through in respect of the chief executive officers and the other senior members of the staff who are giving service to local government, a greater degree of professionalism in the future will lead to a better understanding and a greater acceptance by State Governments of the independence and the autonomy of local government. It is not totally there at the moment. I want to stress that point. The Minister has given an explanation which I can accept, although I believe it is a slight sleight—and that is not meant to be a play on words—on local government itself, but some areas of local government have perhaps brought it upon themselves or upon local government generally because they have not been performing as well as they might.

The challenge is there for local government to lift its performance across the whole of the State, not only in those areas of local government where they are performing particularly well. I know, for example, this approach is something which is well in the mind of the Institute of Municipal Management, which is taking a very high profile of the need for professionalism and the need for peer review and the need for upgrading of qualifications or upgrading of attitudes, if you like, in the performance of officers with their local councils.

The extension of the term for the Adelaide Oval from the Adelaide City Council from 25 years to 50 years is very commendable. I believe there is a view abroad at the present moment that, in the knowledge of how well the discussions have taken place, it might have been possible to extend it beyond 50 years. That 50 years is double the old 25 and is certainly a much better proposition for the South Australian Cricket Association and the others directly associated with the facilities on the Adelaide Oval. It gives them an opportunity to undertake quite massive reorganisation and redevelopment which will be beneficial to the public of South Australia. I note from some material which has been in the press in recent times and which was referred to more specifically by my colleague in another place that, for example, as recently as 28 April 1985 an article in the *Sunday Mail* indicated that the oval could have a $4 million upgrade. That is not necessarily the final sum.

There is the clear indication to all who would be interested in the maintenance of the very high regard there is for the Adelaide Oval and its environs that the old scoreboard is not going to be lost, nor is it going to be upgraded with the electronic monstrosities that have appeared in other places, although an electronic replay arrangement might be located somewhere else on the oval so that patrons get the benefit of the instant replays and can become umpires like the armchair critics at home. That is by the by.

The position which is now available to the Adelaide Oval community I hope is soon to be made available, and I would be interested to know as we move along whether it is available under this provision, for example, to the South Australian Jockey Club in relation to the Victoria Park racecourse. There is a need for further upgrading there. I believe there is a will by the South Australian Jockey Club to undertake some upgrading, but here again it does require a reasonable period of time over which they may exercise an influence in respect of tenure at Victoria Park. The recent experience of the Jubilee 150 opening at that venue, the continuing use which is going to be made of that facility by the Grand Prix, and the knowledge that agreement has now been reached that there will be a Papal mass on that site augurs well for the future of that area, not just servicing racehorses and racecourse patrons but being of tremendous value to the community at large and for the facilities which are established there to be used more widely by the community, albeit by an arrangement which is acceptable to the SAJC or an harmonious relationship between the people involved.

The final comment that I would make in this general approach to the Act is the extension which allows for the South Australian Local Government Association to involve itself in self-insurance for workers compensation. There has been an extension to that particular clause which allows the Local Government Association to encompass not only councils, as prescribed in the original draft which was brought to another place, but extends to the other ancillary local government organisations which are encompassed by other similar types of legislation we have passed. I refer here to the Local Government Finance Authority, where the opportunity exists. I also refer to the superannuation arrangement which now exists for the Local Government Association which embraces vertebrate pest groups and the Finance Authority—it is a joint arrangement there—and other directly associated organisations.

I think that is progress and I compliment the Minister in another place for having accepted that extension. I should also point out that the other amendment in the Bill we are now considering which was not in its original form was proposed by my colleague the Hon. Di Laidlaw, and it

introduces into this Bill a provision that a person who is fearful of having their name on a voters roll but still wants to exercise the right of a vote may now seek to have their name removed from the roll and yet retain the voting right.

That is a provision available in the State and Federal electoral Acts. It does give a measure of safeguard to a person who is fearful of their domicile being identified by a person who is seeking to cause them a mischief.

I am led to believe that, so far as the State rolls are concerned, it applies to only some 22 people. However, if it gives those 22 people peace of mind, it is worth having. If it is good enough to appear in the State and Federal electoral systems, it is only right that it be in the local government electoral system.

The Minister had indicated, in accepting this amendment from the Hon. Di Laidlaw, that it was a matter that undoubtedly would be picked up in the not too distant future and might have been considered in a Bill later this year. The fact that it has been identified and accepted by the Government is worthwhile. This Bill is a vehicle, being a general purpose Bill, that allows that extension to have taken place and I am pleased to know that it is there. I indicate that there will be some questioning in relation to the clauses. However, the Bill as now presented has the support of the Opposition.

Mr S.G. EVANS (Davenport): I will not go through the Bill, as did the member for Light, but I do take note of the scheme to undertake activities not otherwise authorised by local governments. In that I take the opportunity to raise a subject that was raised with the Premier by the Elderly Citizens Homes of South Australia Incorporated and I take it that under this Bill a council can take up any scheme. If the Government cannot do something about it, we will have to ask local government to do something about it.

On 2 December the senior executive of the Elderly Citizens Homes wrote to the Premier pointing out that it was appreciative that the candidate for Fisher, and the Premier and his wife attended one of their homes and they did not raise the subject with him then, even though the Premier's secretary stated that, if there were any matters of concern relating to care of the ageing that the elderly citizens wished to raise, she would be quite happy to have it followed through in the Premier's Department. They wrote on 2 December, as follows:

> As you would be aware, provision is made for aged pensioners residing in their own home to receive rates remission through their local authority. It is understood that the resulting loss of rates revenue is supplemented by the State Government.
>
> Our non-profit association provides accommodation and health care services for approximately 1 800 aged persons within 1 500 independent living units located in 20 different municipalities throughout greater Adelaide and Victor Harbor, plus another 400 frail aged patients and residents within our three nursing homes and hostel complexes. The vast majority of our people are dependent upon the aged pension as their only means of income, yet they do not attract the rate remission applicable to aged persons residing in their own home.
>
> The State's Local Government Act does not provide for aged pensioners residing within non-profit organisations to receive the rates remission. Rather, it is left to the discretion of the individual council, and of the 20 local authorities where ECH has independent living units, only one—the City of Prospect—

the Premier would be proud of that, as it is close to his electorate, if not in it—

> has elected to make the 40 per cent rate concession available to our association.

They further stated:

> Bearing in mind that our units are purpose-built for aged persons in conjunction with the Federal Government and operate on a non-profit basis as a community service, it is all the more concerning that we have experienced a rate increase during the period 1979-80 to 1984-85 of approximately 1 591 per cent gross for our 68 self-contained aged persons flats located on two sites at Victor Harbor. Council rates paid by ECH relative to these units for 1979-80 totalled $1 101.60, and for 1982-83 the sum was dramatically increased to $14 144. In 1984-85 the sum was further increased to $18 632.

They gave a comparison and further stated:

> The attached comparison of rates charges summary for 1984-85 highlights the dramatic difference between Victor Harbor ($282 per unit p.a.) and other local authorities, for example, Burnside ($992.49), Mitcham ($72.96) and Tea Tree Gully ($54.52). The rates for 1985-86 totalled $20 400, a further increase of 9.489 per cent significantly higher than the national inflation rate claimed by the Federal Treasurer. This means, in effect, that our aged pensioners are paying almost $6 per week of their weekly $20 maintenance charge towards the payment of council rates.

I do not need to go further than that, although the letter went into more detail. I am led to believe that the Premier may have passed the letter on to the Hon. Barbara Wiese to have the matter looked at. I may be on the borderline in raising the issue as the scheme may not fit in, although there is reference to 'any scheme or activity'.

It is rather serious and I have taken this opportunity because the Government should act quickly. There was an opportunity in this legislation if it wanted to do it. It could have happened now, because the notice went to the Government early enough to make the change if the Government was interested. I am looking to hear, from the Minister handling the Bill, some assurance that the Government has a concern and will do something about it.

The other group involved includes some of the churches such as the Lutheran Church at Victor Harbor, and other non-profit organisations. I support the Bill with the thought that the Minister will take up the subject I raised and ensure that there is some haste in it as there has been in other legislation introduced over the last few days.

Mr M.J. EVANS (Elizabeth): I will comment briefly on the Bill. As the member for Light said, it is largely a 'rats and mice' Bill. However, it contains one or two important provisions and the most important one relates to the association taking on the business of workers compensation insurance. Unfortunately, that is covered by only one clause in the Bill and by a very cursory description in the clause notes. In fact, there is some discrepancy between the clause notes and the Bill itself. Unfortunately, the only copies of the Bill available relate to as it was introduced in the Legislative Council and not how it emerged from the Legislative Council, so we do not have the benefit before us of the legislation that we are debating. It is most unfortunate that Parliament is required to approve legislation in that fashion.

It is quite possible that we will have to revert to the technique of the Clerk reading the clauses, as I do not have a copy of the missing clause before me although the Minister's officers were kind enough to show me a copy and discuss it with me. I thank them for that. A spare copy is not available to read during debate and I hope that that situation will be avoided in the future. Although the Bill as a whole relates to fairly mundane matters, members know that the Local Government Act has been amended almost as many times as the Income Taxation Act of the Commonwealth and it is difficult to follow in this context. Discerning what the repeal of section 286 does is not easy because often the clause note says that the clause 912 repeals section 286, which we know already. It is difficult to work out without going back to the original documents, and the Bill only became available at 8 o'clock tonight.

The Government needs to give more attention to members being able to look at legislation that they are expected to pass with a reasonable time to perceive the complexities of it and to understand if other matters need to be raised in questions. I wish the Minister to further explain a couple of matters. However, it is a Committee Bill and I will take

them up in Committee. The question of the workers compensation insurance scheme is an important one, and I hope the Minister will be able to give us more details of that, as it is comparable to the superannuation proposals undertaken by local government in the last session of Parliament.

They are extremely important proposals and local government does benefit substantially from activities that it undertakes on a joint basis. Superannuation and workers compensation are very much in that category, and I fully support cooperative action between councils. However, the superannuation legislation was accompanied by very substantial information and briefing notes, and members were able to get the full appreciation of the effect of that scheme. The Local Government Association and the Government supplied very comprehensive information which enabled us to make good judgments about that.

It would appear from the Bill before us that the councils are about to embark on a similar scheme in relation to workers compensation. Unfortunately, we have only a one line reference to it, and I think the consequences of that are important enough to warrant more than just that one line reference. With those qualifications, I support the Bill and would not wish to see it delayed. However, I believe that when this kind of legislation is considered in the future it should be done on a more satisfactory basis.

The Hon. G.F. KENEALLY (Minister of Transport): I thank members who have contributed to the debate for their support of the Bill. I acknowledge that this is a Committee Bill, and I anticipate some questions at that stage. The member for Davenport raised some matters and wondered whether they were strictly within the purview of this legislation. I wonder whether they are as well. However, the honourable member did raise them, and I acknowledge the sincerity of his cause. I can advise him, as he already knows, that representations have been made to the Premier, who has advised the organisations petitioning him that this matter will be referred to the second part of the Local Government Act review. Therefore, the matter has not been shelved.

The honourable member would be aware of arguments that would contradict the position he puts in terms of the Commonwealth rent allowance which is provided to people who live in these centres. I do not want to get into the argument because that diverts the House from this matter. However, I guarantee that I will refer the honourable member's comments to the appropriate Minister so that she can respond to them and inform the honourable member of the current position.

The member for Elizabeth expressed some concerns about the provision that would allow the Local Government Association to be involved in workers compensation insurance. Here again, that in a sense runs counter to some degree to the support given to the matter by the Opposition both in another place and here; that matter will be determined in Committee.

The member for Light expressed surprise that, after the comprehensive work done on the Local Government Act over the past 12 months, we are still deleting provisions because they are obsolete. For those members of the House who have not had experience of being vitally involved with the Act, it is a massive document. Indeed, it is a conglomeration of *ad hoc* decisions made over the past 10 years or so. In the terms of the last two or three governments, a real attempt has been made to rewrite the Act in order to bring it into the modern era using terminology that is relevant and more easily understood.

Even though this Bill can be termed as covering the rats and mice of legislation, nevertheless any amendment to the Act is an important amendment in its own right, although there is a degree in that importance. The member for Light pointed out that if any State Government believes in the rhetoric that we hear so often that local government should have greater responsibilities and should exercise those responsibilities and authority in the best interests of the people whom it represents, it needs to be given the opportunity to do so. I am sure that this matter will be brought up during Committee.

A responsibility also rests with the State and Federal governments. I do not think that any Government can act completely in isolation from the others. All governments, whether local, State or Federal, are elected to office to provide the best possible services to the people whom they represent. Each has an interrelated responsibility, not only legislatively but also in the interests of the electorate at large. Therefore, the State Government will rightfully remain a vital component in any local government legislative change. I thank the House for its support and commend the second reading to all the members who have shown a keen interest in the debate.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'The Local Government Association of South Australia.'

The Hon. B.C. EASTICK: This clause concerns a highly desirable extension that is in the best interests of the Local Government Association. I notice that it contains the mandatory word 'shall'. Will the Minister say why it is a mandatory directive to the Local Government Association that it shall undertake workers compensation proposals?

In many other areas, provision is made to enable the Local Government Association to decide whether it wants to undertake action on behalf of its membership. I suspect that this may relate to the workers compensation Bill which is being considered in another place, but it is a fairly firm directive to the Local Government Association. If circumstances were to change and the association found that it was unable to undertake that responsibility, it would naturally have to come back to Parliament for a change to allow the association to divest itself of a form of insurance that might be a major embarrassment to it in providing the services which it would otherwise render.

The Hon. G.F. KENEALLY: I believe that the member for Elizabeth would also wish to ask a similar question: that is, why the legislation says, 'shall' rather than, 'may'. This was done at the request of the Local Government Association, which asked the Government to make it mandatory in those terms. I have been advised that, if it is made mandatory, it will exempt the Local Government Association from the provisions of the Commonwealth Insurance Act. I understand that means that it will not have to become licensed as an insurer. There will not therefore be a need for the Local Government Association to cash itself up in a sense—to have extensive reserves. It just wants to be an insurer for the local government bodies. It is at the request of the Local Government Association that this provision has been worded in this way.

Mr BLACKER: Is the Minister able to amplify further the last few words, 'and any other prescribed body' in the Legislative Council's amendment? I was at a local government conference on Monday at which concern was expressed that the Act as it was then proposed was not quite broad enough and they were looking for extensions to it.

The Hon. G.F. KENEALLY: This will enable the Local Government Association to provide workers compensation insurance cover for local government related bodies such as the Pest Plants Board, the West Beach authority and a number of others that are interrelated with local government.

Mr Blacker: CEP programs?

The Hon. G.F. KENEALLY: The answer to that question is obviously 'Yes'.

Mr M.J. EVANS: I think that the Minister perhaps misunderstood my comments earlier in the debate, because I certainly was not opposing the principle of the association maintaining workers compensation business. I fully support the principle of the association on behalf of councils carrying on joint enterprises, and that cooperative scheme is a very good one which I support. I do not object in any principal way to the extension of workers compensation.

The difficulty that I have with it relates to the implications of this one clause item and the complete lack of supporting documentation which has been made available to the House because, if one contrasts this to the very similar application to superannuation in a previous session of the Parliament, one sees that, when the superannuation question was brought forward—and I think that the two are very similar, in principle at least—a great deal of information and supporting documentation was brought to the House and to honourable members who were interested. This enabled us to examine the whole scheme as proposed and to understand the financial implication to councils and to the association. That was very valuable. It is quite unfortunate that the same has not been done for workers compensation.

The way in which the provision is phrased causes me some difficulties because, as the Minister has indicated, it will exempt the association from the federal Act which requires various degrees of financial reserves and the like to be held by insurers and for them to meet various solvency requirements. The association does not have the financial reserves or finance levying power, or the rating power of individual councils. Whereas individual councils might well be self insured or whatever because they have the reserves and the rate levying power, the association has none of those. It has only the financial backing of its own current bank accounts which are minimal, and also the power to request councils to contribute.

We have no real supporting documentation to establish the way in which this will be done and no real indication of the degree of security that councils and workers will enjoy in having the association carry on the business of providing insurance. Providing insurance is a very complex business, and I am a little disappointed that we do not have more justification of the financial standing that this scheme will enjoy, because the compensation arrangements for a great many workers in this State and also the liability of councils are very much in question, I think that should be put on a more substantial financial basis than one can read into the one line amendment.

The Hon. G.F. KENEALLY: I should have mentioned previously that the Local Government Association does not intend to carry all the risks. It would certainly want to buy risk cover. A greater risk might apply to the activities of local authorities, so a percentage of what they receive from the authorities will be placed in reinsurance to cover the greater risk. I understand the difficulty to be in relation to the more detailed information that the honourable member feels that the Committee ought to have available to it. Until the workers compensation legislation passes the House, the exact nature of the scheme is still very much in doubt.

This is enabling legislation (although in a sense it is more than that) which requires the Local Government Association to be involved in workers compensation insurance. However, the nature of the scheme is dependent upon another piece of legislation that is currently being debated in the Parliament. When that has been decided one way or the other, the Local Government Association and the Local Government Department will be in a better position to explain in detail to those who would wish to inquire as to the final form of the insurance scheme. At this stage, really the Local Government Department or the Government is, I understand, not in a position to give that detailed information.

Clause passed.

Clauses 4 to 9 passed.

Clause 10—'Delegation.'

The Hon. B.C. EASTICK: I am not averse to the proposal which is made here and which has obviously been found to be necessary for better administration. However, will the Minister say to whom the results will be reported? Will there be a regulation that will very clearly provide how the delegation will be recorded, and how it will come back to the authority, be that authority the chief executive officer or the council? Has that aspect been considered because, as desirable as the measure is, there must be a safeguard.

The Hon. G.F. KENEALLY: Any individual or subcommittee that has a delegation from the Local Government Qualifications Committee would have to report back to that committee. Does that answer the query that the honourable member raised?

The Hon. B.C. EASTICK: The delegated authority will come back to the committee in some proper form?

The Hon. G.F. KENEALLY: There will be a requirement for the delegated authority or person to report back to the Local Government Qualifications Committee.

Clause passed.

Clause 11—'The voters roll.'

Mr M.J. EVANS: There are provisions under the Electoral Act whereby an ordinary elector can apply to the Electoral Commissioner and the returning officer in each district to have his or her name and address (or at least the address) suppressed from being printed on the electoral rolls of the State House of Assembly. Those rolls form a substantial part (in fact, 90 or 95 per cent) of the electoral rolls for the Legislative Council. Unfortunately, the amendment inserted by another place (and I appreciate that it is not a Government amendment but rather an Opposition amendment) requires each chief executive officer in each local council area to make that decision. That decision could well be at variance with the decision taken by an electoral officer. An electoral officer may suppress a name in, say, the electorate of Elizabeth but the city council of Elizabeth may choose not to suppress the name on the city council's roll, or *vice versa*. The distinction made is very unfortunate.

Quite clearly, the results could be very unfortunate for electors who for a very good reason have their names suppressed but who for some reason could not convince an individual town clerk of the necessity of this but could convince the returning officer. A distinction has been created which is unnecessary and unfortunate. It would have been better to tie the amendment to the decision of the returning officer in each case so that, where a person had already obtained a suppression order from the returning officer in a district, it was automatically suppressed from the local government roll. In that way a far more efficient system is created.

In the case of property owners who do not live in the district in question (this forms but a small percentage of the roll) the suppression of their home address in another district could be used as grounds for having their property address and home address suppressed in the council district. It would have been quite feasible to tie together the Electoral Act system and the council system in a way that would not allow the introduction of this type of potential discrepancy. I think that would be a better thought out amendment, and I am surprised that the Government is not seeking to tidy that up. Perhaps the question of time does not permit this. However, perhaps the Government could address this matter in any consideration of the Bill when it is next amended.

The Hon. G.F. KENEALLY: I can give an assurance that the Government will look at this matter. In that review I will ensure that the honourable member's comments are included. The Minister of Local Government has an election review working party working on a report that will now include the matters raised by the honourable member. I do not want to debate the matters he has raised because, as the honourable member has pointed out, through circumstances he does not wish to move an amendment, although he is quite obviously unhappy with the form of the amendment moved in another place. At this stage all I can do is give him the assurance that he seeks, that is, that the Government will review the clause, and that within that review it will see whether the reservations that he has are valid and whether a further amendment is necessary to this amendment.

Mr M.J. EVANS: Mr Chairman, I think I detect a drafting error to paragraph *(a)* in that 'subregulation' should read 'subsection'.

The CHAIRMAN: I am advised that I can make a clerical adjustment, and I will do so.

Clause passed.

Clauses 12 to 16 passed.

Clause 17—'Notice of resolution or order.'

The Hon. B.C. EASTICK: Can the Minister assure the Committee that a private individual is completely protected under this provision? I genuinely believe that that is the intention of the Bill and the intention of the Local Government Department. However, there is no specific involvement of the private individual in this provision as I have read it. It may well be that it is covered in broad terms which I have not detected elsewhere in the Bill. It may be that under more normal circumstances it is an expectation. I seek an assurance from the Minister that there is nothing in the alteration which will advantage councils but in some way disadvantage private individuals.

The Hon. G.F. KENEALLY: Certainly, in reply to the honourable member, that is the Government's intention in this clause. An individual will have normal rights to compensation and rights of appeal to the Land and Valuation Court. Therefore, people who may feel aggrieved have those rights available to them. I am advised that rights to compensation and the right of appeal to the Land and Valuation Court certainly secures individuals' rights. They will not be disadvantaged merely to advantage the council. The rights of an individual must still be preserved.

The Hon. B.C. EASTICK: I suppose it is a matter of being supercautious. I will quickly relate an incident which occurred to me personally. I had a parcel of land which it was decided should be made available to the council. In consideration of making an area of land alongside a road available to the council, council decided to close a road on the opposite side of the property and attach it to my original property. It was a *quid pro quo* situation, if you like, which was advantageous to everyone. The council went through all the processes of closing the road and submitting it for registration, only to be told in due course that the authority would be pleased to make the closure and adjustment but that, first, the road would have to be opened.

The road was bituminised and had been used by the council and everyone else for 90 years but had never been opened. A delay of another nine months was involved in having the road opened and then closed, and it was an awkward situation. In this clause we are taking a short cut or providing an easier way to conclude transactions by giving councils extra rights of attachment, and perhaps in other circumstances my position could not have been reclaimed. Against such a background, I draw the Minister's attention to the fact that there is provision for proclamation to take place on a date to be determined. It is conceivable that this clause, if it is subsequently found not to completely safeguard the private owner in all circumstances, could be withheld (the balance of the Bill to be proclaimed) until further adjustment is made by the Committee.

The Hon. G.F. KENEALLY: The point has been well made by the honourable member. This matter will be looked at again. We will seek another opinion on the amendment to ensure that individual rights are not prejudiced in the way related to the Committee. I can give that assurance, because it is the Government's intention to ensure that rights previously held by individuals should not be adversely affected by amending legislation that only seeks to make the working of the Act more efficient.

Clause passed.

Clauses 18 to 22 passed.

Clause 23—'A council may create a scheme to undertake any activity.'

The Hon. B.C. EASTICK: This provision breaks new ground and will benefit the community at large. The change will need to be monitored, and I hope that the actions taken will be soundly worked through by individual councils and that every opportunity will be given, as set out in the Bill, for the community to be involved in the primary decision and any subsequent decisions. I hope the Minister has minimum involvement, other than through acceptance of well thought out proposals.

Mr S.G. EVANS: I support what has been said by the member for Light but would add that I see a danger that in these days elected members of council either do not have the time or find it difficult to keep up with the approach of some of their staff concerning what they would like to see happen in the community. Sometimes a community pressure group can create an environment within a council to get things off the ground which later proves expensive or not necessarily justified for either the overall community or a small section of it. That is my only fear.

More frequently, council officers get much power, sometimes answering letters and virtually making decisions that do not go before council. The effect of an overzealous staff could result in a council being taken down an expensive path to the detriment of the community, even though it has a say in the process.

Mr M.J. EVANS: I refer to the socio economic statement required to be prepared pursuant to new section 383a (2): the provision mentions who will benefit from the scheme, its estimated cost and the manner in which the council proposes to finance the scheme, and it requires the council to state whether it proposes to levy a separate rate. However, the one matter not contained in the list involves the people who will lose from the scheme. If one is preparing this kind of impact statement for people to consider, an important fact to include is any class of people who will suffer as a result of it.

The scheme might involve the establishment of a carnival site, a convention centre, the modification of an operating procedure of an existing facility, altering traffic flows or generating after-hours noise. So, if we are preparing such a statement covering the people who will benefit, and given that people will be assessed to see whether they agree or disagree, councils should also consider, for their own purposes as well as on behalf of the public, any people or classes of people who could suffer as a result of such a scheme. While I support the concept, it would add greatly to the value of the impact statement if it included an assessment of the people who might not benefit.

The Hon. G.F. KENEALLY: I will respond to the last comment first. Any scheme that a council submits to the Minister must be for the benefit of a major part of its area. Whether or not a small or a large group involved (never-

theless a minority group) could be disadvantaged by any of these schemes should show up in the full scale community consultation process that takes place. In addition, any people who might feel aggrieved in any way also have rights to contact the Minister responsible to review any of these schemes. There is an inbuilt protection for small or even large groups that may be inconvenienced by any scheme undertaken by a local government authority.

There is also the added encouragement to the council of having an electoral impact statement, which would be useful for councillors to consider when they come up for election. I understand completely the view that the honourable member is putting, but I am not sure that one needs to write into legislation every contingency that might arise. We must take account of the fact that councils are responsible organisations and that we do not have to spell out in minute detail their responsibilties.

In response to the member for Davenport who expressed concern that, because of the increased professionalism among chief executive officers and council staff, the poor elected member might feel at a disadvantage and might be taken advantage of by council officers, I do not believe, in the first instance, that a council can delegate to officers authority to implement a scheme: that will remain the responsibility of the decision making process of the council.

Of course, there is a need for increased professionalism among officers who serve on councils, but there is also an extra need for increased professionalism among elected members of council. The days of being elected to council because it is great for status and nice to be a member of council because one is invited to the right functions are long gone. Councils have a complex, difficult and important function to fulfil. Any person who goes into council thinking that it is going to be an easy job, that they are not going to have a heavy workload with quite considerable responsibilities, ought to think twice about offering themselves for election.

The point I want to make—and I do not think there is any real difference of opinion between the member for Davenport and me on this—is that at a time when we are calling out for increased professionalism within the appointed officers, the paid staff to council, there is also a responsibility upon elected members of council to improve their professionalism. It is legislative changes like this that encourage councils to pick up new initiatives and to run with them. They cannot do that unless the elected members of council themselves have a real feel for what is needed within the community and understand what opportunities are presented to them by this legislative change.

It has been the whole import of the amendments to the Local Government Act, and I think it has been very well received within local government generally, certainly within the association and within the wider community of local government. So I do not have the fears the honourable member has about a council—

Mr S.G. Evans: You do not think they are starting to overspend?

The Hon. G.F. KENEALLY: I am not going to get into that argument, whether there are councils that overspend or not. I do not believe that an alert council is going to be disadvantaged by the fact that it has a very professional officer. My experience has been that, whereas councils' elected members might not have the professional qualifications of appointed officers, they have a whole lot of good hard commonsense that helps to keep the paid officers' nose to the grindstone so that council decisions are implemented as such.

The Hon. B.C. EASTICK: I want to speak very quickly against my own exhortation that the Minister does not become too involved by indicating a spot where I believe the Minister ought to become involved, a criterion that the Minister ought to run over every such proposal as it comes forward.

It is quite simple for an activist group to put forward a proposition, to perhaps get support at a public meeting and to sway the council for a variety of reasons to get a project up. I would want to believe that the Minister, and certainly myself as a Minister, would take this attitude, that in sanctioning the proposal I would want to know that the council had performed in the past and was performing in the provision of the basics before it got on with the icecream on the cake.

Every member in this House would know the situation in the smaller schools of their district as opposed to the larger schools. A new initiative comes in and the big schools get the initiative. By the time the smaller schools are in line to get those new advantages, there is a new initiative and the money suddenly siphons off to those new initiatives once again in the big schools. That is the analogy I draw.

I believe it is extremely important and the only spot where I believe the Minister has a very real role to play, to ensure that the councils are providing basic services in the correct way to the community before they find they are siphoning off their funds to what may well be beneficial to the community but which is going to be to the disadvantage of the basic provisions.

Mr S.G. EVANS: The Minister may have misunderstood me. I am not saying that professionalism should not be encouraged. My concern is that some of the so-called professionalism today is an attitude of 'Spend money as quickly as you can and somebody will pay in the future'. That is the fear I have, and I believe it is happening in some areas. I just offer that word of caution now, because I think a lot of people other than local government, such as Federal and State Governments, are starting to find that there is not an endless barrel to money sources.

Clause passed.

Clauses 24 to 38 passed.

Clause 39—'Power to lease Adelaide Oval.'

Mr S.G. EVANS: Is it correct that the South Australian Cricket Association cannot lease the Adelaide Oval in its own right nor can the Jockey Club lease Victoria Park in its own right, and in fact have to name one other person to lease the parkland, as an incorporated body is one person and one person cannot lease parklands? For that reason in these leasing arrangements another person will have to be nominated. It concerns me. Does the person have to remain constant for the term of the lease, or is there another nominee? This is the subject that brought me into Parliament because when a racing club was racing on public land, we thought we had the lease of a property that was parkland and we had it drawn up by a man who is now a federal court judge. We were then told that it was not valid. Because an MP told a lie about my family, I decided to go out after him and that is how I came into this place. Does another person have to be involved other than the association?

The Hon. G.F. KENEALLY: In normal circumstances under section 457 the honourable member would be right, but the South Australian Cricket Association is specifically written into the legislation as the lessee of the Adelaide Oval. Although it is not actually stated, the same provision does not obtain to the Adelaide Oval and the South Australian Cricket Association. I suppose in all other respects the honourable member would be right, but it does not apply to the Adelaide Oval.

Clause passed.

Remaining clauses (40 to 44) and title passed.

Bill read a third time and passed.

STAMP DUTIES ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

PUBLIC WORKS STANDING COMITTEE ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

MOTOR VEHICLES ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

MOTOR VEHICLES ACT AMENDMENT BILL (No. 2)

Returned from the Legislative Council without amendment.

DOG FENCE ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

STATE LOTTERIES ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

BUSINESS FRANCHISE (TOBACCO) ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

TRAVEL AGENTS BILL

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

STANDING ORDERS

Adjourned debate on motion of Hon. D.J. Hopgood (resumed on motion).

(Continued from page 944.)

Ms LENEHAN (Mawson): I rise to support the proposed alterations to the House of Assembly Standing Orders. In so doing I remind members of the very old saying that brevity is the soul of wit. To make comment on the contributions of the Deputy Leader of the Opposition and the member for Murray Mallee, I suggest that both speakers indulged in neither of these principles, that is, in brevity or in wit. It seemed from the contribution made by the Deputy Leader that he was saying that the importance of a Bill should be measured in the length of the speeches involved in supporting or speaking against it. I reject that notion quite fundamentally because I do not believe in the premise that we are talking about quantity. Surely the quality of debate rather than the quantity is important.

Before getting on to some of the issues involved in the Bill, I point out that the Deputy Leader with great gusto made a case for the fact that he is a most reasonable person; that he is always willing and indeed keen to cooperate with the Deputy Premier, the Leader of the House, in organising the business to come before the House. The Deputy Leader is quite entitled to view himself in any way he likes. However, it would seem to me from the three years I have been in this Parliament that the Deputy Leader at times has certainly not been reasonable and indeed has been quite intransigent in his attitude towards the debates that have taken place.

I cannot let go unchallenged the assertion by the Deputy Leader that this matter has somehow been rushed into the Parliament without any consultation, any thought, or any discussion, particularly with the Opposition. It is relevant to remind new members of the Parliament, as they may not be familiar with the matter, of the processes through which some of us went in the last Parliament to try to do something about changing the Standing Orders to bring some degree of rationality and commonsense to the Standing Orders of this Parliament.

The Joint Select Committee on the Law, Practice and Procedures of the Parliament was established in June 1983—and we are now into March 1986—with the agreement of both Houses, the major political Parties and, I believe, the Democrats and Independent members of this House. That committee established a subcommittee that was to look into the procedures and Standing Orders of the House of Assembly.

That subcommittee consisted of the current Speaker, the member for Walsh, who was the convenor; the present member for Todd; the member for Light; and the member for Hanson—two members from each side of this House. That committee drew up a number of proposals (I have a copy here for new members who would like to see them) with respect to sitting times, grievances, private members time, the duration of parliamentary sessions, and the number of sitting days per year. It was a detailed and thorough list of proposals to amend the Standing Orders.

Let us look at what happened to the deliberations of that committee. The proposals of that subcommittee were first circulated on 26 April 1984 to both major Party rooms and to the two Independents (Labor and Liberal). The ALP response of 1 May 1984 was circulated to the subcommittee, in the expectation that the Liberal response would follow in a matter of days. The convenor of that subcommittee, who at that time was the Government Whip, then recirculated the draft proposals on 21 November 1984 due to the lack of response. This went to all 69 members of the two Houses of Parliament to encourage some degree of further response, participation, communication and consultation. I wonder where the Deputy Leader was while all this was going on. Of course, this was alluded to in the press, and I think the member for Murray Mallee alluded to the fact that press articles highlighted community debate and discussion.

Mr S.J. Baker interjecting:

Ms LENEHAN: I do not know. I was not on the committee. There were press articles. Is it relevent how they got into the press? I am glad to see that the Deputy Leader has now returned. I remind the House that this subcommittee was unable to report. Why? Because there was no response from the Liberal Party. How can the Deputy Leader stand here and comment after that length of time has elapsed?

I was a member of the original committee and we met on several occasions. I quite naively, as a new member of this Parliament, believed that we would be able to do some-

thing to change, reform and update Standing Orders so that we would not jeopardise th health and welfare of members of this Parliament and no subject ourselves to becoming a laughing-stock in the eyes of the community. How wrong I was. In fact, nothing has happened. We are talking about a three year time span—not three days, three weeks or three months. We are also talking about established mechanisms and about establishing consultation.

Mr D.S. Baker interjecting:

Ms LENEHAN: I am amazed to hear the honourable member interject. He has been in this place five minutes and would not know what was happening. The Deputy Leader referred to my friend and colleague the member for Newland, but she has not been here all that long. I suggest to the Deputy Leader, with the greatest of respect, that, while he has been here I think 15 years, perhaps he has been here a little too long and is losing touch with community opinion and its perception of this Parliament.

An honourable member interjecting:

Ms LENEHAN: I will get to the community in a moment. The Deputy Leader then asked, 'What's it all about?' That is a very relevant question, particularly as we are now in the middle of the Festival of Arts. The member for Murray Mallee then answered him that it was all about a piece of increasingly irrelevant theatre, and the Deputy Leader described the Parliament as a three-ring circus. I wonder what role he perceives himself to be playing—some sort of ringmaster, whipping up frenzy, dissension and a whole range of negative responses.

I do not want to fall into the traps into which the other two speakers have fallen, first, in not being brief and, secondly, in not being relevant. I want to give my reasons for supporting the fundamental principles that are embodied in the proposed alterations to these House of Assembly Standing Orders. It is relevant that we look at what the community believes is the role and function of this Parliament and individual members. It is all very well to talk about the range of issues that the Deputy Leader talked about. Let us never forget that the community puts us here. We owe the community a degree of responsibility and some kind of accountability.

I defy any member of this Parliament to show me one person whom they have met, after we have had an all night sitting, who thinks that we are some kind of early Christian martyrs and wonderful workers. I have never met a single person who has considered that we were anything but idiots, stupid and foolish, and, most importantly, that we are wasting taxpayers' money.

Members interjecting:

Ms LENEHAN: I am sorry, but the people to whom I speak say that we are wasting taxpayers' money by using the facilities, the resources and the support staff.

Mr S.J. Baker interjecting:

Ms LENEHAN: The member for Mitcham is barking like some sort of dog on heat, but I will ignore him. I am also concerned about the whole degree of occupational health and safety that is embodied in this issue.

Members interjecting:

Ms LENEHAN: I think that that is extremely important. I cannot see anything humorous about subjecting people in their workplace to the stress of a possible heart attack, stroke, and a whole range of other things. Perhaps it is to the detriment of every member of this Parliament that we have sat through all night sittings.

Members interjecting.

The SPEAKER: Order! The member for Mitcham is interjecting excessively.

Ms LENEHAN: If, as the member for Hanson suggests, this place is like a brothel, I ask him what he is doing here.

Mr BECKER: I rise on a point of order. I ask the honourable member to withdraw that remark. I did not say what she has repeated. I said, 'Don't treat this place like a brothel.'

Ms LENEHAN: I believe that the member for Hanson—

The SPEAKER: Order! I have not yet called the member for Mawson. Would the member for Hanson repeat his point of order and refer exactly—

Mr BECKER: I—

The SPEAKER: Order! The member for Hanson will wait until the Chair has finished addressing him before he responds to the Chair's request. Will the member for Hanson point out exactly what words he attributes to the member for Mawson and to which he takes objection?

Mr BECKER: The member for Mawson said that I said this place was like a brothel.

Ms Lenehan: That is exactly what you said.

Mr BECKER: I did not say that at all.

The SPEAKER: Order! The member for Hanson will resume his seat. Would the member for Mawson explain what words were used?

Ms LENEHAN: Yes, Sir. I very clearly heard the member for Hanson say that we are treating this place like a brothel. All I said was, 'If this place is, as the member for Hanson suggests, a brothel, what is he doing here?'

The SPEAKER: There is no point of order.

The Hon. H. Allison interjecting:

The SPEAKER: Order! There is no point of order. However, if the member for Hanson believes that he has been misrepresented, he may at a later stage in the debate make a personal explanation. The member for Mawson may continue.

Ms LENEHAN: I am amazed at the sorts of comments that are coming from the Opposition. I thought that it might have supported—and I believe that the Deputy Leader did support—the principle of reforming Standing Orders in this place. I am quite unashamedly prepared to say that, for the three years that I have been in this Parliament, I have worked tirelessly within the ranks of my own Party to bring about changes in the Standing Orders so that we have rational sitting times and debates that do not go on with one member being able to speak for 3½ hours. For the benefit of new members, I recall the Casino Bill, where the honourable member concerned repeated his comments over and over and over and over. I would not like to say how many times he did it.

An honourable member interjecting:

Ms LENEHAN: Yes, I think it is relevant to have that on the public record. The very person who for 3½ hours opposed the Bill with every scrap of his energy and every drop of his blood then appeared at the casino on opening night. Surely even members opposite would see some degree of hypocrisy in that kind of stand. They probably will not because it is a little bit too subtle for them.

Members interjecting:

The SPEAKER: Order! The member for Mawson, and no other member, has the floor.

Ms LENEHAN: I remind the House that the member for Mitcham spoke for 3½ hours—

Mr S.J. Baker interjecting:

Ms LENEHAN: I am sorry. I do not wish to reflect on the member for Mitcham, but an independent assessment is that he did not speak in any brilliant fashion at all and in fact took the time of the House to read out long letters that could very easily have been tabled or referred to, as most members had copies of those letters, anyway. I propose to close my remarks by saying that to bring some degree of rationality of sitting times into the speedy and well organised and rational handling of business in this House will

advance the standing of every member of this Parliament in the community.

I am sorry that the member for Hanson does not have the sort of rapport with his community; otherwise, he would know that the community does not see us as being clever or smart, as I said earlier, or as early Christian martyrs by sitting all night. They see us as fools. They say, 'How can anyone make a rational decision at that hour of the night or morning?' Members opposite can argue until they are blue in the face, but the community is correct. It believes—

Mr Ingerson interjecting:

Ms LENEHAN: I will talk about that. The Westminster system, on which this Parliament is founded, uses a negotiated time of conclusion. Members opposite are great champions of tradition and, when it suits them, great champions of—

Mr Becker interjecting:

Ms LENEHAN: You have not criticised the Westminster system. You have not suggested surely that the British Parliament is at fault in the way it conducts its business in a rational and reasonable manner.

Members interjecting:

Ms LENEHAN: It is very interesting, because now they have decided that they are not quite sure where they stand on that. Let me conclude by saying that I believe that this move will be welcomed in every quarter of our community where every rational, reasonable (to quote the Deputy Leader of the Opposition) man and woman in the street will see us as being courageous and acting with commonsense rather than acting out of some kind of sulky schoolboy type of approach, as the Opposition has been doing.

The Hon. H. ALLISON (Mount Gambier): I will try to be more succinct and less emotional than the previous speaker. I rise to defend the rights of non-Government members, and that includes all members of this House, since I am quite sure that in the lives of many of us here we will be serving both in Government and in Opposition. I believe that the action of the Government in taking a unilateral stand in trying to amend Standing Orders is not the most desirable way of proceeding.

I remind the Minister in charge, since members on his side of the House are so boastful, that the ALP has been in control in this State for 14 of the past 17 years, and they could surely have set a better example than it has. I am referring to the fact that good management begins with the Government itself. It begins with an ability to initiate legislation well ahead, to prepare that legislation and then to be able, together with the non-Government Parties, to arrange matters far better than it has done so in the past.

I can recall both in the shadow Cabinet and in the Party room when all too frequently at lunchtime on a Tuesday we have been quite unaware of what was going to take place in the House on that day, let alone on the Wednesday and Thursday. So, I ask: how can members of the Government possibly be weeping crocodile tears when much of the blame lies at their feet? Of course, the Government of the day controls the length of time during which Parliament sits, and the public is well aware of one of the reasons why we have been sitting beyond midnight on at least four or five nights in the last 12 or 13 days. Here is another one, as it is three minutes past midnight, and once we went until 7 o'clock in the morning. Had the Government decided to sit for two, three or four extra weeks instead of only one month and then possibly prorogued until August, none of the problems that have emerged in the last three weeks would have been before the public notice. It rests with the Government of the day which dictates precisely how long Parliament sits.

Had the Government come to the non-Government Parties with fairmindedness, surely it would have realised that one of the most important Bills to come before this House in many a long year, the workers compensation Bill, would have needed more than a day's debate. All of us have been lobbied extensively on that matter by representatives of the public, as well as by business, commercial and other interests. It really was most unreasonable to expect any Opposition to represent the electorate that puts us there and to give the matter the proper hearing when trying to push it through in one day: it was just not on.

I remind the Government that rarely do all members speak to a Bill. All too frequently just a few members—those who are vitally interested in a topic—will speak, and of course never a voice of complaint is raised by the Government in circumstances such as that. It would appear that the Government is afraid to exercise a right which it has always had, that is, the right to guillotine a Bill. Instead of experiencing the general oppobrium for such actions in chopping short legitimate debate, it wants the House of Assembly to legitimise its future actions.

I ask the Minister if he really had considered the fact that possibly he was constitutionally out of order in at least one part of the amendment that he proposes in reducing private members time to a sort of Clayton's Parliament and really making a mockery of his final statement in the address that he made to Parliament on 19 February, where he is recorded at page 315 of *Hansard* as saying:

> In conclusion, effective Government and effective Opposition will be fostered by these amendments.

He goes on to say:

> Moreover, the true parliamentary role of the private member, especially as it relates to his constituents, will be considerably enhanced.

It seems almost hypocritical to think that members of Parliament will have their speaking time curtailed while the Minister expresses the opinion that he believes they will be better able to represent their constituents. I fail to see that; it is a complete *non sequitur*, and the Minister well knows it. I support the cooperative desires of the Minister, but I believe he could well achieve that cooperation by measures other than those he is bringing before the House. I remind the Minister that in the past 10 years I have had the fortune to handle the majority of Bills on behalf of Attorneys-General and shadow Attorneys-General. That would amount to some 350 or 400 Bills produced by those prolific legislators in that decade.

I also remind the House that, as far as debate has proceeded in this House, in the vast majority of cases those Bills have been put through with a minimum of debate and with the maximum of cooperation by the Minister and shadow Minister. However, there has not been a single word of congratulation from the Government in putting the Bills through so efficiently. I note that the Government Whip has her mouth wide open in astonishment. She can read *Hansard* to check the veracity of those remarks.

Mrs Appleby: I will do that.

The Hon. H. ALLISON: If the honourable member does that, she will find that the vast majority of Bills—over 95 per cent which I managed on behalf of Attorneys-General—have gone through with a minimum of debate. We could have filibustered and extended the time for debate; instead, they went through by dint of good management without any coercion or pressure on the part of the Government or Opposition Whips of the day. It has been done as a recognition that most of the work had been done and the Bills were generally agreed by the time they reached this House. Of course, contentious points were debated again but generally they have gone through with, as I said, a minimum of concern.

We now have a Government asking us to debate for less time but introducing 46 Bills plus a few more in the 13 days we have been sitting. Once again, there is a degree of illogicality about that suggestion. To have four sitting weeks and then five months off begs the question: why cannot we reduce the sitting time after midnight as a matter of normality and simply extend the sessions? That is the type of question interested members of the public are asking the Government. Why go into hiding for five months? We would be quite happy to sit for longer and preserve the health of members on both sides of the House.

The Address in Reply, which is to be reduced to a half an hour speech for each member, once again begs the question: what is the Minister giving us? I admit, however, that he is giving us more than we are getting in this session of Parliament. There are about 19 or 20 members on both sides of the House who will be completely denied any chance of participating in the Address in Reply if we prorogue on Thursday (as is obviously the Government's intention). What need is there to change Standing Orders when the Government already has at its fingertips the ability to prorogue Parliament, to set aside Standing Orders to allow Government business to take precedence and then prevent members such as the member for Victoria from making his maiden speech in this House? Is the member for Victoria going to be denied that right?

We assumed that the Address in Reply would take precedence. But, no, the Government puts Government business first and brings on its contentious workers compensation legislation denying new members on this side the right to put their electorate matters before the House. That is the degree of cynicism—

Ms Lenehan interjecting:

The Hon. H. ALLISON: Not at all. We assumed that the Address in Reply would take precedence.

Members interjecting:

The Hon. H. ALLISON: When I want the chooks, I will rattle the bucket. The Government does not need to alter Standing Orders in order to sit until midnight. Standing Orders were suspended before 10 o'clock, and here it is way after midnight. So, the measure which the Minister intends to slip through is virtually unnecessary, because all the things the Minister wants to do—apart from guillotining legislation through the House—are already within the Government's power. Really, all we are looking at is a move by the Government to excuse it when in future, more frequently than has been the case in the past, it will guillotine legislation through. If the Minister thinks that some 20 minutes on every piece of legislation is adequate, I suggest that instead of having a greater degree of cooperation he will have less, because members will exercise their rights as a matter of protest by extending debate through the Committee stage. I suggest that more—

Ms Lenehan interjecting:

The Hon. H. ALLISON: No, it is not. I suggest that more Opposition members will exercise their rights. If they have less time to speak overall, they will speak more frequently. I for one believe that members in this House, if they check through *Hansard* of the past 10 years, will find that I have spoken almost invariably on legislation in which I had a specific interest. Very rarely have I filibustered in debate. However, to my shame I can recall one occasion when I spoke for a couple of hours in private members time back in about 1975 or 1976, at Party request, and that was probably a long address on an educational matter, but that would have been the exception.

For the Minister to bring to the fore those exceptions and claim they are the norm is most unfair. I believe that it is quite unnecessary to bring these matters before the House, and that the Minister, by listening to the general opposition being expressed by members of Parliament on this side, could come to a much happier negotiated agreement later today. I hope that the Minister will take these thoughts home to bed with him and come back with a much more reasoned approach later today.

Mr BLACKER (Flinders): I have been listening with some degree of interest to the debate and the exchange that has taken place across the Chamber last evening and this morning. I heard the member for Mount Gambier say that he assumed that it was a right that the Address in Reply should take precedence of other Government business. Not only was the member for Mount Gambier correct in assuming that and assuming that it was a tradition: if he and other members look at Standing Order 44 it clearly states:

> No business beyond what is of a formal character shall be entered upon before the Address in Reply to the Governor's Opening Speech has been adopted.

That is clearly and specifically set out in Standing Orders. In the past four weeks this House has been blatantly abusing Standing Orders. I understand from rumours around the corridors that the Government intends not to allow the completion of the Address in Reply. That is a blatant disgrace to this House, and it is an insult to the Governor. With the House conducting itself in such a way, how can we as members of Parliament claim to be credible in the eyes of the public? I do not believe we can. I am concerned that the House should conduct itself in this way. This morning and later today we will be further debating the provision relating to the restriction of parliamentary debate, but more particularly it is that aspect of Standing Orders which has already been infringed.

Earlier this session reference was made to Standing Order No. 82a. While I noted that debate with some interest, and a vote was taken by this House (quite rightly, it was carried by the Government), we only have to look at Standing Order No. 75, which provides:

> The front seats, nearest to the right hand of the Speaker, shall be reserved for members holding office under the Crown.

That could easily be interpreted as being a direct negative to the motion passed earlier on the day in question. On that basis, we have a series of Standing Orders that need to be looked at, because they are not clear and can be subject to interpretation. Have the proposals been before the Standing Orders Committee set up under this Parliament and previous Parliaments? I do not know whether they have been considered. I have not heard any member of that committee or the previous committee say much about that. I do not know how the recommendations came forward.

I, too, take strong exception to the manner in which Parliament is being played down in regard to private member's time. Although it is good to know that two hours each week will be set aside specifically for private member's time, no vote can be taken because the House cannot be counted out. That means that there is no necessity for any member to be present other than those taking part in the debate. That plays down private member's time considerably and that is wrong. The member for Mawson tonight referred to the Westminster system, which I understand sits for 128 days a year. I do not know what our projected sittings are for this year, but I doubt they will be more than half that number of days.

Mr Becker interjecting:

Mr BLACKER: I am not sure about that. If the member for Mawson draws comparisons with the Westminster system, she should be aware that 29 of its 128 sitting days are set aside specifically for private member's time; and separate from that, 29 days are set aside for the Opposition to bring forward the business of the day. One can certainly look at the Westminster system, but one should look at the

rights of the Opposition and the Government in those circumstances.

A midnight adjournment is only fair, reasonable and practical. Reference was made to someone having a heart attack: it would be most unfortunate if a heart attack or the like resulted from the stress of sittings. Certainly, we will not receive any sympathy from the public, but I would be concerned for anyone involved in such a situation.

Mr S.G. Evans interjecting:

Mr BLACKER: Stress adds to it. We should not ask for trouble and we will get no sympathy from the general public if we sit beyond midnight. Further, reference was made to how Standing Orders favour the two Party system. Perhaps that is right. Plattitudes have been expressed about the rights of Independent members and third and fourth Parties. This is the forty-sixth Parliament in this State—forty-five of which have constituted two or more Parties. Only the 1970-73 Parliament was comprised of two Parties. We should not proceed on the basis that we are going to have only a two Party system, because history dictates that that will not be the case.

Reference has been made about agreements between the Government and the Opposition. I have heard of those agreements before, but I doubt the validity of such arrangements. I doubt I am saying anything out of turn, but when I arrive here on Tuesday I find a note from the Deputy Premier, for which I am grateful, setting out the business of the day. Usually within three hours I get another note showing changes, and often that is changed again before the House sits at 2 o'clock. I do not suggest we should have a rigid program; it is obviously difficult to set down a program that can be followed. Agreements obviously cannot work in a practical situation.

I object to the cutting down of speaking times because, as a member of a third Party in this House, I am expected to have wider views than other members. Similarly, other members should have every right to speak when they wish to. To reduce a member's time arbitrarily is unfair. Perhaps a case can be made for greater flexibility so that, with a Bill like the recent major Local Government Act Amendment Bill, the Government could be more flexible and allow half an hour or 3/4 of an hour on such an involved and complex Bill. That would indicate to the Opposition and to the public that the Government had recognised the complex nature of the Bill.

It would be of great value to the overall debate. With other machinery Bills perhaps 10 minutes would be adequate. However, to arbitrarily provide 20 minutes for members is wrong. Perhaps Independent members or members of other Parties should be entitled to the same time as lead speakers for the major Parties. A good case can be made out for that. I believe that amendments will be moved when the matter is dealt with clause by clause; I intend to comment further at that stage. Some of the matters I support and some I oppose. However, I express my concern at the handling of Standing Orders which has evolved over a period to the stage where they are today.

Mr S.G. EVANS (Davenport): As it is now 12.25 a.m., I suppose it is an example of what we are talking about. Perhaps Government members would argue from their position of strength and question why I want to contribute because I have had enough opportunity to listen to others. They might ask why I wish to express an opinion after having been elected as an Independent Liberal; and, belonging to the organisation, they might ask why I would not accept what members on this side have said. It shows just how arrogant we have become in the Party system and as individuals when we advocate such a policy. I do not know whether new members realise it, but when I first entered Parliament 18 years ago (that is not a long time in terms of a Parliament) and even up to 16 years ago—

Mr Becker: Are you the father of the House?

Mr S.G. EVANS: I am not quite that good—Standing Orders allowed two hours for Question Time and no limits on any speeches. Members were able to explain the question before asking it, and were thus able to get into areas that we cannot get into by asking the question first. So, the explanation used to be quite long because we could explain it and then ask the question. Second reading explanations were not allowed to be taken as read. Ministers or persons introducing second reading explanations read them in total. It was unique to put a third reading through straight after the Committee stage—it was done the next day. There was not a contingent notice of motion on the Notice Paper that automatically did it, and members could speak the next day on the Bill after time for reflection. The power of the Executive was not supreme in the place; the individual was important, even if they belonged to a Party.

I will give an idea later of how important some individuals saw their role in Parliament. Sixteen years have seen some changes. They tell us that the tradition of the red line in this place has been around for 400 years—that is a long while. When we first started to talk of shortening the speeches, on 6 April 1972, we were talking about changing Standing Orders. The Hon. Mr King later was advocating one hour, as was the Hon. Mr Millhouse—both now judges. They said that the proper operation of Parliament, to use Question Time effectively, would be to ensure that the member asks the question first, explains it (and he could not go outside the question). That affected the question. All other questions were to be put on notice. I will read the words of Mr Millhouse (the Honourable Mr King expressed a similar view in different words):

> If a member puts a question on notice there is a good chance—it is almost certain—that he will get a reply the following Tuesday.

That was the practice. We were given a guarantee that, if we went to one hour of Question Time, asked questions first rather than explaining them first, and put questions on notice, we would get the answer the following Tuesday.

Mr Becker interjecting:

Mr S.G. EVANS: Yes, as long as it was done by 3 o'clock on Wednesday. What has happened to that? Where is the cooperation in that field, in particular as it was the ALP (and Mr Millhouse) making the move to change it? Where is the cooperation and the morality of making that statement when it is abused? At the same time (page 4 750 on 6 April 1972), I said:

> Both the member for Mitcham, the former Attorney-General, and the present Attorney-General have stated this is virtually impossible because Bills cannot be drafted sufficiently soon, but I do not believe that to be the case.

I believed it grossly improper for a Government to bring in a Bill one day and expect it to be debated that day or even that week. The Attorney-General and former Attorney-General had the temerity and cheek to say that it was impossible to have the legislation drafted so that it was before Parliament for a fortnight before it was debated: except in cases of emergency or with Bills that related to areas where people could manipulate the system if they had prior knowledge of a change in the law. They could not get it drafted in time to get it before the Parliament. It is just not true, because we all know that if we are a fortnight behind in drafting and need to be a fortnight in front we do not sit for that month and we are right from then on *ad infinitum*, or should be, because that is all the time involved in that sort of process. We do not have any bother not sitting for a month because we are only sitting for four weeks in eight months on this occasion.

I refer to what I believe was a disgraceful exhibition of the member for Mawson tonight in trying to blame the Opposition for the late night sittings and her reference to what the community thinks. I will stand on any shopping centre platform with the member for Mawson and ask the public whether they believe that parliamentarians are cheating in taking their money when they only sit in this place four weeks in eight months and will ask where is the real stupidity of the Government—

Mrs Appleby: You'll lose.

Mr S.G. EVANS: I will not lose, because I have tried it and I am winning points on it, and when I finish this speech I will win points again in my electorate, because the community says that the late night sittings are in the hands of the Government. The Government is sitting for only four weeks and, if it wants it could sit next week and the week after, or it could have sat the second week in January if it wanted. People know we are cheating and that we are paid to come here and give representation on their behalf. I tell them that last year I only got six questions for the year. If I go through all members in the House, except the front bench, which has that privilege under this system, we can see how many people ask questions of Miniters today. Before we bought the time limit down from two hours to one hour, the average number of questions was 37 a day, whereas nowadays we are lucky to get 11. It happened with both Parties, but more so with this one.

Parliamentary Parties in government deliberately talk out time to deny Opposition members the right to ask a question and deliberately put up questions alternately from both sides to use up time. That did not happen prior to 1972: the Opposition was able to get in a lot more questions of the Government, as Government members did not ask anywhere near as many questions. That was admitted by King and Hudson in the debate to change Standing Orders in 1973.

I will read a substantial part of *Hansard* and quote a prominent Labor member in this Parliament. He referred to the manipulation of the parliamentary system to the detriment of other members of Parliament by choking up the system with long answers to questions, political grandstanding, and answering questions on notice through the press before the member got the answer from the Minister—a practice that has become quite prevalent in the past three years. At page 1383 of *Hansard* of 23 October 1973, the honourable member stated:

> For those members of the public who are present this evening and who are getting a report of these proceedings, surely it is a tragic state of affairs when it is assumed that any political Party, if it is in Government, will manoeuvre its members and parliamentary time so as to cut down the opportunity for the Opposition to ask questions.

I interjected and said: 'That happens now.' The honourable member went on:

> If that is done, it is wrong regardless of who does it, and people ought to be told about it. I am not impressed by whether the Liberal Party or the Labor Party did it in the past. If either Party is in government and is adopting those tactics, that Party is not worthy to be in government. I have never heard the suggestion at our Party meetings that Government members should take up Opposition time. The reverse has been true, and a perusal of the Parliamentary records will show that the overwhelming majority of questions is asked by Opposition members.

This was prior to 1973. That was the tradition, and we were guaranteed that, if we went to one hour that practice would continue. It has not, and it has been abused ever since. The honourable member continued:

> The committee should consider seriously the validity of allowing one hour for questions. If such a period for Question Time is put to proper and effective use, Question Time will become what it ought to be now, namely, a vital exciting and interesting period.
>
> Members of the committee all agreed that the first hour or so of each day's questions is a vital, exciting and interesting time, but after that the questions taper off into parish pump issues of extreme dullness, lack of interest, and lifelessness, the very things we do not want Question Time to be.

I do not know whose judgment that is when he said, '. . . we do not want Question Time to be.' If constituents come to their members of Parliament with a problem and want it raised in the Parliament it is no good writing to a Minister, because one can wait up to nine months for a reply. I recently received a reply that took six months to get to me, and the longest period I have waited is nine months. If one puts a question on notice it does not have to be answered at the end of the session. I believe that questions on notice should be answered the following week and, if they seek difficult and long replies involving much research, the Minister should be able to put it on the paper that the Speaker reads out indicating the replies to those questions will not be available for a month or six weeks because of that research. That is proper for questions that need research and take up a lot of public servants' time. However, in relation to other questions we should go back to what we were promised and what was the original practice; that they could be available the following week. The member continues:

> I understood the member for Glenelg to say that Government members were getting replies to routine questions but that Opposition members were not. I would be extremely worried if there were any suggestion of that happening. In the time I have been here I have not seen any tactics of that nature from this Government [ALP] and, if the situation arose where Ministers, in the ordinary course of business, were facilitating replies to their own members and not to Opposition members, that would be a disgrace, no matter which Party was concerned. Any member who formed part of such a conspiracy should resign as a matter of principle, because that would be a conspiracy against Democracy; if he did not, he would have no guts, let alone principle.
>
> I see no evidence of any suggestion on the part of the Government that it will erode the one hour of Question Time by deliberate tactics.

That has occurred, and members know it. It happens any day that real pressure is put on the Government under this one hour system. Ministers immediately give long answers and start to attack on a political basis away from the actual issue and divert the Parliament's attention from the subject.

The Hon. Frank Blevins: Are you saying that everyone who asks a question is—

Mr S.G. EVANS: I am reading the comments of one of your colleagues. The member continues:

> I believe no member of this Government is so gutless that he would accept such a conspiracy without having the courage to make an open issue of it. I believe that Government Ministers, in the course of business, are giving to Opposition members the same rapid attention as they are giving to members on their own side. Given all those things, then the way out provides everything we want, and I am taking into account the points made by the Leader of the Opposition and the member for Mitcham.

The honourable member finished by saying:

> I have not been impressed by any member opposite with any concrete evidence to demonstrate that there is ground for the fears expressed. Were there grounds for those fears, I would not be supporting the motion. If there were such a conspiracy I would not remain a member of this Chamber or of this Party, but I do not believe it will come to that; there is no need. I support the motion.

That speech was made in 1973 by the Hon. Mr McRae, who became Speaker of this House. The things that he talked about then have happened since Question Time was reduced to one hour's duration, although he felt strongly enough about it in 1973 to say that a Minister should resign and that he himself would resign if his Party did that. That is how strongly he felt on that principle. The things that we are talking about now are important. I refer to comments made by another ALP member, the Hon. L.G. Riches, on the subject of Question Time. He stated in a report at the

First Conference of Presiding Officers and Clerks at the table of the Parliaments of Australia on 25 January 1968 (and this is quoted in *Hansard* 23 October 1973, page 1390):

Question Time has been attacked as the 'ritual exchange of non-information'. I am convinced, however, that the proper use of the daily Question Time, with its opportunities to raise topical or urgent issues without delay, is invaluable. It means that in the mass of our Parliamentary procedure there is left a small space where the camel of 'instant democracy' can get his nose under the tent. I believe strongly that Question Time provides one of the most valuable Parliamentary defences of the liberty of the subject. In the 1967 session of Parliament in South Australia, 19.4 per cent of the total time at the disposal of the House was devoted to questions. Further, 2 093 questions were asked during 57 sitting days, which is equivalent to an average of 37 per sitting day.

Those remarks were made by a member who was well respected by the ALP and who I believe gave a lot to this Parliament. He is further quoted as saying (*Hansard* 23 October 1973, page 1382):

In its critical function, Parliament has the important duty of criticising the Executive Government, of bringing to light abuses, of ventilating grievances, of exposing and preventing the Government from the exercise of arbitrary power, of pressing the Government to take action. Question Time in the House is a vital element in this critical function of Parliament . . .

The existence of Question Time in the House may conceivably lead to excessive caution in the operation of Government services, but this, to me, seems to be a small premium to pay for the cover and safeguard it affords to the citizens in a democracy.

In fine, I consider that a Speaker should approach the conduct of Question Time in the belief that in these days of bureaucracy and party discipline, Question Time provides a vestigial opportunity to preserve a measure of independence for private members of Parliament *vis-a-vis* the Executive, and to prove that Parliament is not a rubber stamp for the Government; and that the facile criticism that the battle of the two major Parties is a charade is untenable. In my view, it behoves a Speaker to ensure that in the context of the Party domination and the inexorable operation of the Party machine in major legislation and the passage of financial measures, the critical function of a legislature as exercised during Question Time is preserved in a vital form . . . I believe that in South Australia the absence of a debate on the adjournment motion and the non-availability of a regular grievance debate (apart from 'Supply') have contributed to a certain prolixity in the explanation of questions.

That was the Hon. Len Riches, a man for whom the ALP and I had great respect. Even as a strong Party man, he was supporting the view that Question Time should not be eroded at all, that if possible it should be enhanced. I come back to the matters that the Deputy Premier has put. I believe that there has been a deliberate abuse by both Liberal and Labor Ministers—I know that Hudson did it in his time—of taking up Question Time with long answers and getting into political Party abuse areas to try to use up the time.

The Hon. Frank Blevins: That happens in the question, too.

Mr S.G. EVANS: No, the questioner is not allowed to debate the issue, and I am pulled up quite often on it. I would support the proposition of no more than two minutes to ask a question and three minutes to answer it. I also support the proposition that questions on notice must be answered by the next week and, if Parliament is not sitting, the member gets the answer in writing. However, as I said earlier, if it is the sort of question that needs a lot of research, the Minister has the right to say, 'This will take three, four or six weeks', not six months or never to be answered, as occurs sometimes. That is improper. We are here to raise matters that concern constituents.

In the document that he put out, the Deputy Premier said that 'the centre of the Government's intention in this commitment—included the minimisation of late night sittings, I do not really think that the Minister really had his heart in that when he said it, because he knows that late night sittings are already in his hands. There is no logical reason—even if we talk as long as we have talked in the past or as I have talked now—for us to sit after 10.30 at night. We can sit three or four days a week with two weeks on and one week off, all except January and December and maybe June, and we can do that for the whole year quite comfortably. There is no logical reason why we cannot do that. Ministers will still get through their work. They do not have to be in the Chamber when we are debating as we are now. There is only one Minister here now. In those circumstances, pressure could not build up and members call divisions or quorums from sheer spite—on both sides of politics—late at night.

Also in the Minister's statement was the provision of adequate opportunities for private members to raise matters of public policy. Not just public policy is involved but also public issues, public concerns. The last place in which an individual out there who really thinks he has had a bad go has any chance of having his case or problem reviewed is through this Parliament. There is no other place. The Ombudsman can do some work, but the end result lies with Parliament, the ultimate power in the community. Members say that we should not raise parish pump issues, that the individual out there does not count. The Federation of Employers does; the building union does; the Society of Architects does; but the individual no longer counts. We, as individuals, are elected to come here individually to represent our electorate individually, even though we may have a collective philosophy at times and join a Party.

When it comes to representation, we represent our electorate. I do not support reducing the time allowed. We have not used one-tenth of the time available for this Parliament to operate. We do not have to have *Hansard* and other staff working after 10.30 p.m.: if we wanted to, we could be finished by 9 o'clock, and we know it. We are being hypocrites if we say that is not the case. The Ministers are hard workers, but in the main the rest of us are not.

Mr Becker interjecting:

Mr S.G. EVANS: I do not believe that the rest of us are hard workers when it comes to the time put in here. We do work to ensure that we are re-elected, but that is a different ball game from representing the people. We have canvassed the issue of Thursday morning sittings and having no votes. That is a joke. We must be able to vote, and more time must be allowed. All members must be here.

I know that modern day politics dictates that at the beginning of a parliamentary day there are about 14 press people around the place who are fed material from the two main Parties before Parliament begins. They go away and write the stories, push them out to the public, and that is all the public ever knows. It is up to us to get the story out to our district and to let people know where we stand. I think I have proved that. We must learn to ignore the press people, because they are not interested. They do not like sitting here for long debates, listening to us expressing our views, because they get tired of it. They are interested only in the machine: they are not interested in democracy or members representing people as individuals or collective groups. They are just interested in a good story.

If we accept what the Deputy Premier has proposed, we have reached the stage where we are saying that it does not matter whether individuals have a right to speak. We could stay in our electorate offices or at home. We could write in and say, 'We will vote with the Party on this or that Bill, and the spokesperson will say what we think. We will put questions on notice to the Minister and come down every Tuesday morning to obtain copies of the replies, dish them out in our district, and we could really take another job, because our electorate secretary could do most of the work anyway.' That is the stage we will have reached. Parliamentarians will not be required, because the Party will decide what happens.

I have some sympathy for members on the crossbenches: they really have not been considered under these proposals. They have been pushed into oblivion. That has been the practice all along the line through the Party machine, and we all have something to answer for in that respect. I support what Mr McRae and Mr Riches said. They are both ALP people who have some community and parliamentary respect, and what they said was the truth. We have abused the system for the sake of the Party machines, and it is time we woke up.

Mr BECKER (Hanson): I support the remarks made by the Deputy Leader of the Opposition. He put our point of view quite well and summed up the debate on the various amendments to the Government's proposals. I refer back to how this all began.

The Hon. E.R. Goldsworthy interjecting:

Mr BECKER: I would not worry about it. We are flying high tonight, so we do not worry about that. I believe that the ALP policy at the 1982 State election referred to a review of the procedures and the law of this Parliament, and subsequently a joint select committee was formed with a membership of 14. Mr Dean Brown, the member for Light and I represented the Liberal Party on that committee.

If my memory serves me correctly, the select committee met a few times and has not met since early 1984. There were just so many leaks to the media by one particular person about what was going on in that select committee that I understand representations were made to the Government that the Opposition would submit its considerations to the proposals if the leaks ceased.

When you are a member of a select committee, it is most annoying to pick up a certain section of the print media to find that what you have been discussing has been relayed to the press—no matter how it is done. It happened on numerous occasions, and it seemed to me that ever since one particular person was elected to this Parliament all that person has tried to do is break down the traditions that we have come to accept and expect as members of this House on behalf of our constituents.

The former member for Ascot Park, now the member for Walsh, did much to bring about the change because he wanted to see a change. He did it in what I think was an incorrect manner, and is now taking away from us and our constituents parliamentary democracy as we know it under the Westminster system.

Like the member for Davenport, I can well remember that when I first came to this House in 1970 I enjoyed the privilege as a backbencher to use private members time and to put forward ideas and suggestions that came from my constituents to the Government of the day. Those ideas and suggestions periodically were taken up by the Government and have meant tremendous benefit to the people of this State.

The Coast Protection Board would not have been incorporated when it was if I had not brought the issue before the Parliament and pushed for the establishment of that authority. The Ministry of Recreation and Sport would not have come into being if I had not moved private members motions to debate the issue and pleaded with the then Premier, Don Dunstan, to give consideration in that area.

Every member can relate many other issues to their efforts on behalf of the constituency that they represent. One thing that I despise more than anything else is the taking away of the rights of private members: to curb their Question Time and speaking time and to cut down their effectiveness as individual members of Parliament.

What we are seeing is the team performance and the team effort. We know that there is the rigidity amongst the ALP, whose members are told, 'You are part of an organisation. You cannot think for yourself; you cannot act for yourself; and you will do as you are told.' That is not parliamentary democracy as I know and understand it, and I do not think it is parliamentary democracy that we in Australia want to see, as the average Australian believes in the right of the individual, and the right of that individual to express his own personal point of view and be given the freedom to carry out the wishes of his electors.

So, when the opportunity came to serve on a select committee, I accepted it. I accepted it for what it was and what it was worth, believing that a joint select committee of both Houses would do something as far as the law, practices and procedures of the Parliament were concerned, and what a terrible disappointment it has been, as I said, to see that information leaked to the media on many occasions. But, more importantly, the committee has not met since early 1984.

The Hon. E.R. Goldsworthy interjecting:

Mr BECKER: The member for Mawson would not know. She was flying high. Certainly, it has not been formally wound up. Its business has not been finalised and no report has been given to the Parliament. I think that is disgraceful. It is the first time in 16 years that I have sat on any committee that has not fulfilled its obligations to the Parliament. It shows a lack of ability to manage the committee and, if you cannot do that, how can you manage the affairs of Parliament, Mr Speaker? You wanted and promoted these changes. I totally disagree with your actions, what you have done and the way you have gone about it, and I totally disagree with taking away the rights of the individual member.

The member for Davenport also raised the point of the average number of questions that have been asked in the House in the past. I can well remember 15½ years ago sitting in exactly the same seat I occupy today and being given the opportunity to ask up to five questions a day. We could ask a question at the beginning of Question Time and we had an opportunity to continue following that question through, so on some days we had five questions per member. It was a wonderful session of seeking, probing and obtaining information from a Government which readily provided that information—and that was the most important thing.

I will give Don Dunstan and some of his Ministers credit: they did not hide behind wishy-washy abuse; they did not abuse, insult and attempt to belittle members of the Opposition; they took every question on its merit and did all they could to provide the information. If the information was not available, the Minister would go away and obtain the information. Within a few days, he would pass you a note which simply said, 'Please ask me for the answer to the question you asked on such and such a date regarding such and such a subject', and it was done.

Mr D.S. Baker interjecting:

Mr BECKER: As the member for Victoria says, that is what you call democracy. In good old Australian terms, it is what is called giving everybody a fair go, and that is what the people of South Australia believe this House should be doing—but now we do not get anything like that. It is true that, with questions on notice, you never waited any longer than a fortnight at most for an answer.

An honourable member: Rubbish!

Mr BECKER: Do not ever say 'rubbish', because if you were not so lazy and incompetent in your own department—and let me remind you that I am still waiting for you to return several phone calls that I made to your Minister—you would have returned those phone calls, but you could not be bothered. You were a really good ministerial officer! You were campaigning at the taxpayers'

expense. Enjoy sitting on the backbench, because you will be a oncer. The Kiwi can also take that on board.

Mr Rann interjecting:

Mr BECKER: Why should I waste my time? Why do you not have a go at Hanson? You have had plenty of opportunity to have a go at Hanson.

The SPEAKER: Order! Would the member for Hanson please direct his remarks to the Chair.

Mr BECKER: I will do that, Sir. Question Time was then a pleasure and a privilege that all members enjoyed. As I said, the government of the day provided the information that was sought. Answers to questions on notice have never taken longer to be provided. I have questions on the Notice Paper which I have had to reinstate from one Parliament to the next. I believe some of them have been there for over 12 months. I think that it is an absolute disgrace when the government of the day will simply not answer questions that are on the Notice Paper. I believe it is in the interests of the community and freedom of information that the Government answers those questions. I can see no reason for the Government not answering those questions. I would have enjoyed the opportunity of raising that issue at length during the Address in Reply because, whilst the proposals that we have before us seek to limit members' time in speaking in the Address in Reply.

I believe that the proposal before us is the worst form of censorship that can be placed on a member. Importance has been placed on the Address in Reply (or the Reply to the Throne Speech as they call it in Canada) in the various Parliaments that I have so far seen in the Commonwealth. The proposal now is that many of us—I think as many as 20 members—will be denied the opportunity to speak in the Address in Reply.

Mr Lewis interjecting:

Mr BECKER: It will mean that we will have to reinstate all the questions on the Notice Paper for the new session. I will not be going to Government House, and I will certainly send a protest to His Excellency the Governor because I believe I am being denied the right on behalf of my constituents to speak in the most important debate in the House. I can see no reason going to Government House to accompany the Government or the Speaker or anyone else because I have not had the opportunity to contribute to the debate.

Mr Ferguson: We are not going to Government House.

Mr BECKER: Is it not going to be presented to the Governor?

Mr Ferguson: No.

Mr BECKER: Members opposite are doing everything they can to tear down the tradition of Parliament. They are carrying on like the Kiwis during the recent Royal visit. What a disgraceful performance that was. I always had much respect for New Zealand: it was a country I wanted to visit—

The SPEAKER: Order! What has that to do with the motion?

Mr BECKER: It has much to do with it because it typifies the attitude of a very arrogant Government. The Government is breaking down the tradition of this Parliament as we have known it and the way in which it has been established. It is an absolute disgrace on this Government, and it is a disgrace on members who have promoted this change to reduce the opportunity for members who want to express their opinions on behalf of their constituents and who want to seek information on behalf of their constituents. To deny them that chance means that we are seeing the beginning of the end of parliamentary democracy in this State.

Mr MEIER (Goyder): Many members will appreciate that I am much against late night sittings and have been ever since I entered this House just over three years ago. In that regard, there are aspects of this proposal that are positive and I shall be pleased to support those recommendations to restructure our sittings. Certainly, I hope reference to the fact that midnight is the cut-off time does not mean that we will regularly go through to midnight but that 10.30 p.m. will remain the most preferred option.

It was interesting to note an article in the *News* of Wednesday 26 February 'Long sittings form of cruelty'. The report referred to remarks I made; but they were not made recently but were made nearly three years ago. The *News* believed that my comments were topical and had the courtesy to contact me to ask whether I still stood by my statements of three years ago, which I did. I was interested to read my earlier remarks when I then regarded the long drawn-out parliamentary sittings as a form of bastardisation. Perhaps we are going through that right now. If late nights are to be cut down, I believe we are going about it in the wrong way, because to cut down our speaking time from 30 minutes to 20 minutes is a negative step. Many members do not have sufficient opportunity to raise matters relating to Bills or their electorates. The Deputy Leader of the Opposition earlier indicated how South Australia has the least number of representatives and that we will have the smallest speaking times.

That is a retrograde step. What we should be doing (and this has been pointed out by others) is increasing the number of sitting weeks. That is obvious, yet it does not seem to be obvious to the Government. If we work it out, we have sat for four weeks since the election and will have sat for four weeks in the first eight months of this Parliament. It is no wonder that people have a low regard for Parliamentarians. I do not know how other members are approached about this matter, but quite often people say to me when they hear that Parliament is sitting again, 'Oh, you are going back to work.' I am the first one to jump up and indicate to them that it is hardly going back to work and that some members have suggested that going to Parliament is a rest compared to the work that they carry out when Parliament is not sitting.

However, the public perception exists that when we are not sitting we are not working. To some extent people are right about this, because we are their representatives, elected to represent their concerns in the parliamentary forum. Cutting our speaking time to 20 minutes will result in our not being able to represent them as well as we have in the past. Speaking time will also be cut in the Address in Reply debate. I appreciate, Mr Speaker, that you have spoken at earlier times about the Address in Reply debate, and I agree that some of the points you made were relevant. I believe that it is a drastic move to cut that speaking time by half—from one hour to 30 minutes. I am prepared to accede that there is a possibility that we can reduce that time, but let us do it in an orderly manner by reducing the time by 15 minutes first to ascertain whether use of the time provided will still be abused. If one considers the four week session so far, the only opportunity I have had to speak about electorate concerns was during the Address in Reply debate.

This brings me to the problem concerning Question Time. I have not taken the trouble to check how many questions I asked last year but I recall that it was one, possibly two. During this session I was fortunate enough to be able to ask a question on the first day. That was pure luck because not everybody was prepared to ask a question on the first day and I indicated that I was so prepared. It is not as though I did not seek to ask a question: I think that last year I sought to ask a question on every sitting day and was allowed to ask one or two questions during the whole year.

An honourable member: Talk to your Whip.

Mr MEIER: A member interjects, 'Talk to your Whip.' That member does not appreciate that the Government is in a different situation, because Ministers do not ask questions, so backbenchers have first preference. The honourable member will learn that on the Opposition side shadow Ministers invariably have a high priority, and rightly so, because they should have an opportunity to bring matters of State interest to the public's attention and therefore parish pump problems that I might wish to raise take second priority. I acknowledge that and assume that that will continue to happen in years to come. What I am getting at is that Question Time should be overhauled.

Ministers are abusing their right in some cases, although not all Ministers, and some do not do this deliberately. However, it is obvious that a few Ministers are determined to waste as much time as they can. I think that if a time limit was applied to Question Time under normal circumstances we would solve that problem. That time limit could apply to both sides, to both questioner and the Minister giving the answer.

The member for Davenport made many relevant points in his speech this evening and I do not intend to reconsider any of them other than to say that he mentioned that there used to be a two hour Question Time which was cut to one hour. Consideration should be given to increasing Question Time to 1½ hours so that constituents have the chance to have their problems aired. Many people have rung me or spoken to me personally and asked whether I would ask a question in Parliament on a certain issue. It is embarrassing for me to say that the chances of my getting it on are slim, but that I will try within the next two weeks. If I cannot get it on then, I say that I will take up the matter in writing. All Ministers would appreciate that they have received many letters on many issues simply because I do not have the opportunity to bring up those questions in Parliament.

With respect to the time allowed for speaking, it seems that the biggest mistake has been in not adhering to Standing Orders. I refer to Standing Orders 156, which states:

> If the Speaker or Chairman of Committees shall have twice warned any member then speaking that his speech is irrelevant to the question being discussed, or that he is guilty of undue repetition or prolixity, a motion that such member be not futher heard may be moved at any time so as to interrupt such member speaking, whether in the House or in Committee, . . .

Members should not repeat material. A lot of the matter debated includes far too much repetition. When members have spoken at undue length, time could have been cut considerably by either the Chairman of Committees, the Speaker or the person in his Chair rather than forcibly cutting a person's time from 30 minutes to 20 minutes. I would like to see that matter given attention in preference to time being cut.

The other issue that goes hand in hand with that is the fact that the Government not once during the three years I have been in Parliament has used the guillotine. On occasions it should have used it as I believe debates have gone on excessively in some cases. The Government therefore has to take the majority of the blame for extended sittings where, if it believed filibustering was going on and the debate extended unnecessarily, it could give the Opposition a warning in the first place that unless it addressed the matters in hand and did not sidetrack, it would guillotine the debate. If the warning is not heeded, surely the Opposition deserves to be guillotined if it is obviously delaying. That would be a preferable system to cutting back members' time so that where a person needs a full 30 minutes they have it.

We are getting cut back more and more and this forum is becoming less useful to me as a member to air grievances of the electorate. The written word will continue to increase if all suggestions are passed tonight. I trust that the Minister has taken notice of the suggestions put forward by our Deputy Leader in the first instance and reinforced by other speakers on this side of the House. For the sake of the continued good workings of the South Australian Parliament, I trust that some modifications will be made to the proposals before us.

The Hon. B.C. EASTICK (Light): It is fairly important to place correctly on the record some of the background to this matter, specifically after the member for Mawson used notes which were provided to her and of which she had no real knowledge. The Hon. Chris Sumner (Attorney-General) in 1982-83 indicated to the House the importance, as he saw it, of introducing two joint select committees to look at various procedures of Parliament. One was to relate to management of the House and employees of the House and after a great deal of debate and some period of consideration without action that joint select committee subsequently reported to the House. A Bill prepared by that committee recommended to the House was eventually passed, albeit with some amendments from another place. I am not certain whether it has yet been proclaimed, but it sought to bring into proper managerial existence a means of employing the staff of this House and for improvement of services generally to members.

The second was to provide for a joint select committee, and I read from the original statement made by the Hon. Mr Sumner, as follows:

> . . . a joint select committee be appointed to consider and report upon proposals to reform the law, practice and procedures of Parliament with particular reference to—
>
> *(a)* the method of dealing with appropriations for the Parliament;
>
> *(b)* a review and expansion of the committee system including in particular—
>
> (i) the establishment of a standing committee of the Legislative Council on law reform;
>
> (ii) the desirability of a separate committee to review the functions of statutory authorities; and
>
> (iii) the method of dealing with Budget Estimates, including the desirability of a permanent Estimates Committee.
>
> With regard to paragraphs *(b)* (ii) and *(b)* (iii) the committee should consider the role and relationships of the Public Accounts Committee in the context of these proposals;
>
> *(c)* the rostering of Ministers for question time in each House;
>
> *(d)* the prescription of a minimum number of sitting days each year;
>
> *(e)* the methods of dealing with private members' business;
>
> *(f)* other mechanisms to ensure the more efficient functioning of the Parliament including procedures to avoid excessive late night sittings.
>
> In the event of the joint committee being appointed, the Legislative Council be represented thereon by six members, four of whom shall form a quorum of Council members necessary to be present at all sittings of the committee.
>
> That a message be sent to the House of Assembly transmitting the foregoing resolution and requesting its concurrence thereto.

That matter was debated in both Houses and subsequently a joint select committee was set up in the 1982-83 session of Parliament. It was reinstated in 1983-84 and in 1984-85. It was again reinstated in 1985 leading up to the most recent State election.

However, that joint committee has not sat since 4 April 1984. It is the normal procedure that the committee will be called into existence by the Chairman. That action has not been taken by the Hon. Chris Sumner (Attorney-General) in another place, although there was a notice indicating to members that there would be a meeting on 4 May 1984. It was subsequently cancelled because we had the problem of some fairly late sittings of Parliament and nobody felt that they would have been in a position to contribute very much on 4 May 1984.

I shall refer to one of the actions taken by that joint committee, which has never reported back to the House. Therefore, I find myself in a little difficulty, because I want to refer to some of the material which has already been referred to here tonight by the member for Mawson with information conveyed to her by you, Sir. It is privileged material which belongs to the joint select committee that has not reported.

Since that action has been taken, I believe that I am at liberty to use the same material, and put my construction on it. I believe that members of the committee would also want that put correctly on the record. The joint select committee took evidence from a number of people, including the Clerk of this House in relation to his knowledge of other parliaments of the world. It received information from committees on the structure of the Parliament, and obtained other information. It had the services of Mr Kleinig, a research officer, who had prepared papers. It was generally considered that one of the important issues of refining and improving the parliamentary system was to initiate an inquiry into the House of Assembly, and that was the subcommittee referred to by the member for Mawson.

It was a mixed feast: although the member for Hanson and I were to represent the Opposition, it was understood that the then member for Davenport (Hon. D.C. Brown) would be an optional member in the event that either the member for Hanson or I were not available. That committee had some discussions and they have been adverted to. Those discussions covered a wide range of views relative to the sittings of the Lower House. It considered the experience of members from both sides of the Chamber and their knowledge of other parliaments, particularly the House of Commons.

A conclusion about the views that should be put to the select committee was never reached, nor has this matter ever been considered by the Standing Orders Committee of this Chamber. I have had the pleasure and privilege of being a member of that committee since 1979. A number of meetings were held from 1979 until the early part of 1984, when a systematic consideration of Standing Orders was undertaken because it was recognised that the interpretation of Standing Orders, based on the practice and precedents of this place (and I believe correctly upheld by Speakers of both political persuasions), was in need of review.

In discussions the subcommittee, in relation to what changes might be effected to give a better opportunity for the correct management and proceedings of this House, recognised that there was an urgent need to provide for backbench members—whether Government or Opposition—the opportunity to participate as representatives of their area. That was being denied them in a number of ways, one being that private members' time cut out towards the end of a parliamentary session. While one might say that private members' business was of little or no importance—and I do not hold that view—the denial of it more specifically prevented a member effectively presenting a case in respect of a disallowance of regulations or proceeding with a motion relative to a proclamation that was adversely affecting the people of this State or, more specifically, his constituents.

It was realised that it constituted an absolute deficiency in the parliamentary system in South Australia. It was also recognised that there had been a major deterioration of Question Time and that an absolute abuse was occurring in relation to answers to questions—applying to Ministers of both political persuasions—which was precluding a proper Question Time procedure being undertaken. The procedure that applies in the House of Commons has been referred to in debate. The member for Mawson has maintained that that is an important base on which to rely. On Tuesday and Thursday afternoons the Prime Minister answers in the House of Commons, in less than 20 minutes, 17 or more questions.

Likewise, at other times, within 15 or 20 minutes, Ministers can answer some 15 to 18 questions within their allotted time. No lengthy explanations are given, and more particularly, questions are answered in a succinct fashion. Opportunities provide for members to ask up to five supplementary questions on the same subject matter. The answers are provided and the House gets on with the next business of the day. Having watched the procedure in the House of Commons and having noted the journalists reporting of that procedure in the *Times* and other publications in Great Britain, I would maintain that members on both sides of the House and the public are satisfied with this procedure and with the material that is picked up and used in newspaper, television and radio reports.

Only part of the details of discussion have been made available to this House, and certainly all the details have not been leaked to the press—and I will refer later to the problem of leaks to the press. However, in the discussions that took place matters concerning the provision of a proper forum for members of Parliament were considered, specifically in relation to providing safeguards for members sitting on the cross-benches, being lone members. It was also indicated that a matter given consideration when Standing Orders were last altered was that provision would be made for grievance debates daily, if sittings of the House were to finish before 10 p.m. on Tuesdays and Wednesdays and 5 p.m. on Thursdays. It was recognised that grievance time was an important part of the parliamentary system, particularly for backbenchers on both sides of the House. It was considered that there should be a guarantee that, regardless of all else, grievance time would be available on a regular daily basis. Part of the discussions concerned providing grievance time at a more opportune time of the day so that there could be proper exposure of the issues raised by members at that time and also an opportunity for Ministers to respond later, perhaps by way of ministerial statement.

It was considered desirable that the opportunity be given for that to occur within the one general time span and that matters be given one complete exposure in the media. One possibility considered was that grievance time could be held at 5.30 p.m. or 7.30 p.m. on each sitting day, whichever would be a more convenient time. If this time were provided on a regular basis it would help alleviate the tensions that build up in the parliamentary system that not infrequently lead to extended sitting hours and to Bills being considered beyond 10 o'clock, with members being denied the opportunity of expressing views on behalf of their constituents in an endeavour to properly fulfil our role as representatives of those constituents. I talk of 'our' in the broadest possible plural sense, because I believe that it involves, and should involve, every member of the House.

That is one of the other aspects that was looked at. It was clearly understood that, if there were to be alterations which would have the benefit of acquiescence by members on both sides, there had to be a little bit of give and take on both sides of the House. We started to see, Mr Speaker, as you would well know, a press representation of some aspects of the discussions which were taking place—not the full story but just sufficient to put down a point of view which was not necessarily the balanced point of view, but which picked up some aspects of the discussions that had been taking place and promoted them and brought them out into public exposure on a relatively frequent basis.

The message went out, very loud and clear, that so far as the members of the Opposition were concerned, there would be no more discussion on this issue, which was sensitive

and wide ranging, and needed to be, until such time as it was quite clear that the discussions could take place towards a negotiated end point which could then be reported in the first instance to the Joint Standing Committee, and for the Joint Standing Committee to make an interim report which could be tabled in both Houses of Parliament.

The Hon. E.R. Goldsworthy: That never happened.

The Hon. B.C. EASTICK: That never happened, because, as I said, material was being leaked—not in totality, but in part—and there was a clear indication that a course of action was in contemplation which was not going to provide the necessary protection for members of Parliament. I am not talking about members of the Opposition—I am talking about members of Parliament, all members of the House of Assembly in South Australia. If one were to look at the document that the member for Mawson selectively quoted from, headed, 'Joint Select Committee on the Law, Practice and Procedures of the Parliament', it states:

> Following a meeting on 26 April of the House of Assembly subcommittee consisting of J. Trainer, J. Klunder, B. Eastick and H. Becker, several draft suggestions were considered. These were then conveyed to the two major Party rooms and to P. Blacker and N. Peterson for further consideration.

The report further states:

> Viewpoints expressed by the Labor Party members were as follows—

They were not the views of the committee, but the views of the Labor Party. I point out that, whilst there are a number of aspects of this document which pick up the various areas that were discussed in committee—and I stress the 'committee', because I have always believed that 'committee' in this sense, when it was a subcommittee of a committee, would remain the province of or in the possession of that committee—it does not pick up all of the aspects. Much has been said about the package which the Deputy Premier has provided to us.

There is nothing wrong with a number of aspects put forward by the Deputy Premier. The real problem is that the Deputy Premier, no doubt on advice, has selected some aspects of the discussion without following them through to their conclusion. For example, the question that has arisen over a period of time relative to the legality of the point of debate and the taking of no votes is a problem that has given a wrong impression entirely to this subject.

The Estimates Committees are at variance with our Standing Orders but they are covered by sessional orders. The system has been able to function quite satisfactorily with those sessional orders without denying members the right of free speech and without denying proper consideration and voting procedures. It was very clear that if there was to be an alteration that was to result in a no vote situation, we would invoke (and we had discussed invoking) the situation that exists in the House of Commons, where it is known at the beginning of the week at what time votes will be taken on particular measures, even to the point where the debate on a certain issue can conclude on, say, Tuesday but the vote is not taken until Wednesday. That situation is quite achievable.

Problems associated with the Committee stage are a little more difficult to move around, but the real interest in this measure relates to the fact that there was to be a guaranteed debate on all these issues right up to the prorogation of the Parliament. Thus private members time and debate on the disallowance of regulations or proclamations would not be cut off with no opportunity to properly represent our electors: that would continue until the very last day. Members would also have the opportunity of a guaranteed grievance in prime time. The Minister could refute, in prime time, if he had an answer, the assertions that had been made so that the public would be much better educated in regard to the issues. There would not be a jaundiced view going out to the public with the matter being refuted at a later stage.

I have outlined some detail of the type of discussion that has taken place without going into all the information and the issues. Suffice to say that there was a very clear understanding by the members of that subcommittee and in other discussions that we had had as members of the Standing Orders Committee that there needed to be an integration of the findings of one group with the deliberations of the other. I suggest it is the right of the Standing Orders Committee of this House to be afforded the courtesy of looking at and nominating a view relative to any matter that is to alter the Standing Orders of the House. It is a farce, I suggest, to elect members to the Standing Orders Committee on the first day of each parliamentary session and then seek to circumvent their activities.

Long and serious deliberations were given to the Standing Orders of this House. It is recognised that they need some adjustment and better definition to allow greater power to the Speaker (whoever that person may be from time to time) to bring about a more balanced representation from the Treasury benches as well as from the back benches and to pull into line a Minister who is transgressing and abusing the parliamentary system. It does not matter which political Party is in office: it might not like the idea of the Minister being restricted in the amount of point scoring that he wants to do, but the Minister has plenty of opportunity to do point scoring in other ways (by way of Ministerial statements, the proverbial Dorothy Dixer or with the aid of his press officer outside the House) than the abused method used at present.

We do the parliamentary system an injustice if we seek to take this measure any further than it has already gone. I do not deny distinct advantages that exist within the proposition which has been put to the Parliament; I make that clear. However, in the form in which it is presented and, with due respect to my colleague the Deputy Leader, even with the adjustments which he would seek to make to it, it would not be in the best interests of this House to proceed to implement the Minister's proposal. I believe that it is too important a matter on which to make a decision and cobble up the edges by way of the type of amendments suggested. It is important—even if the Minister would like to seek audience with the Standing Orders Committee—that the best features of his proposals and the other adjustments which are necessary (including some of those which are the province of the Deputy leader at the present moment) are drawn together in that rational forum so that this House can benefit for years to come from a set of Standing Orders which truly represent what it is that the Minister seeks to achieve.

It may well be found that the best way of approaching this matter is not the immediate alteration of the Standing Orders but the creation of yet another set of sessional orders which seeks to implement some of the proposals which are in view. We could try those for two or three years as we did with the Estimates Committees. I have already suggested that they ought to have been enshrined in the Standing Orders before now, and it is not the fault of some members of the Standing Orders Committee that that has not happened. I believe that we need to look at the matter in a rational way, making sure that the final product is one which is workable and which is going to be beneficial to the Parliament as a whole.

I do not, with all due respect, believe that the course of action that we are following at this moment will achieve anything of great benefit to the Parliament. I believe that it will finish up being divisive, and that our image with the public as perceived through the press will not benefit at all

from the shambles I believe will be outcome of some aspects of the Minister's proposal.

The Hon. D.J. HOPGOOD (Deputy Premier): I do not intend at this stage to make any sort of point by point reply to all or any of the matters that have been raised in the course of this debate. It is a debate which has attracted a good deal of attention and interest from members, and it is entirely proper and predictable that it should do so.

Honourable members would be aware of the fact that, assuming certain other things happen immediately, I intend that we should move to what in effect is a Committee stage type of debate which we would consider some time during the session later today, and on that occasion I will take the opportunity, when various points are pressed, to use material that I might otherwise have put before the House at this stage. I want to speak simply to a procedural matter at this stage. I want to amend the motion that I currently have before the House. I move:

That the motion before the House be amended by leaving out the word 'adopted' and inserting 'noted'.

Honourable members would be aware that the motion we have been debating is that the proposed alterations to Standing Orders laid on the table of this House on 19 February be adopted. I want to amend that to leave out 'adopted' and insert 'noted'. That means that we can in fact actually vote at this stage and clear this part of the debate out of the way. I would then seek to move that the Speaker leave the Chair and that the House resolve itself into Committee.

If, on the other hand, we do not do that either, I must immediately put the motion that I have had before the Chair, which would mean that there would be no Committee stage and people would have to immediately place amendments before the House or, alternatively, we are in the difficult position of having two motions before the Chair, and that would be a departure from our normal procedure. I hope that honourable members understand the nature of what I propose, which is simply that we should note the report that I have tabled. I will then proceed with the other matters, and that will enable the Committee stage to be considered later today in the next sitting.

The Hon. B.C. EASTICK (Light): I believe that the course of action suggested by the Minister is commendable and I am quite happy to second his proposition.

Amendment carried; motion as amended carried.

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

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the whole to consider the proposed alterations to Standing Orders laid on the table of this House on 19 February.

Motion carried.

In Committee.

Proposed new Standing Order 45.

The Hon. D.J. HOPGOOD: At this stage I merely move to report progress.

Progress reported; Committee to sit again.

ADJOURNMENT

At 1.54 a.m. the House adjourned until Thursday 6 March at 2 p.m.