HOUSE OF ASSEMBLY

Tuesday 4 November 1986

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

PARLIAMENTARY PRIVILEGE

The SPEAKER: A media report has focused the attention of the Chair on an apparent breach of parliamentary privilege which occurred in a division last Thursday. This was on a motion of dissent against the Chair's ruling that a question to the member for Price was out of order.

A transcript of part of the ABC news of that evening includes the following comment by reporter Ric Jay:

> As they crossed the floor to vote, the Liberals claimed to have found this brief reply on Mr De Laine's desk saying, 'I have nothing further to say.'

I have drawn the attention of the Leader of the Opposition and the Premier to that transcript, as it clearly implies a breach of parliamentary privilege by one or more members of this House in that a member's private papers were perused by another member or members and communicated to the news media. Other persons may have been involved in this breach although the Chair is not aware of the identity of any specific individual.

The Chair makes two points about the incident. First, provided that the media report is not a total fabrication, it is the Chair's firm view that a breach of parliamentary privilege has taken place. The privacy of papers and documents has always been respected when a member has occupied another member's seat during divisions. It is most unethical to peruse another member's private papers even where those papers might be uppermost on that member's desk.

Secondly, the member for Price, whose privacy was intruded upon, has advised the Chair that the document quoted from the media was not uppermost on his desk. It is his recollection that the handwritten draft referred to was positioned underneath other papers on his desk when he left it unattended.

The Chair does not intend to pursue this matter any further, being of the belief that little good purpose would be served. However, the Chair takes this opportunity to remind members of the need to uphold the various traditions which constitute the code of conduct known as 'Chamber Etiquette'. It has been customary for members to be able to leave their desks during a division confident that their private papers will not be read or their documents tampered with.

If members lose confidence that this tradition will be upheld, we will end up with an unseemly situation whereby members will gather up all their papers and documents under their arms (perhaps even their briefcases as well) to take across the Chamber with them every time they need to cross the floor during a division. I hope that an incident of this nature will not occur again.

The Hon. B.C. EASTICK: On a point of order, Mr Speaker, I ask you to reconsider your statement. I believe that in the statement that you have just presented to the House you leave every member on this side under suspicion of having been responsible for the transgression that you have reported.

Members interjecting:

The SPEAKER: Order! The honourable member for Light has the floor.

The Hon. B.C. EASTICK: Mr Speaker, I therefore ask you to reconsider the statement that you have made and to send the material to the Privileges Committee.

The SPEAKER: If the honourable member gives notice of his intention to bring the matter forward in that way, it will be dealt with in due course by the House.

The Hon. B.C. EASTICK: On behalf of every member of the Opposition, I believe that that is the only course of action that is available so as to take away the slur that has been cast on Opposition members.

The SPEAKER: Order! That action is in the honourable member's hands.

QUESTIONS

The SPEAKER: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 158, 189, 190, 191 and 192.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for the Arts (Hon. J.C. Bannon):

Art Gallery of South Australia—Report, 1984-85.

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

National Parks and Wildlife Act, 1972—Regulations—
Permit Fees
Entrance—Charges and Camping Fees
Hunting Permit Fees

South Australian Urban Land Trust—Report, 1986.

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

Opticians Act, 1920—Regulation—Registration and Renewal Fee.

South Australian Health Commission Act, 1975—Regulation—Outpatient Pharmaceutical Fees.

By the Minister of Labour (Hon. Frank Blevins):

Industrial Relations Advisory Council—Report, 1985.

By the Minister of Agriculture (Hon. M.K. Mayes):

Australian Agricultural Council—Resolutions of 124 Meeting, 30 July 1986.

Dried Fruits Board of South Australia—Report, for Year ended 28 February 1986.

By the Minister of Fisheries (Hon. M.K. Mayes):

Australian Fisheries Council—Resolutions of 16 Meeting, 30 July 1986.

QUESTION TIME

MARIJUANA

Mr OLSEN: In presenting the Controlled Substances Bill for the assent of His Excellency the Governor in Executive Council, will the Premier advise the Governor to ask Parliament to reconsider the clause introducing on-the-spot fines for the possession of marijuana? This legislation could be presented for vice-regal assent as early as this Thursday, even though there are now moves throughout the community against the clause providing for on-the-spot fines for possession of marijuana.

Further doubts also have been raised about whether this clause has the support of the majority of members of the Parliament following the statements by the member for Gilles, Hon. J.W. Slater, who was absent for the vote, indicating he may have opposed it, and suggestions by at

least two Government members of another place that they were not aware that it had been a conscience vote. Section 56 of the Constitution Act gives His Excellency the Governor the right to recommend amendments to any legislation presented for his assent.

There are recent precedents for the exercise of this right. In 1966, the then Walsh Labor Government accepted an amendment recommended by the Governor to the legislation establishing the Flinders University, and in 1952 the Playford Government accepted amendments recommended by the Lieutenant-Governor to the Buildings Operations Bill.

In view of the unique circumstances in which the Controlled Substances Bill passed this House, the continuing doubts about whether it has majority parliamentary support and the widespread community opposition to on-the-spot fines for marijuana possession, the Premier should be prepared, in Executive Council, to advise His Excellency to recommend an amendment to the Bill to strike out the provision for on-the-spot fines, so that this matter can be further considered by the Parliament. I ask this on the basis that the Governor cannot withhold assent or act in a unilateral way, but can act under the Constitution on the advice of the Premier in the way I have suggested.

The Hon. J.C. BANNON: I am glad to see that the Leader of the Opposition has at last taken a little bit of advice on this matter, because I understand he was associated with quite disgraceful and improper constitutional suggestions and moves which would involve the Governor withholding assent from a law duly passed by this Parliament.

Members interjecting:

The Hon. J.C. BANNON: Now he has modified his approach slightly. He forgets of course that members of the Executive Council are bound by an oath of confidentiality and that any advice that I may tender to the Governor will be within those bounds of confidentiality and not a matter for public canvassing.

Mr Olsen interjecting:

The SPEAKER: Order! I call the Leader of the Opposition to order.

The Hon. J.C. BANNON: The attempt to involve the Governor in a particular political issue before this House was quite disgraceful on the part of members opposite. Have they learned nothing? Do they not remember the convulsions that took place in this country?

Mr Olsen: Get on with the subject.

The Hon. J.C. BANNON: I am getting on with the subject; indeed I am.

Mr Olsen interjecting:

The SPEAKER: Order! The Premier will resume his seat for a moment. I call the Leader of the Opposition to order for the second time for disrupting Question time. The honourable Premier.

The Hon. J.C. BANNON: Disruption is about all the Leader of the Opposition is on about at the moment. He has misrepresented this legislation consistently in the community. The message, the truth, will eventually get across to people. We are happy at any time to argue this. This is the Chamber in which these matters are decided. You do not drag in the vice regal representative in this way. Both the Leader and the member for Flinders are behaving in quite a disgraceful way in doing that. I think the last refusal of the Royal Assent occurred under Queen Anne in 1708. That is the sort of precedent that these members opposite are attempting to revive.

I suggest that the constitutional convulsions of the area of Mr Justice Boothby in the 1860s in this State are not going to be repeated as long as we respect the Constitution. We need look only at 1975 at the Federal level and the appalling convulsions at that time and what was left to realise that members opposite tread on very dangerous ground. It is desperation indeed to make some sort of political point. Let us get down to the issue. The first thing that I ask the Opposition to do is to honestly present the issue for what it is. We have not legalised marijuana and we have not decriminalised it. In fact, we have increased the penalties—

Members interjecting:

The SPEAKER: Order! I call the House to order.

The Hon. J.C. BANNON: Last week, it was very interesting to see members opposite voting against this measure which toughened those provisions and penalties. Let that story out. Members opposite voted against it at the third reading, unlike their colleagues in another place.

Members interjecting:

The SPEAKER: Order! The Chair has no intention of allowing Question Time to degenerate into a shambles of repeated interjections.

NURSE EDUCATION

Mr RANN: Can the Minister of State Development and Technology advise the House whether or not the Government has decided on a site for nurse education at the South Australian Institute of Technology? Further, when will the first intake occur?

The Hon. LYNN ARNOLD: I can give the House advice on this matter. Considerable discussions have taken place between the Government and the Institute of Technology, involving the Tertiary Education Authority of South Australia and other tertiary institutions that are also seeking to provide nursing education in the tertiary education arena. Before going into the details about the Institute of Technology, I will correct one point conveyed in a letter to the Editor in the *Advertiser*, I think, this morning. That correspondent wrote to the *Advertiser* that the South Australian Government had been very slow in proceeding with the transfer of nurse education to the tertiary education sector. In fact, just a couple of Fridays ago, representing the South Australian Government, I signed the Commonwealth-State agreement with the Federal Minister for Health (Dr Neal Blewett).

The Federal Minister indicated in his speech at that special ceremony, which was very well received by the nursing profession, that South Australia was the first State to sign such an agreement with the Commonwealth. Quite contrary to the suggestion in this morning's letter, South Australia has not been delaying on this matter. We have been doing all the appropriate work required and we have reached a stage where we are the first State to sign that Commonwealth-State agreement.

With respect to the Institute of Technology, we considered a number of sites. Of course, the North Terrace campus is difficult in respect to any further development and the geographical constraints. We also considered the fact that the nursing education component of the institute should be on the same site as other institute activities and not located at some separate site away from it because that would create difficulties for the nurse education course. As a result of those matters and economic considerations, Cabinet has approved, in the expenditure of capital works funds provided for in the State budget, that the demolition of the Bonython Laboratories proceed.

New construction can then start there for nursing education and other related areas. That, of course, will not see

the building provided in time for 1987, so negotiations are also being undertaken, with Cabinet approval and with funding provision, for the leasing of short-term accommodation for nurse education courses in the intervening period.

It is anticipated that the first intake, a mid-year intake of 80 students, will take place in July 1987, at the beginning of the second semester. Further intakes up to an annual intake of 250 by 1990 are proposed. That will involve 150 in 1988, 200 in 1989 and, of course, the 250 in 1990. That lives up to the commitment that this State Government has given for the transfer of nurse education to the tertiary education sector. Other transfers are also taking place to the South Australian college, and capital works announcements about that in some cases have already been made. Other announcements are expected in coming months.

MARIJUANA

The Hon. JENNIFER CASHMORE: When was the Minister of Education made aware of the suspension of eight students at the Port Lincoln High School for alleged possession of marijuana? This incident, which involves year 8 students all aged about 13, was revealed in press reports on Sunday. I understand that they were suspended more than a week ago, indicating that the Minister should have been aware of this incident at the time the House was considering the proposal to introduce on-the-spot fines for marijuana smoking.

While Liberal Party members have said that there is evidence of drug trafficking in schools, the Government has denied it. The member for Hartley said in the House only last Tuesday, 'That is totally inconsistent with the information that I have received.' As it appears that the Minister has failed even to inform his own colleagues of what has been occurring, I ask him when he became aware of the incident at Port Lincoln and, if it was before last week's debate, why he concealed a very relevant piece of information from the House.

The Hon. G.J. CRAFTER: I thank the honourable member for her question. I cannot recall precisely when (although I think it was some time on Friday of last week) I was advised of this incident while I was actually absent from the State. It may have been Thursday evening or Friday morning when I received the message: the Director-General commented on it at the time.

For the record, both the Director-General and I have stated that the strongest disciplinary action will be taken against students in our schools who are found to be misusing drugs, whether it be tobacco, alcohol, marijuana or any other drug. In the situation at Port Lincoln, eight year 8 students allegedly were using marijuana at the school. Mr Steinle, the Director-General, has advised me that the police have been contacted and are investigating this matter, that the parents of the students were called to the school and that, in the presence of staff and the police, this matter was fully discussed. Two students were suspended from the school for two weeks, and the remaining six for a period of one week. As I said, police inquiries are continuing.

Since then, I have said publicly on radio that I strongly endorse the action the school took and the statement of the Director-General, I think last Friday, that this behaviour is not acceptable in our schools. It is contrary to the law; it has been contrary to the law in the past and will continue to be in the future. The penalties imposed for offences of this type have not been altered under the legislation that was before the House last week.

BANKRUPTCY THREATS

Mr FERGUSON: Can the Minister of Education, representing the Attorney-General, inform the House whether he is aware that many solicitors are unethically threatening people with bankruptcy when it is legally impossible to do so? I have received correspondence from the Legal Services Commission pointing out to me that recent changes in the bankruptcy system and the continuation of Local Court rules in enforcing debt have now changed the situation in respect of the bankruptcy laws.

Creditors can apply for a debtor to be declared bankrupt only if more than $1 500 is owing. It has been put to me that many solicitors are still unethically threatening people with bankruptcy when it is legally not possible and when the official receiver, in general terms, will not permit it. The official receiver, in general terms, will not confiscate furniture and other household items and will not allow the confiscation of tools of trade. I have been told that a local court will permit a bailiff to remove any item except bedding or tools of trade valued under $50 and the taking of a mangle, which probably shows that there is a need to update the State law in this area. It has also been suggested to me that our local court rules should be brought into line with Federal bankruptcy rules.

The Hon. G.J. CRAFTER: I thank the honourable member for his question and will ensure that it is passed on to the Attorney-General for appropriate action to be taken.

PROSTITUTION

The Hon. B.C. EASTICK: I congratulate my constituent Colin Hayes for being the trainer of the winner of this year's Melbourne Cup. Does the Premier support the decriminalisation of prostitution?

The Hon. J.C. BANNON: I do not know—

Members interjecting:

The SPEAKER: Order!

The Hon. J. C. BANNON: I do not know in what context the member asks his question. I remind the member for Light that there is a Bill relating to prostitution presently before the other place. My views on this matter will be expressed when that Bill comes before this House.

WILD CATS

Ms LENEHAN: Will the Minister of Agriculture, in consultation with the Minister of Local Government, investigate the feasibility of amending the Impounding Act to give local councils power to control wild cats in urban areas? I ask this question for a number of reasons. First, I have been contacted by a number of cat lovers in my electorate who have expressed concern at the irresponsible way in which some cat owners have allowed uncontrolled breeding of cats to an extent that there is now a severe problem in Adelaide with wild cats.

On contacting a local council, I found that local councils have no power to control wild cats, which are causing an enormous problem for residents. I will give an example. One council, with the help of the RSPCA, had 12 cats put down in the Glenelg area because the owner had not taken proper precautions to ensure that the cats bred with some degree of decorum.

The Hon. M.K. MAYES: I know that this is a vexed question for the community. There are certainly many cat lovers who would resist a situation where there was whole-

sale slaughter or putting down of cats. The matter needs to be addressed, and my department, in conjunction with the Department of Local Government, has established a review committee to look at whether application of the Impounding Act can be improved so as to provide not only for the well-being of the community but also for cats that are left to go stray. I know from experience in my own electorate that there are numerous situations of cats hiding in major drains running through the area. This has created a health problem for the community.

Mr Becker: They keep the rats down.

The Hon. M.K. MAYES: The member for Hanson suggets that they keep the rats down, and they might to some extent. However, those drains harbour rats as well. Although this problem needs to be addressed, I am not sure that the Impounding Act lends itself to the solving of this problem. I appreciate the difficulties experienced by some local government authorities in controlling these cats. We definitely need to do something to improve the containment of, and provisions for, the collection of cats to ensure that they are treated humanely. Otherwise, this will become a major health problem in local government areas, particularly in highly developed areas where there is a problem with wild cats.

So, I can assure the honourable member that the matter is being addressed. We hope to have a report before Christmas, and if it does not suggest that the Impounding Act is the appropriate legislation to deal with the problem, we will certainly look at what other legislation we can use in order to address this problem.

ROXBY DOWNS

The Hon. E.R. GOLDSWORTHY: My question is addressed to the Minister of Mines and Energy. In view of the complaint of the joint venturers that they had not been consulted prior to the Minister of Health's bursting into print some time ago suggesting that changes would be made to the Radiation Protection and Control Act in relation to Roxby Downs, will the Minister say whether the joint venturers have been consulted about the changes that the Premier announced yesterday and, if so, have the joint venturers agreed with them?

The Hon. R.G. PAYNE: Consultation has occurred with the joint venturers. I am not aware of any possible response that could have been made as late as today. Certainly, however, as of yesterday, consultation had taken place, and some alterations were made as a result of those consultations.

ADULT UNEMPLOYED SUPPORT PROGRAM

Mrs APPLEBY: Will the Minister of Employment and Further Education please give an updated report on the Adult Unemployed Support Program initiated by this Government? Figures from the three Commonwealth Employment Service offices serving my electorate indicate a great need for attention to projects to assist the adult unemployed. A combination of the three sets of figures gives an example of the importance of such programs. Of the total figures, in the 15 to 24 year old age group, 46.93 are registered as unemployed, while the remaining 53.07 per cent are in the 25 plus age group.

In analysing the figures of registered unemployed persons in South Australia who have been out of work for nine months or more, the House may be interested to know that, in the 15 to 19 year old age group, 14.2 per cent are in this category, while, of the total, 23.95 per cent of 20 to 24 year olds have been without work for nine or more months. However, a dramatic increase occurs in the 25 to 44 year old age group and in the 45 plus age group, the figures for which are, respectively, 33.31 per cent and 54.5 per cent unemployed for nine or more months. It is with these figures in mind that I seek the Minister's response to the question that I have raised.

The Hon. LYNN ARNOLD: I thank the honourable member for her question, as it identifies yet again, as the honourable member has done on so many occasions, the very serious nature of the problem that exists in respect of adult unemployed. It should be a matter that is worthy of concern in its own right, and the rates of unemployment are surely unacceptable to people in the community. Indeed, it is on that premise that the Adult Unemployed Support Program was established as an important program within the Office of Employment and Training. Its budgetary allocation for that in 1985-86 was $350 000, and that has been increased by 4 per cent in the 1986-87 financial year. That program is not just for the creation of jobs directly for adult unemployed but also for the funding of projects that will enable people perhaps more easily to get jobs that are available in the community in other forms of employment. It provides financial support for the development of labour market oriented projects that are designed to assist those adult unemployed people over the age of 25, but it has a particular emphasis on people aged 45 or more.

The honourable member has identified some figures of great concern in that area. The project is targeted at community organisations, self help and community support groups, including those of various characteristics, such as ethnic groups, general community groups, women's advisory groups, and the like. In the period 1985-86 and 1986-87, it is estimated that some 2 200 people will come into contact with projects supported under the scheme. I might just note that, on the basis of the past year's activity, that 63 per cent of those people have been women. This is a very important program. We believe that it offers to those who face the prospect of long-term unemployment the opportunity to find jobs that are available, to rebuild their skills, or to be put into contact with jobs that might not otherwise have been available to them.

AMERICA'S CUP

Mr INGERSON: Will the Premier say whether South Australia's America's Cup syndicate has asked the State Government for a further loan and, if it has, what is the Government's response and are conditions attached to the loan which would enable it to be converted to a grant? If there are conditions, what are they? At the end of last financial year, the Government had committed loans to the project totalling $1.36 million. I have been informed that, following an assessment of South Australia's performance in the first round robin of the America's Cup elimination defender trials, the syndicate has approached or intends to approach the Government seeking a further loan. I also understand that, if the syndicate is unable to meet its commitment to repay the Government loan and interest, there are conditions allowing it to be converted to a grant under which the State would become the owner of the yacht. I ask the Premier to clarify the situation.

The Hon. J.C. BANNON: The original approval for a loan to the syndicate was for $1.5 million, $1 million being provided early in 1984. This would all be known to the honourable member because I understand that the syndicate has kept the Opposition advised of progress and involved

it in its functions and activities, and that, indeed, the Opposition has given strong support to this project. The further sum was advanced during the 1984-85 financial year in order to allow the challenge to proceed. In terms of sponsorship and general fundraising, many millions of dollars have been raised in support of the defence of the cup. The extent to which the loan will be repaid will depend on the overall debt situation, fund raising, and so on, at the end of the day, whenever that may be in what is essentially a contest. The security for return for some of the Government's money will be those assets that the syndicate has once it has discharged all its obligations, and they include the yacht. So, it is a little early at this stage to say what the final situation will be.

Certainly, this is unquestionably an extremely expensive venture. Our consortium has operated effectively off a shoe string compared to the expenditure of other syndicates such as Kookaburra and Bond, which have paid many millions of dollars just on changes of keels, sails, and masts that have taken place on an almost monthly basis for those syndicates, and that is beyond our syndicate, and it is good to see that we have remained competitive, although at this stage, despite that, not competitive enough.

There is a tremendous determination within our syndicate, but problems arising from not having sufficient money cannot be overcome readily. It is appreciated that this project has had bipartisan support in South Australia. The value that we have got from it in terms of tourism and State development—

The Hon. E.R. Goldsworthy interjecting:

The Hon. J.C. BANNON: I am only going on the statements you have made and on what I have been advised by the syndicate. If that is wrong, let me know. The success of the challenge in terms of the aims of the State, which were to get international recognition, has been well fulfilled. In fact, we have had some fantastic coverage on European television and in magazines, etc., overseas. I guess that in the washup a full statement will be made on that.

SCHOOL CAMPS

Mr M.J. EVANS: Will the Minister of Education take urgent steps to promulgate strict minimum standards of accommodation for live-in camps used by State schools in order to safeguard the health and safety of the students who attend them, and will the Minister investigate the feasibility of establishing a State register of approved camps for use by schools? A constituent has recently brought to my attention the conditions which prevailed at a a school camp attended by his primary school age son. The bedrooms consisted of galvanised iron sheds with minimal lining, and each room accommodated eight students. The ablutions block was clearly inadequate for the number of students attending and was in a poor state of cleanliness.

The camp is privately owned and located on the banks of the Murray River, presenting a significant water hazard to young children, even with adult supervision. While I do not question the dedication of the teaching staff and volunteers who accompany children on these trips, my constituent believes that strict minimum standards of accommodation and safety must apply in all such circumstances.

The Hon. G.J. CRAFTER: I thank the honourable member for raising this matter. Certainly, I will obtain a report from the Education Department as to whether there are any deficiencies in current regulations and instructions with respect to camp sites and other properties used from time to time by school groups. The suggestion of a register of suitable properties for use by schools is worth while. If that register is not totally comprehensive or up to date, I will ensure that it is so. I point out that it is the wish of many school groups to rough it or go out into rural communities and enjoy some of that lifestyle which is a great contrast for students, particularly those from urban areas of Adelaide. However, it is clearly accepted that there must be certain minimum standards of safety, health and hygiene, and we would want to ensure that no group is put at risk in this way.

AMERICA'S CUP

Mr BECKER: Is the Premier aware that certain Adelaide media organisations are excluded from interviewing members of the South Australian America's Cup syndicate or from even entering the syndicate's jetty at Fremantle and, if so, does he intend to make representations to ensure that all media have equal access? I have been informed that representatives of one Adelaide television station made a special trip to Fremantle last month to prepare news and feature material on South Australia's America's Cup challenger. However, on one occasion, the television crew was refused any interviews with any representatives or crew member of the syndicate. On another occasion, it was even denied entry to the jetty where the South Australian yacht is berthed to do some filming.

As the State Government has made available loans totalling almost $1.5 million to make this challenge possible, I ask the Premier whether he is prepared to make representations to the syndicate to ensure all Adelaide media organisations have equal access to coverage of the challenge, particularly in view of the Premier's comments today that, despite the yacht's less than successful showing, we should continue to get public relations and promotional use out of the syndicate.

The Hon. J.C. BANNON: I certainly agree with the honourable member that the more coverage and access the better, and there has been quite extensive coverage. I think the situation that the honourable member has had reported to him related to a situation in which sponsorship rights, for which considerable sums of money have been paid to assist the challenge, were involved. If any commercial concern, any arm of the media in this instance, has paid for certain rights, they also want to protect the value that they have in those rights. It applies to a whole series of events. The Grand Prix is another example where the channel 9 organisation has the rights to that for which it has paid a considerable sum and which therefore limits to an extent the direct coverage that other media outlets can give.

This also applies to the South Australian tennis championships, etc. So, within the constraints of a particular sponsorship agreement which has been entered into and for which good money has been paid, there are limits to coverage, but in principle certainly I agree that the greatest access possible should be accorded in order to get the greatest public relations benefit. I point out, of course, that it is not publicity here that we are seeking as much as in other States, and I am not aware of exclusions operating there.

POLICE BAND

Mr GREGORY: Will the Deputy Premier advise the House whether women are eligible to become members of the Police Band? If they can, can the Deputy Premier advise

whether any women have applied to be members, and, if they have, why their applications have not been successful? The Police Band is held in high regard by the people of South Australia and has been widely prased for its performances, particularly during our 150 Jubilee year. However, it has been raised with me on a number of occasions that, while women are members of other bands, there are no female members in the Police Band.

The Hon. D.J. HOPGOOD: First, I thank the honourable member for what he says in relation to the regard in which our Police Band is held by people in this State and beyond. It is indeed an excellent musical ensemble and I am proud to have been associated with it not only as Minister but also as someone who has somewhat of an interest in the skills which underline the professional careers of the people concerned. There is certainly no bar to women being members of the Police Band. Indeed, it would be contrary not only to Government policy but indeed to the law of the State were there any such bar. I believe, although I am not certain, that women have auditioned for positions at times in the past. However, in light of the honourable member's interest in this matter I think I should obtain a report from the Commissioner and make it available.

CARRICK HILL PAINTINGS

The Hon. D.C. WOTTON: In view of continuing media speculation, will the Premier clarify whether he authorised the Police Department to offer immunity to a person, or persons, involved in the theft of four paintings from Carrick Hill in exchange for the return of the works of art?

The Hon. J.C. BANNON: I am surprised at the source of this question although, on second thoughts, not so because the member for Hanson who played a very important role in the recovery of the paintings—for which I would like to place a tribute on the record here in Parliament—would know the background. Perhaps the honourable member should have consulted with his colleague before trying to get in on the act. I am not in a position to authorise such things. Any immunity can be authorised in a formal sense only by the Attorney-General—not by me. That is the situation, and the honourable member should know that. As I understand it, the paintings have been returned (as we know) and are being held by the police. We hope that they will be returned to Carrick Hill within the next few days. Investigations are continuing in an attempt to identify the principal offenders—those who actually broke in and stole the paintings.

The police have never sought to obtain immunity for any person. Of course, the police are attempting to establish reasonable evidence on which they can then place the principal offenders before a court. There is certainly a lot of difference between hearsay, rumour and innuendo and evidence that will stand up. No arrests have been made and inquiries are continuing. In paying a tribute to the member for Hanson for his very crucial role, I must say also that Mr David Thomas, the Director of Carrick Hill, and the police involved in the investigation did a great job. It was a good example of a cooperative effort which led, step by step, to recovering the paintings—the chief object of the exercise.

In that I must also pay a tribute to the responsibility of the *Advertiser*, which had in its possession certain information which, if published at the time it first came into its possession, would have very seriously jeopardised the inquiries. By taking its responsibility on board, I believe the *Advertiser* made a major contribution to ensuring the recovery of the paintings.

OLD MINE SHAFTS

Ms GAYLER: Will the Minister of Mines and Energy ensure that the Department of Mines and Energy urgently attempts to determine the extent of old mine shafts under residential areas at St Agnes and the extent of danger of collapse posed by those shafts? A resident of St Agnes who lives in the vicinity of the Smart Road rubbish dump recently had a hole 7ft to 8ft in diameter and 4ft deep appear on his property following heavy rains. The Department of Mines and Energy has since advised that no detailed information is held on the area's clay mining shafts which date back to the 1850s and that past attempts to locate underground mine shafts there have failed. In view of the residential nature of the area and the continued building construction, my residents wish to have the most accurate information possible.

The Hon. R.G. PAYNE: I thank the honourable member for the question. I can understand and appreciate the concern she is expressing on behalf of her constituents, particularly given her background in planning matters. I would be less than frank, however, if I were to say to this House that I would be able to ensure that certain things in the area would not happen. In answer to this question I propose first of all to indicate to the House the parameters of the situation, and then perhaps indicate to members and to the honourable member some of the things which can be done in this matter and those which I will be endeavouring to see take place.

As the honourable member has indicated, underground mining in the St Agnes area and in other parts of Tea Tree Gully council dates back to the 1860s and was, in the main, mining for a good grade of pottery clay. The reporting of mining matters in the 1860s differed somewhat from that which is currently required, so there are considerable gaps in the information held by my department as to the earlier historical mining. The mining method used in those early days, I am informed, generally involved sinking a shaft, driving horizontally about 60 metres on the clay seam to another shaft for ventilation purposes. The seams were then crosscut and extensively stoped. Some pillars were left and some temporary timber supports were used. Most of the horizontal workings were at depths of up to 34 metres. When abandoned, the shafts were generally only loosely filled, possibly for only part of their depth. I imagine that this is the probable cause of the incident referred to by the honourable member when she mentioned a 7ft to 8ft diameter subsidence of some feet.

The horizontal workings were not filled, and were left to collapse as mining retreated from an area. In many cases, the stopes have collapsed and subsidence has reached the surface but, because of the variable strength of the sandstone overlaying the clay, some further subsidence may yet occur. My department believes that most, but not all, of the known areas of collapse are within lands acquired by the Tea Tree Gully council for recreational reserves. However, it is believed that most areas of potential collapse have not been developed. There is clear evidence that some developed areas may be sited over old workings, and in other cases there is some uncertainty because of the inadequacy of the records to which I have referred.

The department has been called on over the years to provide information on mine workings to the State Planning Authority and other bodies when land has been proposed for development. Within the limits of the historical records, the information sought has always been provided. The problems mentioned by the honourable member were discussed

at a recent meeting between representatives of my department and the Tea Tree Gully council engineer.

It was agreed that the problem of old mining activity was being raised with increasing frequency, with neither the council nor the department being in a position to provide firm assurances on land likely to be affected. It should be emphasised that even the very sophisticated methods of probing the subsurface which are available to my department are not of much help in detecting buried mine workings.

Two courses of action currently being pursued, I believe, will go some way towards meeting the wishes of the honourable member. The department has begun preparing a plan which will show all currently known shaft locations. This will be ready by the end of this month. I am having that done on an urgent basis, and it will be made available to the council. In addition, the plan will provide a basis for further studies. The other course of action involves a much larger joint study involving both the department and the council, which will depend on the availability of finance and manpower. This will involve the preparation of a fully researched report, backed up by interviews with people having useful knowledge of old mining activities.

I suggest that in this Jubilee year that might well be a very interesting way of obtaining the kind of additional information that could be of use. The net result will be the production of a plan showing both factual information on shafts and subsidences, and also the reasonably inferred limits of mining. I am pleased to report to the House that the council engineer indicated that he would support such a joint study, subject to his council's approval. I will keep the honourable member informed of any progress on this proposal.

HORTICULTURAL PRODUCTS

Mr S.J. BAKER: Can the Minister of Agriculture say whether he investigated shipping arrangements before exhorting South Australian producers of horticultural products to embark on a major export drive?

Members interjecting:

The SPEAKER: Order! I call the Minister of Labour to order.

Mr S.J. BAKER: Over the weekend, the Minister went to air commenting on the enormous potential for exporting our horticultural products to overseas markets. One of the key elements in breaking into overseas markets is guaranteed supply. The Minister is no doubt aware that there is a guaranteed market in Japan for millions of dollars worth of lucerne produced in South Australia. However, this market is being strangled through lack of available ships and containers passing through the port of Adelaide. What action does the Minister intend taking to rectify this deficiency and the problem of arranging air transport under current airline restrictions, or is this another halfbaked idea?

The SPEAKER: Order! Leave is withdrawn for the explanation to be continued.

The Hon. M.K. MAYES: Obviously, the member for Mitcham listened to half the interview, as usual, and has drawn on those parts that have been answered previously by me. The situation is that we had three visiting buyers from overseas (one from Belgium/Holland, one from France and one from the UK), representing some of the largest buyers of fruit, vegetables and cut flowers in the European market. They are here as guests of the South Australian Government to meet with growers and to pass on their expertise as to what their markets demand with regard to quality and style of commodity.

They are also here to see what potential exists for assisting our growers in developing European markets. I thought that it was an excellent opportunity, given that they were meeting in the Riverland and yesterday in the Adelaide Hills, to discuss with growers their views on our markets, the demand for our commodities and how we can reach the quality standard that they require to sell to their buyers in European markets.

I am fully aware of the situation regarding air freight and shipping. This matter has been addressed by my colleagues, including the Minister of Marine. I am aware of the difficulties involved in getting cargo space out of Adelaide, in particular to Asian and European markets, and to Singapore. The Conference Line has been a major problem in our getting additional space. We also have problems with air space. We have improved that situation and are looking at introducing what are called 'combine arrangements' for air travel so that people can get additional air space out of Adelaide, either connecting through Perth to Melbourne and Asia or through Adelaide directly from an Adelaide origin. So we are addressing all those problems.

I will say how they are being addressed. Two are operating, one at the national level which was recently established by the Federal Government and which is called the National Horticultural Export Committee: it will address the issues that the member has raised in relation to transport and the artificial tariffs that we face in some European, Asian and American markets. That committee will also address difficulties with transport within Australia and access to ports. It will also address problems such as providing store rooms and coolage for various goods that are stored either at the dock or the airport. All those issues are being addressed at a national level. We are cooperating through the Department of Agriculture, Horticultural Branch, with interstate departments.

In effect, what we saw at the weekend was an indication of the cooperation that exists. The visit of these buyers from overseas was one of many. We have had Koreans here, and in the new year we intend to have more people coming here from Europe. We have been cooperating with interstate departments. Westbrook Haynes from New South Wales has been instrumental, with Ian Lewis, our Senior Horticultural Export Officer here, in getting this tour organised. I can say to the honourable member that we are aware of these problems. They are being addressed at the national level. At the local level, the honourable member would be aware that we have a horticultural export committee, made up of trade representatives, industry representatives, which is chaired by one of our senior officers and supported by the Senior Horticultural Export Officer from the Department of Agriculture, Mr Ian Lewis, and his section.

Members interjecting:

The SPEAKER: Order! I call the Minister of Labour and the member for Mitcham to order.

The Hon. M.K. MAYES: This committee is made up of people from private industry, representing those growers who have actually cracked the export market and who can pass on their expertise. Members of that committee, with the support of the department and the Government, are addressing those very issues that the honourable member has raised. The Government is fully aware of those issues, and in the near future we hope to have some additional air and cargo space for both shipping and air freight out of South Australia.

CHALLENGER

Mr PETERSON: As the Premier has a representative on the relevant board, can he tell the House whether the South

Australian 12 metre syndicate considered taking legal action over the withholding of tank test data on the hull designed for the South Australian *Challenger*? Information given to me indicates that the syndicate paid $180 000 to the Bond syndicate to have the design tank tested. The test was extremely promising, but when the measurements were checked the keel was too deep. This data was withheld from the South Australian syndicate until the threat of legal action forced delivery of the information. Subsequent to this, the keel was modified to comply with measurement rules. This raised the centre of gravity and altered the performance of the boat. I have also been informed that the board's decision to proceed with the altered boat created a dispute among the syndicate members that resulted in the resignation of a technical expert over a report on the modified yacht's potential that was given to the board.

The Hon. J.C. BANNON: I do not know the details of this dispute, but I was aware that there was some difference of opinion in the early stages of testing. Whether or not legal action was contemplated, it certainly did not eventuate. I understood that the dispute was settled. It is also true that a member of what I think is called the sailing committee of the syndicate resigned, but I can throw no further light on it than that.

ST VINCENT GULF PRAWN FISHERY

The Hon. P.B. ARNOLD: Has the Minister of Fisheries been approached by the members for Price, Albert Park and Bright, on behalf of the St Vincent Gulf prawn fishermen, seeking a deputation for the purposes of discussing the recommendations of the Copes report and, if so, does the Minister intend to receive the deputation and when will the meeting take place?

The Hon. M.K. MAYES: The issue that the member for Chaffey has raised is not as simple as he would have people understand it to be.

Mr Lewis: Answer the question.

The Hon. M.K. MAYES: The member for Mallee chips in as usual.

The SPEAKER: Order! Interjections are out of order.

Mr Lewis: That is what I thought.

The SPEAKER: Order!

The Hon. M.K. MAYES: The simple answer is that I have met with the properly elected representatives of the St Vincent Gulf Prawn Fishermen's Association. From Crown Law advice and advice of that association's own solicitors that I have received, I understand that other people who purport to represent that association do not represent it. In fact, the department and I have met with the properly elected representatives. In effect, Mr Jeffriess from SAFIC and Mr Stevens from the department have been meeting with each individual fisherman over the past fortnight as part of the overall Copes review of the St Vincent Gulf fishery.

INTERNATIONAL YEAR OF SHELTER FOR THE HOMELESS

Mr DUIGAN: Will the Minister of Housing and Construction indicate what proposals the Government has in hand for the International Year of Shelter for the Homeless in 1987? There is increasing and widespread concern about the lack of available housing, especially public housing, for youth in the inner city area. Last weekend's *Sunday Mail* noted that the Housing Trust and the Adelaide City Council were drawing up plans for 25 units in Gilbert Street for homeless people. Further, the Adelaide City Council has called for a report on the plight of homeless youth, aged between 12 and 18 years, in the city and on whether the assistance available to such youth is sufficient.

There is also concern on behalf of the inner city youth agency network about the availability of housing for young people in the inner city area, and I have been told by one of the agencies that between 6 000 and 10 000 young people in any one year cannot get the housing that they are seeking. The submission from the youth housing network to the youth housing inquiry that has been announced by the Minister also calls for the establishment of a large number of housing projects in the inner city area. Will the Minister of Housing and Construction indicate what actions are planned for 1987 to address this crisis in the area of youth housing?

The Hon. T.H. HEMMINGS: I congratulate the honourable member on his question. Before I answer the specific points that he has raised, perhaps I should place on record my congratulations to the Adelaide City Council, under the chairmanship of Jim Jarvis, on picking up the problems of the homeless in the city of Adelaide. Over the past six or seven years, Governments of both complexions have tried to persuade local councils to get involved in housing by way of joint ventures with the Housing Trust or under the cooperative housing movement, to provide housing not only for the elderly or families but also for youth. Unfortunately, however, although the response in country areas has been most encouraging, the response within the city has not been as good as could have been expected. In particular, the city of Adelaide has been rather reluctant, under previous mayors, to get involved. Therefore, it is a really encouraging sign that Jim Jarvis has picked up this problem and wants to get involved. The *Sunday Mail* article gave two examples of how we could not only provide housing for homeless youth but also reverse the trend of people moving out of the city of Adelaide, something that the member for Adelaide will welcome.

The House will be aware that 1985 was the International Year of Youth, as a result of which, and in line with the Government's election commitments, we have set up a youth housing inquiry, which embraces not only metropolitan Adelaide but the whole of the State. I have been really pleased not only with the efforts of the youth housing group that I established but also with the way the community has responded to the housing needs of young people. Bearing in mind that 1987 is the International Year of Shelter for the Homeless, I am pleased to report that this Government has made a commitment in the budget of $90 000 to seed money coming from the private sector, and also that my colleague the Minister of Health and Minister of Community Welfare has agreed to second an officer from both the Health Commission and the Department for Community Welfare to assist in next year's program.

We are trying to make the community aware of the problems of homeless people, especially homeless youth. Unfortunately, when one talks about homeless youth, the stock answer in the community is that such youth cannot get on with their family and therefore deserve everything they get. However, that is far from the truth. Some young people as young as 12 and 13 years are left homeless and someone has to pick up that responsibility. In no way do I say that the voluntary agencies do not try to pick up their responsibilities, but we need to educate the community, the private sector, and local government to see that they have a responsibility in that area, and by the end of 1987 we should be able to look back in this State on our contribution

to the International Year of Shelter for the Homeless as a great success.

BELAIR NATIONAL PARK

Mr S.G. EVANS: Can the Deputy Premier say how much of Belair Recreation 'National' Park it is intended to vermin proof fence and what the cost of that fencing will be? On the Upper Sturt boundary of the Belair park bulldozers have cut a swathe between three metres and 10 metres wide through the vegetation, including noxious weeds, as well as exotic and native plants. A letter received by one of my constituents from the park authorities states that it is intended to vermin proof that side of the park to keep out not only motor cars but dogs. My constituents are concerned that, if all the park is eventually fenced in that way, people who use the park (including, for example, those who use the parklands to go for a morning walk) will be denied access and that vermin proof fencing for the ducks, for instance, will also fence in foxes and feral cats. My constituents are aware that at times stray dogs have chased kangaroos and emus. They have asked me whether this project is in preparation to charge motor car drivers and others entering the park, and to let out the control of the hiring of tennis courts and ovals to tender so that private operators may handle that operation. However, their main concern is the damage done to vegetation and the erection of a type of fence which seems unnecessary just to keep out motor cars, motor cycles and off-road vehicles that may have entered the park on the side.

The Hon. D.J. HOPGOOD: In relation to the two incidental matters raised by the honourable member, that is, the payment of admission into the park and the commercialisation of the park hire facilities, I assure him and other members that there is no specific proposition on either of these two matters before the Government at this time. As to the specifics of the questions that he has asked. I do not have details of the amount of fencing involved and I will get a report.

SITTINGS AND BUSINESS

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

That the time allotted for all stages of the following Bills:
Rates and Land Tax Remission,
Irrigation Act Amendment,
Hawkers Act Repeal,
Family Relationships Act Amendment,
Tobacco Products Control,
Dairy Industry Act Amendment,
Metropolitan Milk Supply Act Amendment,
Egg Control Authority,
be until 6 p.m. on Thursday.

Motion carried.

STEAMTOWN PETERBOROUGH (VESTING OF PROPERTY) BILL (No. 2)

The Hon. G.F. KENEALLY (Minister of Transport) obtained leave and introduced a Bill for an Act to vest certain locomotives and rolling stock in the Corporation of the Town of Peterborough; and for other purposes. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

Members will recall that in November 1984 this House established a select committee to enquire into and report upon a dispute involving the operators of the Steamtown Peterborough Railway. The select committee was appointed because of irreconcilable differences over the ownership of society assets and difficulties with membership rules and their application. The Parliament became involved because significant amounts of public funds had been involved. In October 1985 the final report of this committee recorded that it had been unable to resolve the dispute. The committee noted its preference for a resolution without resort to legislation. However, the situation at Peterborough has not changed and there now appears to be no alternative, other than legislation, to settle the matter equitably.

Clause 1 is formal. Clause 2 sets out a number of definitions. By the deed of 9 October 1984, the society purportedly sold the greater part of its locomotives and rolling stock and other property to Mrs Mellis (clauses 1 and 3). Clause 2 of the deed sets out rolling stock and other equipment that was to remain the property of the society. Clause 4 of the deed provides that a purchase price of $500 is payable by Mrs Mellis.

Clause 3 provides that the major assets of the society (being those transferred to Mrs Mellis and those retained by the society) be vested in the Corporation of the Town of Peterborough. The assets required for the continued operation of the society are vested in the society—clause 3 (2). The property vested in the corporation by the Bill cannot be sold or transferred by the corporation without the approval of the Minister—clause 3 (3). Clause 4 requires the return of the purchase price paid by Mrs Mellis. Clause 5 removes liability for stamp duty on the deed.

Mr GUNN secured the adjournment of the debate.

RATES AND LAND TAX REMISSION BILL

Adjourned debate on second reading.

(Continued from 25 September. Page 1241.)

The Hon. P.B. ARNOLD (Chaffey): I am pleased to be able to support this legislation, which, as far as I am concerned, goes back to August 1985, when I received correspondence (dated 12 August 1985) from residents in the Sunlands area of my electorate. They wrote:

We, the undersigned, are pensioners within the Waikerie district and would like to bring to your attention what we believe to be an anomaly in the treatment of pensioners in South Australia. It is generally accepted that pensioners are low income earners and, as an assistence to them, concessions are offered by the Government to pensioners on council rates, water rates, etc., up to 60 per cent. We are particularly concerned to learn that, because we live in the Sunlands area near Waikerie, and as Sunlands is serviced by a private irrigation scheme, i.e. administered by the Sunlands Irrigation Board, we are not entitled to a concession on either the water rates or the rates charged by Sunlands.

We do not consider this to be a 'first' situation because, if our properties or homes were situated merely a few kilometres from their current position, we would be within an area serviced by Government water supply and entitled to concessions. This policy appears to discriminate against us pensioners simply because of the area in which we live. As Governments have legislation to control discrimination, and as we sincerely believe we are being discriminated against, we respectfuly ask that you have this matter investigated and advise of the outcome.

As a result of that correspondence I wrote to the then Minister of Water Resources (Hon. J.W. Slater) and in a letter dated 9 October 1985 I received the following reply:

I refer to your letter of 23 August 1985 on behalf of Mr R. Newman and four other pensioners from the Sunlands irrigation area concerning their entitlement to receive pensioner remissions on their property rates and taxes. You will no doubt recall that during the recent Estimates Committee hearing on the water resources portfolio you raised this matter with me. For the benefit of your Sunlands irrigation area constituents, I confirm that Cabinet has approved a submission under which people in private irrigation areas who are entitled to pensioner remissions will be able to receive them. Appropriate amending legislation is being prepared.

As consideration to extending the pensioner remission scheme to include people in private irrigation areas was first given in the 1984-85 financial year, the availability of concessions will apply from 1 July 1984. The boards of management of the various private irrigation areas are in the process of being written to by the Engineering and Water Supply Department advising them of the procedure to be used in claiming concessions. The boards will be asked to advise their ratepayers of the situation.

As far as I am concerned, this matter goes back to the middle of last year, when representations were made to the Government on behalf of pensioners who found unfortunately that they were not coming within the ambit of the existing Government legislation to receive the benefit of concessions for water rates. As a result, we have this Bill before us today. The Opposition is more than happy with the Bill and we support it.

Bill read a second time and taken through Committee without amendment.

The Hon. D.J. HOPGOOD (Minister of Water Resources): I move:

That this Bill be now read a third time.

I confirm the sequence of events indicated by the member for Chaffey in his second reading speech. I compliment him on his representations on behalf of his constituents. The Government is happy to have been able to make this initiative available.

Bill read a third time and passed.

IRRIGATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 23 September. Page 1067.)

The Hon. P.B. ARNOLD (Chaffey): This Bill does present me with more concern, particularly as it relates to the supply of domestic water to irrigators in Government irrigation areas where the system has been rehabilitated. During the process of rehabilitation, agreements were signed between the Government and the ratepayers—the irrigators—for the supply of irrigation water and for the supply of domestic water, using two meters, one for the irrigation supply and one for the domestic supply. The domestic water is to be supplied at 50 per cent of the current ruling domestic rate or cost per kilolitre of water supplied in towns and in the metropolitan area.

My first concern is that this Bill was not submitted, as I understand it, to the irrigation advisory boards for their consideration. The boards have cooperated well with the Government and assisted it in many ways. It is unfortunate that, when legislation comes before Parliament to amend the Act, it is not submitted to them for their consideration, although the Government and the Minister are happy to refer to the boards in any statements made relating to increasing water rates or the like.

However, in a matter that has a significant bearing on some irrigators, such reference is not made, although in the days of the old open channel system irrigators, or ratepayers, provided at their own expense the level of domestic supply that they required. In some instances growers spent large sums installing sophisticated water supply systems based on extensive underground tanks, some of which were built at significant cost to the ratepayer. In many respects these tanks now become redundant. Although about 99 per cent of irrigators have been willing to sign the agreement with the Government, about 1 or 2 per cent of growers have refused largely because at their own expense they have invested much money in providing their own domestic water supply system.

I appreciate that this legislation is in line with the general acceptance of policy that exists throughout South Australia whereby, if a water main passes a property, the owner is rated. However, that does not take into account the fact that, in years gone by when the Government was not prepared to provide a domestic service, ratepayers had to provide it at their own cost, and in many instances at a very significant cost.

The other matter is the basis on which the rate will be determined. In that respect, the legislation provides for a rate to be determined and applied by the Government. We all know how the domestic water rate is arrived at for residents in towns and cities, based on a valuation and a determination. However, nothing in the legislation spells out the basis on which the rate will be determined for irrigation ratepayers. Properties vary dramatically in size, but in actual fact only one household is being serviced. I would like the Minister to spell out just how the rating system is determined by the E&WS Department. I know the extent of the rate applied, but I am not conscious of the exact method used to determine that rate. Can the Minister indicate for my benefit where that can be found in the legislation, if it is already there?

The Hon. D.J. HOPGOOD (Minister of Water Resources): I thank the honourable member for what I think is an implication of support for the measure. I think it is important that we put this matter on a proper footing. It is no longer supportable that people should put themselves in a financially favourable position with respect to other consumers in this way. The only way in which it can be treated with equity is for this legislation to proceed as it is. I give the honourable member a commitment: if for historic reasons it comes to his or anyone else's attention that people are placed in some degree of hardship as a result of an imposition of this type, then he or they should bring it to my attention and we will view it sympathetically, as appropriate.

In relation to the two matters raised by the honourable member, I have checked with my officers and I find that the honourable member is correct in that the legislation was not so submitted. I regret that. Over the years there has been developed in the irrigation areas and the water supply area generally a sophisticated system of committees which means that all these things, right down to regulations, are usually submitted and indeed often have their origin in the particular committees, representative as they often are of growers' interests, to which I have already referred. It appears that there was an oversight on this occasion because such a reference did not take place. However, I believe that the basis on which we are proceeding is nonetheless sound. As to the rate as it will apply, I am quite happy to talk about what we have in mind. It would be half of what applies in the rest of the State, because it is untreated water.

The Hon. P.B. Arnold: That's the cost of the water, not a rate.

The Hon. D.J. HOPGOOD: Sure. If the honourable member raises this matter in Committee, we can look at it a little more closely. That is basically what we have in mind, for the reasons that I have outlined. These people are getting untreated water and, therefore, there is not the same State input and the same State cost involved in the supply of water to their properties. I commend the legislation to honourable members.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Rates.'

The Hon. P.B. ARNOLD: New subsection 74 (1) *(a)* provides:

. . . shall declare rates based on the volume of water supplied to rateable land in the consumption year that ends during the financial year to which the declaration applies.

That is fine. That is the 50 per cent of normal town water rate. Then, new subsection (1) *(b)* provides:

(b) may declare a base rate in respect of land comprising a block or blocks—

(i) based on the number or area of the blocks;

(ii) based on the numbers of meters belonging to, and installed by, the Minister to measure the volume of water supplied to the land for domestic purposes. . .

There could be one vineyard of five hectares with one house and one domestic supply, and there could be another vineyard of 20 hectares still with only one house and one domestic supply. Is the base rate for the domestic supply to be the same for the five hectare property as for the 20 hectare property? In my view it should be because the rated land really has no bearing. However, the Bill certainly does not clarify that situation.

The Hon. D.J. HOPGOOD: The honourable member is correct: it will be irrespective of that area. It will be the current $84 per annum.

Mr LEWIS: In view of the Minister's last answer, how does the proposed amendment square up with respect to swamp irrigators on Government irrigation schemes in the Lower Murray who use water for dairying purposes and indeed for any purpose (although dairying is the main reason they are there)? Will they be affected in the same way?

The Hon. D.J. HOPGOOD: I remind the honourable member that this relates to domestic supplies. Currently there is no drawing of water for domestic purposes—no domestic schemes—in the swamp areas, so the matter does not really apply.

Mr Lewis: What about for the dairy farmers' households?

The Hon. D.J. HOPGOOD: There is not a single domestic supply off the swamp schemes at present. It just does not apply.

Mr LEWIS: I will let sleeping dogs lie; I think that is the best position in relation to that. I direct the Minister's attention to another matter of concern. I am not trying to waken another sleeping dog, either, and I state at the outset that I have a personal interest in this question. There remain in this State a few of us humble souls who depend on rainwater but who, because we have historically occupied titles which extend to the edge of the main channel over wetland swamp, are allowed to withdraw at our own expense entirely (for equipment and power and the like) sufficient water to supply our domestic needs, that is, for our households, garden needs and for any livestock on our blocks. I trust that that arrangement will be allowed to continue with exactly the same restraints imposed on the landholder, namely, that the water cannot be used for commercial cropping purposes (which is understood by all of us). There are not many left now.

The Hon. D.J. HOPGOOD: I am advised that there is no intention at this stage to change that happy situation, which has gone on for some time. There is certainly no recommendation before me, nor is any change envisaged arising out of this legislation.

Clause passed.

Remaining clauses (6 to 9) and title passed.

Bill read a third time and passed.

HAWKERS ACT REPEAL BILL

Adjourned debate on second reading.

(Continued from 23 October. Page 1448.)

Mr OSWALD (Morphett): The Opposition supports this Bill. It is a substantial deregulation measure, and it is perhaps not surprising, on that basis, that the Opposition would support it. Before I proceed to the Bill, I may express a few thoughts on the question of deregulation. The Tonkin Government in August 1980 had prepared for it by Ms Dianne Gayler a report on deregulation. I have read the report, which is an excellent one which I believe the existing Government should take up. The indictment on the present Government is that it has been very tardy in this whole question of deregulation and, despite the statements of the Premier, has allowed this very important part of being in government to slide onto the back burner.

Admittedly, it now has an officer making up a deregulation committee, but that unit is quite slack, if you like, in bringing forth recommendations, and the Government is extremely slack in not implementing regulation as it should. There is no doubt that regulation means additional costs to those in business and additional prices in the long term to consumers. I ask the Government to heed the deregulation paper produced by the Tonkin Administration and the policies of that Administration and the determination to get on with deregulation and do something about it for the long-term benefit of the business community and consumers.

As I said initially, we support this Bill because it is a substantial deregulation measure. At present, small businessmen are complaining, quite justifiably, of the enormous number of licences with which they have to contend, and this removes one of them. I thought it interesting to note that the proprietor of a motor garage needs 27 licences to ply his trade. That is a classic example of the way in which business has been regulated over the years, and any step the Government can take to deregulate is to be applauded.

One issue in this area of permits to hawkers has for some time concerned those in business: that is, the visiting trader from interstate. We have seen many examples of a trader who may come over the border from, for example, Victoria, plying a brand of brassware, and who may hire the local town hall and proceed, over the course of 12 hours of frantic selling, to move $50 000 worth of stock—and I pluck that out of the air, because I am only making that up: however, he will move substantial quantities of stock.

That trader has no overhead as such, other than his rent there and then; he does not pay council rates; he does not have the ongoing costs to local and State Governments faced by people in business. After he has finished his day, closed the doors, loaded the pantechnicon and swept the hall, he returns across the border, taking with him $50 000 or $100 000 that will be no longer available to local traders, in this case, the brassware industry. It happens not only in the brassware industry, but in many industries.

The question with this piece of legislation arose, as it did in the past, with local government being under pressure

from the local traders to say how to stop this sort of thing. Anyone who reads the Bill will find that these traders come in on a one day basis, get a licence under the Hawkers Act, and create havoc among the local business people. It has been suggested that local councils, acting under planning regulations, may be able to control the use of halls by visiting traders. That has indeed been the case, because in the past they have gone to local halls.

I suppose it could be argued that the local businessmen, if they own halls, would not be silly enough to hire them out to these itinerant traders. Essentially, when the Federation of Chambers of Commerce was canvassed on this problem, it said that it was mainly concerned with visiting traders; it had no problems with the Hawkers Act being repealed, but it was looking for ways and means by which either the Hawkers Act or the Local Government Act could be amended in such a way as to apply to these visiting one day traders.

In 1984 the Local Government Association conducted a survey of all councils, seeking their views on the effect of the repeal of this Act. The only significant statistic to emerge was that 23 of the State's 124 councils sought the transfer to the Local Government Act of section 20 of the Hawkers Act. This section enables councils to make by-laws governing visiting traders. A survey of local government by-laws in force in councils in South Australia reveals some by-laws governing hawkers under the existing Local Government Act powers, but very few by-laws governing visiting traders—and we must bear in mind that the only concern of the Chamber of Commerce was visiting traders.

Section 667 of the Local Government Act empowers councils to make by-laws regulating hawkers. The working party was sympathetic to the idea of transferring to the Local Government Act the powers under section 20 of the Hawkers Act. This would enable councils to make by-laws governing visiting traders. A Crown Law opinion was sought by the Department of Local Government as to whether or not such a by-law would contravene the Trade Practices Act, where a council wished to control these visiting traders renting privately owned premises, in order to prevent local traders being disadvantaged, and in June last year the Crown Solicitor warned that there would be a contravention of the Trade Practices Act. Consequently, the working party considered that, where a community wished to exclude visiting traders, the refusal of the council of the area to lease its premises or facilities, accompanied by a similar attitude by members of the Chamber of Commerce, would achieve the desired effect. So, the position became quite clear when the working party looking into the repeal of this legislation considered the facts presented to it.

It was agreed then that the Hawkers Act should be repealed (and we have no difficulty with that), and that local government bodies should adopt their own by-laws to control hawkers as desired. So, we have a situation where, as I see it, the local government body can use its own by-laws to stop hawkers from operating out of its premises, and it will be left to the other business community to use their own discretion as to whether they want to lease out premises to visiting traders.

By doing this, as I understand it—and the Minister can perhaps clarify this—there is now no contravention of the Trade Practices Act, and the *status quo*, where traders came across the border, traded and left, is now entirely in the two areas: either local government can stop them under its own by-laws or the private sector can stop them if it wishes under its ownership of halls and properties to which these people would go. I suppose that that is the only area of difficulty that the business community has. The Chamber of Commerce, the Small Business Advisory Bureau and, indeed, a firm of licensed hawkers seem to have no difficulty with this legislation. The Opposition supports the repeal of the Act.

Mr S.G. EVANS (Davenport): I support the Bill. This is a case of removing a law from the Statute, an action for which the Government must receive credit. This Act was last substantially redrafted by way of a new Bill in 1934, the original Act having been passed in 1863. A previous amending Bill had been introduced in 1933 but was unsuccessful. One can see that at that time there was a need to address the matter of trading in troubled times. The main reason for changing the Act was that city operators were going to the country and trading as retailers in competition with country stores. The legislation exempted the butcher, greengrocer, fishmonger, baker and other local store operators who also offered a door to door delivery service.

It likewise exempted people who were manufacturers of goods and who wanted to sell those goods from door to door as well as from a store either in their own town or in another town. The purpose of the Act was quite clearly to stop people moving into the country to try to earn a few pounds, shillings and pence (and there would not have been many pounds, then) in order to make a living. Country storekeepers saw that as a problem and wanted the Act upgraded to make matters more difficult for such operators.

I find it interesting that even then people were conscious of local government's control, knowing that the local council still had control of the local community hall, or whatever. The legislation did not interfere to a great degree but people had to take out a licence. It is interesting to note that people thought that employees of licensed hawkers also were obliged to have a licence. We are in troubled times today, some 52 years later in 1986.

We must give credit to a previous member and Premier of this State, Steele Hall, who moved for legislation in relation to door to door selling. He was one of the first people to move in that direction with legislation relating to book selling in 1966 or 1967 before he became Premier. He was successful with that private member's Bill. There are now other laws that do similar things, and councils have by-laws to control such situations. The Second-hand Dealers Act, like this law which is being repealed, needs the same treatment, because it is about as useful. The Minister might raise that matter with his colleague. I support the Bill.

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

FAMILY RELATIONSHIPS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 23 September. Page 1071.)

Mr S.J. BAKER (Mitcham): The Opposition supports the Bill. The intent of this Bill, which must be one of the shortest on record, is merely to extend the sunset clause in the Act relating to determining the status of children born as a result of *in vitro* fertilisation, artificial insemination or other donor procedures. It was the Attorney's intention to remove the sunset clause, which was put in place when this legislation was last before the Parliament. I pay a tribute to the diligence of my colleague, the shadow Attorney-General in the other place, whose clear intent is that this and other matters should be resolved by a select committee and not be allowed just to pass the Parliament. For the edification

of members of the House, I state that the clauses relating to the status of children are dependent on the viewpoint taken by this Parliament on some of the moral questions related to *in vitro* fertilisation.

The Attorney-General has taken the line that *in vitro* fertilisation, and the moral issues associated with it, are not related to the status question. I say quite clearly that, if we determine status, we have indeed determined the moral question. It is for this reason that when this Bill went before the other place deletion of the sunset clause was changed so that a new sunset clause could be put in place allowing the Bill to continue until 1988. By that time, one would hope that the Minister of Health, the Attorney-General and the select committee will have resolved some of the questions relating to the status of children and, indeed, the very important question about who should be eligible for fertilisation programs.

The Opposition supports this measure, because we believe that it must be fully aired before a select committee. We do not believe that it is sufficient to remove the sunset clause from the legislation. The Opposition believes also that by 1988 this House will be able to reach a conclusion which not only determines the status of children in relation to this matter but also some of the questions including, inevitably, those of morality and whether unmarried women should be fertilised under Government and private programs. I commend the legislation to the House.

Mr LEWIS (Murray-Mallee): I, too, have strong feelings about the stealthy fashion in which the Government was trying to dispose of the sunset clause—either that, or it was just playing games or was ignorant of its responsibilities in this area. To allow the present state of the law to go on *in continuum* is dreadful. I am informed that in the first instance it would be possible for someone to arrange for and obtain semen. A woman could obtain semen from a private source to fertilise herself and then obtain public funding for the medical treatment for her pregnancy, the gestation period.

Consider if you will, Mr Deputy Speaker, the situation where pop star studs could offer their semen for so much a shot, and make millions out of it—and that is what is possible under the law at present. For the Minister to sit on the front bench, to grin smugly about such a prospect, and say that it is not his job to be moral guardian of the future, to me, is not good enough. That is the kind of thing that the Minister has done in the past and indicates the type of indifference with which the Government has treated its responsibilities on this matter.

Worse than that, as members would now know, it is possible for gay people to obtain hormone treatment for a period of 10 or more months, sufficient to enable them, not by normal means in any way but by abnormal means, using a slight incision of the kind that is used for amniocentesis tests, to place a fertilised ovum in the abdomen and then to sustain a hormone environment in the body adequate to ensure the development of the embryo to the point where its normal partition would be possible and then, after going off the hormone treatment following the birth by caesarean section, to become the mother/father of the individual. That is not just something that might happen in five or 10 years time, or something that might happen at some time, proceeding out of what one Minister has described in recent days as being my 'feverish imagination'. That is now a biological reality and a fact.

The Hon. E.R. Goldsworthy interjecting:

Mr LEWIS: No you are not. Indeed, all of us, on either side of the House or on either side of the gender gap, or anywhere in terms of gender, would be able to sustain a pregnancy of the kind to which I have just referred—regardless of the sex we was born with—to misquote Epaminondas, 'You be careful how you step on those pies.' That is what I am talking about. Unless the Government acts sensibly and sensitively and morally, we will end up with that kind of mess where it will not be possible to identify the father, in the second instance, because the birth certificate would show that the sex of the person who bore the child was male.

In the first instance to which I referred, we will have huge numbers of the population involved in this, presumably, keen young women who have the hots or a crush for a pop star. I do not just mean in terms of tens or hundreds: I mean in terms of thousands. These young women will be able to go out and by a vial of semen, inseminate themselves with God knows whose child, and you will have 100 000 offspring, if you like, of Mick Jagger (all half brothers or sisters) running around the countryside. So, it is just not good enough for us to overlook the implications of the law as it stands at present, *vis-a-vis* the state of the art in the medical sciences as they relate to the biology of the human species of which we are all members. I therefore commend the measure to the House and urge members of the House and the select committee presently considering this problem to, among none the least of the matters that they are looking at, address these problems to which I have just referred.

The Hon. G.J. CRAFTER (Minister of Education): I thank Opposition members for their indication of support for this measure, albeit in a diminished form from that in which it first appeared.

The Hon. P.B. Arnold: Are you going to respond to the honourable member's remarks?

The Hon. G.J. CRAFTER: There will be ample opportunity for consideration of those great issues in another forum which is considering those and other issues in another way. I point out to the House that this legislation forms part of cooperative legislation between the States and the Commonwealth Governments, and every other State in this country is enacting legislation of a similar type—notwithstanding that we will have to wait a little longer in South Australia. I am pleased about all the Opposition's support, so that this legislation can continue for the prescribed time.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Application of Part.'

Mr S.J. BAKER: It was reported in another place that considerable progress was being made in the select committee. No details were given. Can the Minister report to the House to what extent progress has been made and when it is intended that a report shall be handed down?

The Hon. G.J. CRAFTER: I am afraid I cannot provide for the honourable member information additional to that which I have also read in *Hansard*. It is a select committee of the other place and indeed is in the hands of that place, so I guess it is not possible to predict the result with any accuracy. But, obviously, the matter must be dealt with expeditiously so that this can be settled and legislation proceeded with in conjunction with that which is occurring in the other States.

Clause passed.

Title passed.

Bill read a third time and passed.

TOBACCO PRODUCTS CONTROL BILL

Adjourned debate on second reading.
(Continued from 29 October. Page 1619.)

Mr INGERSON (Bragg): Like many reformed smokers the Minister in the other place has become a bit of a zealot. He has gone ahead with this Bill without any consultation with those people whom it most affects and has forced his uninformed opinion on the community in the typical gung-ho style that we have come to expect from him. The Minister did not bother to contact the South Australian Mixed Business Association, the Cab Owners Association, the taxi companies or the Taxi-Cab Operators Association—just to name a few of the bodies involved—to discuss the major ramifications of this Bill. I believe that the Minister made one phone call—but that is not what I would call consultation.

I agree with the South Australian Chamber of Commerce when it said that the Bill should have been withdrawn, because it is unnecessarily restrictive and impinges on civil liberties. The Bill should not have even considered the banning of smoking in taxis. Thank goodness that, due to the efforts of the Opposition, the Government has considered in another place removing that clause from the Bill. There is no doubt that an individual travelling in a taxi should have the choice to indicate that they do not wish smoking to take place or that they want to smoke. I say that because I believe that a taxi is a small business and that that type of restrictive regulation should not be placed on it.

The other area of concern is that of sponsorship. It was quite obvious that the Minister had not thought this problem through. There is no doubt that the Minister had not looked at the financial ramifications to the arts or to sport and recreation. One can consider, for example, sponsorship in regard to the Grand Prix held recently. We have the sponsorship of football, cricket and golf, and all that money is put up by the tobacco industry as sponsorship, not advertising. I do not believe that in any way the Minister had even considered the ramifications of this measure for the sporting and recreation industries and the area of the arts.

The Opposition commends the Government for its initiatives designed to reduce the incidence of juvenile smoking in South Australia. Strategies introduced in this Bill include positive moves aimed at preventing juveniles from obtaining tobacco products. Increasing fines for the sale of tobacco products to minors, if policed, should be a deterrent to those who knowingly sell cigarettes to children. Equally commendable are provisions which ban smoking in lifts, mandate new rotating health warnings, and require signs in retail outlets warning of the illegality of selling cigarettes to minors and others, detailing the tar, nicotine and carbon monoxide yields of all cigarettes.

Members must not lose sight of the core issue in juvenile smoking: why do children smoke? In a paper entitled 'Why do juveniles start smoking?' edited by Professor J.J. Boddweyn, Ph.D., of Baruch College, City University of New York, and based on research conducted by the Children's Research Unit of London, it was established that 'family and peer influences appear to be the determining factors, irrespective of whether the young are exposed to cigarette advertising or not'. The study, conducted between 1984 and 1986, focused on five countries where the control of cigarette advertising ranged from a ban (Norway) to rather limited restrictions (Hong Kong and Spain), with Australia and the United Kingdom standing in between.

This study broke new methodological ground, in that an established smoking prevalence estimator was applied internationally to produce a comparable measure among countries with differing tobacco advertising controls. Instead of using diaries or impersonal questionnaires administered at schools, as is common in this field, the Children's Research Unit survey used personal interviews conducted at home. Again this was a first international methodological breakthrough which has generated a comparable international data base about juvenile smoking initiation. A far broader age range of respondents was interviewed than in most other studies in order to provide a more comprehensive understanding of the factors involved. The respondents interviewed ranged from 7 to 15 and 16 years of age.

The findings challenge the validity of fairly common assertions that the young start to smoke because they are exposed to cigarette advertising. For example, Norway has had a complete ban since 1975 yet retains relatively high proportions of adult and juvenile smokers which clearly points to other factors being responsible for smoker initiation. It is apparent from the research that tobacco advertising does not significantly influence the smoking initiation process as far as children and young people are concerned. Instead, the decision to start smoking involves a combination of personal, family and social factors. Respondents were asked, 'Can you remember when you tried the first cigarette—was it for any of these reasons?' An analysis of all reasons advanced by Australian respondents showed that 78 per cent of juvenile smokers tried their first cigarette 'to see what it was like'; 19 per cent responded that all their friends smoked; 18 per cent said that 'someone gave them one'; 7 per cent 'for a dare'; and 5 per cent because 'I just found one'. Only 1 per cent said that they tried their first cigarette because they saw an advertisement.

Respondents were also asked, 'Who were you with the first time you tried smoking a cigarette?' Among Australian respondents, 54 per cent said they were with friends, 7 per cent said their brother, 8 per cent said their sister, 15 per cent said their mother, 16 per cent said their father and 10 per cent said other people. Only 7 per cent of children interviewed said they experimented with their first cigarette alone. Altogether, whatever the nature of tobacco controls in the countries studied, young people are three times more likely to smoke when they live in a household where anybody smokes as when they are in a household where there are no smokers at all.

In essence, if we are to make any ground as a Parliament with smoking controls with respect to juveniles, the issue of peer pressure and the influence of smoking, family members must be addressed. Obviously if the availability of tobacco products at the retail level is restricted, access to cigarettes is reduced. However, this Bill cannot counter the irresponsibility of family members and older acquaintances who introduce juveniles to tobacco products. Even Dr Simon Chapman, from our own Health Commission, has claimed from research that he conducted in 1981 and 1982 that 'adolescents are well aware of advertisements', but he also pointed out that 'the role played by advertising in the decision to smoke needs refining conceptually, so that appropriate questions may be asked in research'.

The Bill, as it has been delivered from another Chamber, essentially has the support of the Opposition with the exception of three provisions. First, to ban the sale of smaller packs will have no positive effect on juvenile smoking. The Health Minister, along with many of our parliamentary colleagues, was upset and annoyed at the images portrayed in the Alpine 15s advertising, and I believe maybe with some justification. It has been claimed that this advertising was blatantly directed at children. The advertisements produced for the launch campaign of Alpine 15s were approved

by the Media Council of Australia before publication and have withstood inquisition and examination by the Advertising Standards Council following complaints by those who object to tobacco advertising. On each occasion the advertisements were found to abide by the Voluntary Code for Cigarette Advertising in Australia.

Whether or not the accusations against Alpine 15s advertising are valid, the relevance of the Children's Research Unit study is not pertinent. The study, as I have informed members, concluded that advertising played an insignificant role in the initiation of juvenile smoking. I am informed that Alpine 15s have only 1 per cent of the South Australian cigarette market, which is evidence that cigarette advertising does not have the overwhelming influence that some suggest. Notwithstanding, it is now the Government's belief that Philip Morris should be discriminated against and punished with six of the best by South Australia banning the sale of 15s. Nowhere else in the world have small packs of cigarettes ever been banned. Therefore, I intend to move to delete that clause and any other relevant clauses from the Bill. My amendment will remove this ban from the Bill completely.

The tobacco industry is held in poor regard when the issue of juvenile smoking is current. However, this House should be aware that it was the tobacco industry which first placed signs in retail outlets throughout Australia warning retailers, juveniles and others that the sale of cigarettes to minors is a punishable offence. On that very issue, although the Opposition acknowledges that a heavier penalty for cigarette sales to juveniles is commendable, why is it that under the previous legislation there has not been one single prosecution? Surely, if the Health Minister and his department were serious about this issue, officers would have been instructed to seek out irresponsible retailers who sell cigarettes to minors, prosecute them, and make a public issue of the action. But not one retailer has ever been fined.

In fact, it has been the tobacco industry which has made the issue a public one, not the department, and certainly not Dr Cornwall. Restrictive trade practices, like the banning of smaller packs, have raised the wrath of the Chamber of Commerce and Industry S.A. Incorporated. Because the tobacco industry does not conduct research on people under the age of 18 years (bearing in mind that 16-year-olds can legally purchase cigarettes), the chamber, through the reputable South Australian market research house, McGregor Harrison Marketing Pty Ltd, challenged figures claimed by the Health Minister.

McGregor Harrison's key findings from 2 836 face-to-face interviews with people aged from 12 to 17 years found that 71.3 per cent of juvenile smokers purchase cigarettes in packs of 30, and another 16.8 per cent purchase packs of 25. Purchases of 15s were not significant. McGregor Harrison also found that the incidence of smoking among juveniles varied a great deal. Only 3.5 per cent of 12-year-olds said they smoked, from a sample of 764 interviewed. Among 12 to 14-year-olds, 12.4 per cent classed themselves as smokers, some of whom smoked as little as once a week, which is clearly experimental. Banning smaller packs will certainly not stop curiosity or experimentation.

Almost 16 per cent of adults interviewed by McGregor Harrison purchased 15s because they are either attempting to give up smoking or 15s helped them to reduce the quantity they consumed. We therefore have a contradiction with this Bill. On the one hand, positive steps have been proposed to control smoking and yet, on the other hand, smokers who wish to impose a self-discipline on themselves by purchasing smaller packs will be denied that right by this provision.

I am advised by Philip Morris that, contrary to views expressed by the Health Commission and the Hon. Dr Cornwall, before this company proposed the introduction of smaller packs its own research showed that 33 per cent of Peter Jackson smokers and 48 per cent of Alpine smokers consumed fewer than 15 cigarettes a day. With the manufacturing trend being towards 25s and 30s, smaller 15s were designed to be a distinct convenience to light and moderate smokers.

Furthermore, the claim advanced that children purchase 15s because of price is fallacious: 20 packs, which will still be legal if this Bill proceeds, are only a matter of a few cents more expensive than 15s and on a per stick basis, and 15s are 4 per cent more expensive than the same brands in larger packs. Therefore, there is no price advantage in purchasing 15s.

One consequence of this ban will be that give-away packs containing five cigarettes which tobacco manufacturers donate on request to charitable, sporting and community groups will no longer be available. This support for public groups from tobacco companies will now, as a result, cease to exist.

Members must also be aware that banning packs of cigarettes containing fewer than 20 will mean that members of the ethnic community will no longer be able to purchase their preferred brands of imported cigarettes, which principally come from Asian countries. Although clause 4 (4) provides for regulations to be made whereby certain retailers will be permitted to continue to sell smaller packs the Health Minister has stated in another place that no such regulation will be made while he holds the health portfolio. It seems to be a little like holding the gun at the head of Parliament, if we insert a particular provision and the Minister says, 'Bad luck, I won't introduce the regulation.' That seems to me to be fairly pointed.

The amendment I have foreshadowed similarly deals with the prohibition of one smokeless tobacco product, referred to uniquely in the Bill as 'sucking tobacco'.

I am also advised that the Federal Departments of Health and Customs are already addressing the importation of these products and, until the issue has been addressed on a national basis, I submit that the Minister should consider introducing a regulation that will not prohibit certain practices continuing in South Australia. The tobacco industry has offered significant concessions to the Government in return for the maintenance of the right to sell smaller packs of cigarettes and sucking tobacco in South Australia. These are to:

1. cease all exclusive advertising of smaller packs Australia-wide in newspapers, magazines and other press and on outdoor billboard sites;

2. print, distribute and ensure prominent placement of signs proposed under clause 11 (4) warning the public that the sale of cigarettes to juveniles is a punishable offence;

3. print, distribute and maintain stocks of notices setting out the tar, nicotine and carbon monoxide yields of all cigarette brands as prescribed by clause 8;

4. not advertise smokeless tobacco products; and

5. incorporate a health warning on smokeless tobacco products.

The concessions given not only support the intent of this Bill but also offer considerable cost and administrative economies to the Health Minister's Department. Crucial to the success of the measures endorsed by the Opposition in this Bill is the enforcement of penalties for the sale of cigarettes and other tobacco products to juveniles. However, the proposed legislation has attracted criticism from the South Australian Mixed Business Association.

Clause 11 (1) in intent is applauded by my Opposition colleagues, save the onus being placed on retailers to determine whether cigarettes are being purchased on a juvenile's behalf. The irresponsible act of obtaining, through retail, cigarettes for minors should result in a penalty on the purchaser rather than the retailer, and I propose to move an amendment to this clause. This amendment will continue the onus on the retailer and will also extend liability to any person who sells, passes on or gives cigarettes to juveniles. The punishment will then fall on the transgressor of the law in each respect. I therefore submit to the House that the Bill has the support of this side of the House with the inclusion of the amendments foreshadowed.

The Hon. JENNIFER CASHMORE (Coles): I support the Bill, which is a response by the Government within the considerable political restraints placed on Government and in the light of considerable pressures that are placed on Government to the emerging irrefutable information on the dangers to public and personal health from smoking. The Bill is one of a series of attempts that have been made in this Parliament since I have been elected, over the past nine years, to deal with a problem which has caused and which is causing immense tragedy throughout Australia and the world in terms of death and disease resulting from tobacco smoking.

The Bill has drawn much attention for and against and, unfortunately, some of that attention has been directed not solely to the content and merit of the Bill but to the unfortunate manner in which the responsible Minister—the Minister of Health—chose to go about introducing it. I firmly believe that, had consultation taken place with some community groups who were to be affected by the Bill as it was originally introduced, much of the hostility and antagonism that was aroused, for example, in the taxi industry, could have been avoided, and the substance of the Bill could have been discussed on its merit, rather than from the basis of a hostile constituency who had been bypassed in the preparation of the Bill. As I say, the Bill is a political response to a health problem and, as such, it goes only as far as the political atmosphere permits. In that respect, I do not believe the Bill goes far enough.

I differ from my colleagues in that regard. I believe that in our lifetime—and I hope before the end of this century and possibly earlier—tobacco will be declared for what it is, namely, a carcinogenic substance; the statutory response to that recognition will be to place tobacco on one of the schedules of the Controlled Substances Act; and with that measure in place, tobacco will not be able to be advertised, and its sale will be closely restricted.

I am not so naive as to believe that the smoking of tobacco can be outlawed entirely. Something that is so ingrained in Western culture and in the cultures of many (if not most) of the world's people cannot be eliminated. Prohibition in the United States amply demonstrated that. However, the irrefutable evidence of the devastating effects on morbidity and mortality of tobacco must be recognised by responsible governments. The challenge facing governments in respect of epidemic disease caused by tobacco in the world today is similar in terms of its proportions to the challenge faced by governments in respect of the great epidemic diseases of a century ago, which were met by the scientific response of hygiene and sanitation.

The responses that governments today need to take are in effect harder. Simply to install engineering is a relatively easy task by comparison with the challenge facing governments of changing community attitudes and, more importantly, of overcoming massive financial vested interests which work against the relatively simple implementation of health measures.

Interestingly, an article in the current issue of the *Medical Journal of Australia* (dated 20 October 1986) deals with the question of passive smoking, which is addressed in certain clauses of this Bill. The author, Dr Anthony J. McMichael, Chairman of the National Health and Medical Research Council Working Party on the Effects of Passive Smoking on Health states:

> We are no longer discussing only the need to modify personal smoking behaviour in the interests of one's own health; we must now consider the need for the conventional control of an important set of indoor air pollutants.

I suggest outdoor, as well, because smoking in the fresh air can be just as painful to one who is subjected to it as a passive smoker—almost as painful as one who is indoors. The article continues:

> The control of smoking is entering the mainstream of occupational and environmental health.

As such, the old libertarian arguments which have been used over the past couple of decades about an individual's right to smoke are now being overcome by the responsibility of governments to protect non-smokers from the effects of smoking.

In much the same way as those in the nineteenth century may have claimed that they had a right to spit in public or a right to empty a chamber pot off the balcony of a first floor residence into the gutter below, those so-called rights can be demonstrated to be no such thing but simply a completely irresponsible exercise of personal preference which cannot be tolerated in a civilised society that claims to care for its members. In his article Dr McMichael states that evidence that passive smoking has adverse effects on health is transforming the public health debate about smoking, and he goes on to say:

> The right of the non-smoker to breathe clean air, and thus to avoid smoke-induced risks to his or her health, is in the ascendant. The perennial arguments about 'freedom of choice' are being supplanted by a concern over the violation of the good health of those who are exposed to passive smoking.
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> In May 1986, the 39th World Health Assembly adopted a strongly worded resolution, which was cosponsored by the Australian Government, that urged governments to 'ensure that non-smokers receive effective protection, to which they are entitled, from involuntary exposure to tobacco smoke in enclosed public places, restaurants, transport, and places of work and entertainment'. Shortly thereafter, on June 5, 1986, the National Health and Medical Research Council (NHMRC) adopted a report on the effects of passive smoking on health, and recommended that governmental health authorities should take steps to restrict or to prohibit smoking in enclosed public places (including hospitals), public transport and the work environment. . . . In recommending just such a policy, the NHMRC has noted 'the delays involved, historically, in both accepting and acting upon the evidence of the serious health consequences of active smoking'.

There is little doubt that, when Sir Walter Raleigh imported tobacco into England from Virginia, if the scientific knowledge that we now have on tobacco smoking and its fatal effects had been available then, tobacco would have been declared a prohibited substance, would have been outlawed in England at the time, and many lives and the quality of many lives would have been saved over the intervening centuries.

There has been a considerable lag time for science to come up with the evidence. Indeed, until smoking became widespread, with the advent of mass media promotion of smoking and the manufacture of tobacco on a massive and international scale, the adverse effects were not broadly apparent. There is now no doubt whatsoever about the links between smoking, lung cancer and death. That recognition has forced Governments to act. Dr McMichael also says:

> Of particular importance is lung cancer—the disease that is most strongly and unquestionably caused by active smoking. The

[NHMRC] report reviews 11 formal epidemiological studies of passive smoking and lung cancer. Nine of them report a positive association, although in some reports the number of individuals who were studied, or the size of the increase in risk, precluded the attainment of statistical significance or the examination of a dose-response relationship. Notwithstanding the subsequent dispute over the status of those statements, it is important to note that they were formulated before much of the currently available data on passive smoking and lung cancer were published and before the publication of two studies on coronary heart disease (each of which has shown an increased risk associated with passive smoking).

The article continues at some length. However, to address myself to the Bill in the time that is available, I simply say that the efforts to protect children from tobacco smoking are commendable.

Those efforts commenced in South Australia in 1904. I commend to all members of the House the *Hansard* record of the debate on the Children's Protection Bill, which aimed even in those early days to protect children from what were seen as the adverse health effects of smoking. I last looked at that debate in the late 1970s when I was urging the then Government to adopt more stringent penalties for the sale of tobacco to children and to enforce the provisions of the Community Welfare Act. The debate refers to the stunting of growth and the general suffering which would be felt by those who took up smoking at a young age.

The Government's intention to prohibit the sale of cigarettes by retail in a package containing fewer than 20 is, I believe, a realistic response to a marketing device which has been adopted by the tobacco industry for one simple reason, namely, that the packaging of cigarettes in small numbers is attractive to young people. It enables cigarettes to be easily concealed, and the manner in which the advertising and promotion has been undertaken is such that it is very likely to appeal to young people, especially young women and girls.

Mr Lewis: It's the imagery—

The Hon. JENNIFER CASHMORE: Yes, it is the imagery. We know enough about the tobacco industry to know that it is no slouch when it comes to marketing and promotion. If anyone is an expert, the tobacco industry in Australia and the United States is expert in this field, and the whole basis upon which the approach is made is imagery. The imagery that is directed towards young girls and young women, particularly, is very powerful indeed. It is sexually based and designed to appeal to those who are concerned about their own image and their own sexuality.

So, despite the fact that some people have dismissed packaging as being a nonsense argument, I dispute the fact. To suggest that this is a nonsense argument gravely underestimates the skills of the tobacco industry's marketing arm and, in fact, ignores what I believe to be a commercial reality. Whilst I will be supporting the efforts of my colleague to provide for fines for children who buy tobacco, I also believe that if that effort is not successful, there should still be a prohibition on the sale of packages of cigarettes containing fewer than 20.

I am disappointed that the original intention to ban smoking in taxis has been dropped by the Minister of Health. If it is good enough to ban smoking for public health reasons in public transport, then it surely is good enough to ban it in transport which is available to the public and which is even more confined than the normal bus or train might be. I find it a most unpleasant experience to step into a taxi in which someone has been smoking.

The Hon. G.F. Keneally: He didn't have the numbers.

The Hon. JENNIFER CASHMORE: It has been pointed out to me that the Minister did not have the numbers in the other place. I just regret that that is the case. The foulness of the air in a taxi in which someone has been smoking can have an adverse effect, which is akin to passive smoking, on a passenger in that taxi. Anyone who is remotely susceptible to sinus problems, anyone suffering from asthma or hayfever, or who has angina can be made acutely uncomfortable for some time after the taxi journey by sitting in a taxi for any length of time when the air in that taxi is polluted by tobacco smoke.

I have no doubt that, in time to come, reason and scientific proof will prevail, and smoking will be banned in taxis. I believe that the argument has nothing whatever to do with so-called civil liberties or the rights of small businesses to conduct their business as they see fit. If that argument were tenable, then why are we imposing restrictions in lifts and in other public places? I think that the argument is specious and I look for the day when smoking is banned in taxis. However, I recognise that a Government can proceed only at the pace at which community opinion will permit, and, as the Minister on the front bench says, the Minister in the other place did not have the numbers.

One other matter for regret is the qualification imposed by clause 2 (3) on the Bill's requirements to restrict advertising of tobacco. To suggest that South Australia cannot proceed unless it can do so on the basis that legislation similar in effect to section 7, in relation to advertisement of tobacco products, has come into operation, or is likely to come into operation, in the Australian Capital Territory and at least three States of the Commonwealth apart from this State is really to tie our statutory hands behind our backs and to say that we do not have the power. I do not believe that is the case but, again, I accept that the vested interests which have tremendous power and fiscal power over Government, because of the revenue which Government obtains from tobacco, for the moment have won the day.

I believe that, inevitably, the tide of public opinion will be forced to swing along the scientific lines I have outlined in the article by Dr McMichael, and that this is merely the first of several amending Bills which will be brought into this place over the next few years, each placing further restrictions upon tobacco, for which I hope the ultimate statutory restraint will be its recognition as a carcinogenic substance and its placement on the schedule of the Controlled Substances Act.

Mr S.G. EVANS (Davenport): There are some aspects of the Bill with which I am not happy. If tobacco were discovered today, with the knowledge we have today, there is no doubt that it would be a banned product and its use be made illegal, as is marijuana, but, because it has been a tradition in the human race to smoke the stuff—eat it or chew it, in some cases—it has become accepted as a legal substance. Of course, it seems strange that, when we are trying to make it tougher for people to smoke tobacco products, at the same time we make it a bit easier for people to smoke marijuana. That, to me, seems to indicate that we in this place are strange creatures.

We have to accept that it is a legal substance. This Bill defines a child as a person who has not attained the age of 16. When it comes to alcohol we suggest that a child is younger than 18 years of age, and in relation to marijuana the same age applies. I wonder how, as legislators, we decide that with one substance, such as cigarettes (which are bad for the health of people who over-indulge in them) we suggest that 16 is the age, but for other substances that are as bad as—in some cases perhaps worse than—cigarettes we make the age 18. This seems strange, so I will move to amend the age to 18 years.

I think we should be consistent, although I suppose inconsistency is the most consistent part of what happens in this

place. I foreshadow an amendment in that direction. There is no doubt, as the member for Coles has suggested, that tobacco products impose a huge cost on the taxpayer and society. Leaving aside personal suffering, tobacco products are responsible for huge costs in hospitalisation and to the taxpayer.

If we did some sums on that it could prove to be the cause of a quite high loss of productivity in the workforce. Some callous people might argue that it does a good job, because in times of unemployment, if it takes a few people out early, it leaves a job opportunity for somebody else. One could argue that people get the funeral director's services earlier, so that is one way of creating work for today that might have not come up until some time in the future if that person had not been a smoker of large quantities of tobacco products.

One can go through a large range of jobs that can be created by those who are taken out early because of a natural or self inflicted cause—be it short-term or long-term. One could argue that there is a benefit in times of unemployment and that tobacco products do some good, but I am not that callous, because much harm is involved in this area. One must also argue that the cost to the taxpayer is high, even though a tax is placed on tobacco products. I admit that a high tax is placed upon these products, but it is doubtful whether that tax is sufficient to offset the cost to society caused by these products. If there was no harm with this product we would not set an age limit on when people could buy tobacco to use it. If there was no harm with the product, we would not be saying that it is improper for children to smoke, and we would be giving it to them at birth rather than a dummy, because they would perhaps find it easier to handle.

We know that the community recognises the harmful nature of this product, particularly when it is smoked in large quantities: we must accept that. We must also accept the cost to the taxpayer. One may argue that, if we can reduce the amount of this product that is used, quite logically we can reduce taxation to some degree. However, even taking into account the taxation or excise paid on the product, we do not recoup enough from that tax or excise to recoup its cost to society.

Producers and distributors of this product have, in all fairness, put a lot of money into sport advertising and promotion. Some would argue that if tobacco products were banned altogether we would save taxpayers enough money for the Government to be able to make money available for sport sponsorship and promotion. I do not think that Governments would do that, because traditionally Governments do not spend a lot of money on sport and recreational facilities, other than some amounts on buildings. There is no day-to-day coaching and caring for people of any great proportions.

There is no doubt that the tobacco companies have quite genuinely put huge amounts of money into sport through sponsorship, whether by asking for the right to place advertising in front of the television cameras or on the wall of some venue so that the cameras pick it up. So be it. We must accept that this is a legal product. It is quite legal to sell this product, as long as one complies with a few rules that were made in the past, more of which are being finalised today.

As a person who has been involved with a lot of sport and many clubs, and who as an administrator in those sports and clubs has seen the benefits of tobacco sponsorship and the money that tobacco companies have made available to them, I must say that it has made my job easier at times. Members must recognise this. However, there is a conflict in this area if one is trying to get young people fit and healthy while at the same time taking money from the producers of a product that might prevent them from being fit and healthy if they use it.

We must also accept that that becomes a double standard. If a tobacco company said to me that it was prepared to make money available for a particular project, I would be reluctant to say 'No' because of the monetary benefit to a club or a sport that was struggling for money. On the other hand, I say that tobacco products are not good for a person's health, so in that sense I am a hypocrite for accepting that money on behalf of a club or sport. I must accept that in this area one is applying double standards. I have been in that situation and must therefore admit it.

I turn now to the point made by the member for Coles in relation to taxis. I hope we arrive at a point where taxi drivers—not the boss—are able to say that they want their taxi to be smoke-free and where they can display a sign stating that without their customers abusing them.

Mr Ingerson interjecting:

Mr S.G. EVANS: The member for Bragg makes the point that he can do that now. I agree. However, he may not be able to do that if the boss puts pressure on him, unless he is a member of a union which steps in to assist him. I am saying that it should be the right of taxi drivers to display a sign stating 'No smoking in this cab'. Then we, as individuals, have a decision to make when booking a taxi whether we book a smoker or non-smoker or, if we hire a taxi in the street, whether we hire a smoking or non-smoking taxi. That is our right as individuals. I do not think, as the member for Coles has said, we are infringing on somebody else's rights. It is clear that that would work. I am pleased that the Legislative Council knocked that condition out of the Bill.

The only time there might be a conflict would be in a case of multiple hire, when people hiring the cab would have to be 100 per cent sure, if they were the second hirer, that there was not one person smoking in the cab if they did not wish to have a smoker riding with them. I do not think that there is any problem at all with single hirings. Concern has been expressed about the sale of smaller sized packs of cigarettes being available to young people.

Industry representatives say that not a lot of young people buy the small packs and that they are bought by people who want to break the habit gradually and so buy the smaller packs. I do not wish to get into that area of discussion or to argue which approach is right. However, I know that it would take a lot of money to tool up for those packets. I know from my involvement with young people, whether from discos, or the local pub where they are supposed to be over 18 years of age, or whether they are at a community fete buying other things, that they seem to have no difficulty in putting their hands on $5 or $10.

I do not know where they get the money from, whether from irresponsible parents (which is what I call them) or whether by working, but it is nothing to see young people of 15 or 16 years of age cashing a $50 bill. A 15 pack or 20 pack will not mean a thing to them. If they could not have a 15 pack, two young people would put their heads together and buy a 30 pack between them. That is not very difficult to do. Some people say that the modern education system is not too good, but most young people know how to split 30 into two lots of 15. Really, this does not amount to very much, and I think that we are becoming hung up on little issues when we attempt to attack this situation of young people smoking or beginning to smoke by using packs of that size.

The Bill also makes it an offence for anyone to sell, give or make available tobacco products to persons under the age of 16 years (which I think is too young). If a person gives a tobacco product to an adult, who gives it to a child under 16 years of age, someone can approach the original seller or the person who made the product available and say, 'We believe that you knew that the person you gave that to was going to give it to somebody down the line.' This relates particularly to where selling is involved. I admit that that is not the case where just making the product available is involved.

In those circumstances that person is liable. It is a very dangerous law. I ask members to consider the position of a person running a tobacconist shop or a delicatessen with a licence to sell tobacco products. A person walks into the shop and says, 'You just sold a packet of cigarettes to a person 19 years old and they have given it to a child in the street who is under 16 [which I say should be under 18 years of age].' In those circumstances, although the middle person has given the child the cigarettes, the first person is liable if the person maintains that the shopkeeper had the knowledge that that would occur. It is word against word. Fancy giving the legal eagles this sort of wording to play around with. This means that we will be putting money straight into their pockets. They get it easy enough, anyway, without giving them this sort of law to play around with. It is a very difficult matter to prove. If an individual shopkeeper with a licence is found guilty, that person is likely to lose the licence. All the person can say is that they did not know and, if the other person says that they believed that that the shopkeeper did know, the shopkeeper ends up in court.

Therefore, it will cost the shopkeeper money, and one person or a couple operating a business will lose money going to court. How hopeless it is. The person who gives the cigarettes to the child is the person who should be liable. The provision should stipulate the person who sells or gives the cigarettes to the child. That is as far as the Bill needs to go. It does not need to go further. I look forward to consideration of amendments in this regard. If no-one else picks up this matter, I will do so.

Mr Ingerson interjecting:

Mr S.G. EVANS: The member for Bragg says that the matter has been picked up. I wanted that indication, and I am pleased that it has been given. I do not support the Bill as it is presently constituted. If it is eventually amended in a form that is acceptable to me, I will support it. At the moment I do not support it, even though it contains many provisions that I do support. However, only the Bill as amended will make it totally acceptable to me.

Mr M.J. EVANS (Elizabeth): I want to speak briefly on this measure. It is one that I in principle certainly support, because I believe that any mechanism that this Parliament can adopt to reduce the consequences of tobacco products in the community should be supported, although I do have some reservations about the nature of the document itself. First, I would like to compliment the member for Coles on her speech to the House. I believe that she raised in an extremely competent and detailed way the myriad of problems that tobacco products bring to the community and to the individuals who use them, and I commend her for the research undertaken and for her documentation of the problem. As the honourable member indicated very strongly to this House, the Government must indeed bear a very strong responsibility to move in some more positive way than it has moved to date, to acknowledge in legislative form the hazards of tobacco products and to take some more positive steps towards reducing their availability and impact throughout the community.

Tobacco has tremendous health implications, as I am sure every member in this House recognises. There is no doubt that along with alcohol it is indeed by far and away the most serious drug of abuse in the community, and it costs the community hundreds of millions of dollars a year. It also costs individuals and their families and loved ones an enormous amount of suffering in relation to the consequences of the illnesses which that product brings. Alcohol abuse, of course, is severely complicated by the involvement of motor vehicles in that abuse. About the only thing that tobacco does not seem to cause in the way of health problems is road accidents and, certainly, that therefore complicates the statistics in relation to alcohol. However, it exemplifies very clearly in the health statistics of this nation the problems that we face with tobacco. I am amazed that, given the litigious nature of the population of the Western world, and particularly of the United States and to an increasing extent of Australia, one of the many legal suits which have been launched against tobacco companies has not yet been successful. It is only a matter of time before one of those suits for damages succeeds.

The legal issues involved are very complex. It was disappointing to note that the recent case in Melbourne was withdrawn, but no doubt there were strong personal reasons in relation to the woman involved in that incident. But, I am certain that it will only be a matter of time before one of these law suits for negligence succeeds, and that will bring about a very rapid change in the industry, one which I am sure that the industry is already preparing for, with its diversification to other areas every week.

While I am sure that the Minister of Health is quite serious in his wish to do something about tobacco and its abuse, unfortunately, his pursuit of this issue seems to lack the dedication that he has shown in relation to the recent amendments to the Controlled Substances Act. Perhaps if the Minister was as prepared to go into the community in order to sell the question of tobacco abuse as he was to defend his changes to the Controlled Substances Act, we might indeed have more pioneering and innovative legislation before us than we have today.

In fact, we have a number of cosmetic measures and one or two substantive measures, which is why I certainly support the whole package, because even the cosmetic measures have some meaning, and the substantive measures contained in the Bill are indeed positive steps.

However, I have some real concerns about some of the measures. For example, on the question of the 15-pack, while I agree very much that we must do everything that we can to reduce access by children to cigarettes, the Bill has some substantive provisions to prevent young people under the age of 16 from purchasing or acquiring cigarettes. Therefore, the question of packaging in 15s seems to me to be almost assuming that those provisions will not be successful. After all, what meaning is there in saying that we will block the sale of packages of fewer than 20 cigarettes, in order to reduce the economic availability of cigarettes to young people, when we make it an offence, punishable by $1 000 fine, to sell them to children anyway, no matter what packet they are contained in? So, while I can see the merit in what the Minister is saying in relation to 15-packs, it seems to me that it almost presupposes that the other provisions in relation to the sale of those 15-packs will not be as successful as the Minister wished them to be, because otherwise, the whole argument vanishes, anyway. Perhaps it was one of those clauses that was to be withdrawn in the

event of a compromise being sought, but it has got through regardless and is still with us.

It is also, I think, the case with the very tentative—extremely tentative—moves and health warnings on advertisements, which come into effect only if a significant number of other authorities in Australia adopt the same move. While we are certainly one of the first States to move in this direction, it is indeed a very tentative measure that is almost without meaning. In my view advertising has a significant effect on young people and those who are considering taking up or giving up cigarette smoking, or the use of tobacco products in general. A small or even a significant health warning on an advertisement or billboard and the like is not likely to have a major impact on their decision. What is much more likely is that the large advertising, multi-million dollar advertising, campaigns which the tobacco companies are capable of mounting will achieve the objectives that they set out to achieve, that is, to persuade young people to smoke and to encourage those who are smoking now to continue to smoke. I find the argument about market share a little irrelevant. The cigarette companies tell me—

Mr Hamilton interjecting:

Mr M.J. EVANS: It is indeed; I agree with the honourable member who interjects that that is very much the case. So few companies are involved, as cigarette manufacture is very much like soap powder. We see companies marketing against themselves. There are hundreds of cigarettes on the market but only a handful of companies marketing them. Any market share which one product may lose is gained by another one of their own products. The companies do not spend millions and millions of dollars just to fight one another on market share. That is simply a fairy story, and I am sure that very few people really and truly believe it. Yet, to some extent this Bill almost seeks to give that story credence.

Clearly, only by attacking advertising itself will we make an impact in that area, and this is something that the Government should consider much more seriously. The blackmail tactics over sponsorship can be dealt with readily by the Government if it was only prepared to put its political muscle into the effort. It would take little by way of an additional levy on tobacco products to raise the same sum as is spent on sponsorship, and that sum could easily be made available by the State Government on much more equitable terms and conditions than it is by the tobacco companies at present.

If voluntary organisations, sporting clubs, opera companies, and so on, are worth supporting (and most of them are), this community should not fall back on the tobacco companies for funding. Other mechanisms could be found and the blackmail effect could be removed. The major reason for the sponsoring of these things by companies is not because the managing directors of the companies are patrons of the arts and sport but because they recognise the blackmail advantage to be gained in dealing with Governments when they say, 'If you do not allow us to advertise our product, we will withdraw our sponsorship of young people's sport and the like.'

The fact that these companies could make their sponsorship available even when advertising was prohibited indicates the true motives behind the sponsorship, and such sponsorship has a strictly commercial and self-serving effect: no philanthropic or charitable purpose is intended. Many other companies are motivated by similar concerns, but few use it with the degree of blackmail effect that these companies do.

I commend the Government for the tentative steps that it is taking today and I would encourage it to take bolder initiatives in the future. It has done so in other controversial areas of public concern, notably as regards drugs and their abuse, and I ask it to be equally as bold when dealing with tobacco, given tobacco's vastly more serious effects.

Mr HAMILTON (Albert Park): I did not intend to enter this debate, but I rise to support the Bill. As a person who has smoked since 16 years of age (and probably even before that), I am aware of the dangers of cigarette smoking. One reason why people smoke is that initially, when young, they probably thought that it was a manly or macho habit. However, later in life one comes to appreciate the sort of problems associated with cigarette smoking. Probably the best way to describe myself is as a person who has given up smoking a thousand times. I know the dangers of cigarette smoking but, like many other smokers, I have had a few beers in a hotel or at a social and someone has said, 'Have a cigar. It will not hurt you.' In those circumstances, before one knows where one is, one is back buying the occasional packet of cigarettes thinking that one can control the habit whereas, as in the case of alcohol, once one has this problem it is hard to contain. Once I go back on to cigarettes, I find that it is hard to contain the habit.

The greatest impact that I have experienced in terms of cigarette smoking was twofold. First, I saw someone dying from emphysema and suffering from deteriorating health. That lady, a heavy smoker, had to cart around an oxygen bottle and wear a mask every time she moved. She had a heavy smoking habit. I could not understand why one partner to the marriage lit up a cigarette for personal smoking and then lit up a cigarette for the partner. That went on for many years.

The second impact that I have felt as regards smoking was probably more profound. Over 20 years ago I had open heart surgery and was a patient in the Royal Adelaide Hospital. When I came out of intensive care, I had to get rid of the black tar and nicotine that was forced out of my bronchial tubes and lungs. For 18 months I gave away smoking until, at a Christmas or new year party, I was offered a cigar and told that it would not hurt me. I declined the offer and said that I was off smoking but, after a few more drinks, I weakened and, before I knew where I was, I was back on cigarettes again. I consider that non-smokers are lucky. They have not taken up my habit. Even though I break out from time to time and smoke, I consider it a filthy habit. That may sound hypocritical, but I know that smoking does not do me any good.

Another aspect of the effects of smoking is the enormous cost to the community at large in terms of providing beds, doctors, nurses, etc., so that people who contract diseases associated with cigarette smoking may be cared for. It is no good tobacco companies or their representatives coming to see me, because my views are clear and specific in terms of how I feel towards cigarette smoking.

As has been pointed out by previous speakers in this debate, one reason why tobacco companies advertise so much is to get more and more people, especially impressionable people at an early age, to try cigarette smoking. I understand that advertising companies employ psychiatrists and psychologists to devise ways and means and various types of advertising to entice people to take up cigarette smoking. It is also interesting to see the increasing number of women who have decided to take up this habit. If I can do anything to disabuse them concerning that habit, I suggest that they do not take it up. Again, that may sound hypocritical coming from me.

One thing that should happen in this country (and there is strong opposition to it from the tobacco companies) is for health commissions to be given the opportunity to advertise on television, on equal terms with the tobacco companies, about the dangers of cigarette smoking. Many years ago, when I visited Adelaide from Port Pirie, I had some spare time and went into the Savoy theatrette. In a *News of the World* program, a film showed a black cancerous lung being taken out of a person's chest. I remember sitting in the theatrette with my wife, who told me not to watch the film in case I flaked out. I vividly remember other people flaking out in the theatrette and being carried out on stretchers after they saw this coloured film. Having watched the film for some time, I decided to stick my head between my legs, but that did not have the desired effect and I was soon sitting out on the footpath getting fresh air because it had such an impact on me. I had not seen it previously. Advertisements showing a black cancerous lung and people dying from emphysema could be shown on television.

If that sort of advertising were shown on a similar basis today, fewer and fewer people would smoke. I hope that when more support is available to the Minister people like the member for Elizabeth and other members who have criticised the Government about not doing enough in that area will also show their support in connection with television advertising to encourage people to cut down on smoking.

As I said, I wish that I had never smoked cigarettes. I have said that I do not like smoking, even though I do smoke. I wish I could give it away permanently. Like many others, I would pay a fair price to be able to do that because—as even the member for Mitcham nods in agreement—we all say that tomorrow morning we will stop, that we will give it away, that that is it, that that is the finish. That is especially so after I have been out for four hours at a function and have smoked a packet of cigarettes. The next morning I have coughed and spluttered and said that I will smoke no more, that I will give it away. Foolishly, people seem to forget their good intentions after they have had a few drinks.

The Minister has certainly highlighted many of the problems confronting the community. I know that he would like to go further but the realities are that there are people in the community who perhaps would not support what the Minister or I would support, that is, to go to almost any length to encourage people not to smoke. I would encourage people not to smoke. Young people think that they can get away with it, that it will not affect their lungs, but people pay for it in their 50s, 60s and 70s: that is when they pay for their sins. I strongly support the Bill.

The Hon. G.F. KENEALLY (Minister of Transport): In response to my colleague the member for Albert Park I point out that giving away cigarette smoking is an easy thing: I know people who have done it dozens of times! I would like to thank all those members who have participated in the debate. It is interesting to note the reaction of members. The member for Davenport has advised us that he believes the legislation goes further than he would wish it to. The member for Coles, in an excellent speech (I must applaud her for a remarkably consistent attitude in debates in this House on the smoking of cigarettes), believes that we have not gone far enough (and that sentiment was echoed by the member for Elizabeth) particularly in regard to clause 7 and clause 2 (3) as it impacts on clause 7, which they see as a weakening of the Government's position.

All members would be aware that the amendment was moved by the Hon. Mr Lucas in another place, where the Government does not have the numbers. Therefore, members in this Chamber who feel that that is an inappropriate provision should understand it was not originally designed by the Government for inclusion in the Bill. The nature of the democratic system is such that legislation does not always come out of Parliament as it goes into it. I believe that society requires the Government to adopt a more definite position on the smoking of cigarettes. The problem of nicotine is becoming well known and, as a result, fewer people are taking up the smoking of tobacco.

It is because fewer people are now becoming involved in the smoking of tobacco that we have some advertising programs implemented by manufacturers of the product trying to encourage new smokers. We are told by the companies that they are fighting for a market share and trying to ensure that they have the best share of the existing market. However, they and everyone else know that their marketing is designed to encourage people to take up the smoking of cigarettes. It would be a stupid act for the industry to spend so much money if that was not the aim of the campaign. Can members imagine anyone spending such a sum if that were not the case?

Would Ford or GM spend enormous funds trying to secure just a market share and not be encouraging people who do not have a motor car to buy one? In fact, if the tobacco industry is seeking merely to ensure that those people who are smoking now are going to smoke the product that it sells and it is certainly not interested in encouraging other people to take on smoking, within a few years there will be no smokers in the community at all, and I do not believe that that is what the industry is on about.

I am aware that members have indicated that there will be amendments in Committee, and I am sure, to facilitate the debate in Committee, that all members will support the second reading so that those critical issues can then be debated appropriately. I urge members to support the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Interpretation.'

Mr S.G. EVANS: I move:

Page 1, line 27—Leave out '16' and insert '18'.

I raised this matter in the second reading because, when it comes to marijuana, we suggest that a person is no longer a child at 18. In the case of alcohol, signing contracts and voting, a person is no longer a child when they are 18. However, in regard to tobacco products, we suggest that a person at 16 is an adult: in other words, no longer a child. I need not push the argument any further. It is obvious to the Committee that there is no consistency in having different ages, and that it should be 18 years in all cases.

The Hon. G.F. KENEALLY: The Government will not be supporting the amendment. I am surprised that the only member who called against this legislation previously now wants to tighten it up. Either he is serious about it, which I doubt, or he is being mischievous, which I believe to be the case. It is quite fallacious to compare tobacco products (and tobacco is a legal drug with social acceptance, although we are trying to discourage young people from using it) with marijuana (which is an illegal drug), and the honourable member knows that. We are trying to discourage young people from using marijuana.

Marijuana is an illegal drug and alcohol, as the member for Elizabeth has pointed out, has other very anti-social results when one has to drive, and so on. Tobacco in the long term has an incredibly detrimental effect on health and definitely results in more deaths than any other drug

on the market. I think about 20 000 people die annually of drug effects in Australia and 16 000 of those are from nicotine. People may want to argue about defining those figures, but in general terms that is the figure. For the honourable member to compare marijuana and nicotine is fallacious, and the Government will not support the amendment.

Mr S.G. EVANS: The Minister amazes me. I am not comparing any of the drugs; I am comparing the ages. We are saying that, according to the law, a person is a child if he is under 16 years in one case and under 18 years in another. Either they are children or they are not children. We are suggesting in one case that one must be over 16 years to be an adult to engage in cigarette smoking and for alcohol one must be over 18 years to be an adult. The Minister tells me that one drug is worse than the other. I am not worried about the severity of the drug. I am arguing that we should be consistent. Why not go for 18 years in both cases? One must be 18 years to enrol on the electoral roll. I have argued consistently about this. The Minister may not remember, because he was not here, that I successfully led the campaign in 1969 to have the drinking age set at 20 years. Other countries have gone the same way as Australia, and the United States has gone back to 21 years in the case of alcohol.

I ask the Committee to be consistent in relation to these two legal drugs—alcohol and cigarettes. The Minister said that I was the only member to call against the Bill at the second reading: I did that because I do not support it as it is. I want this clause changed. My other objections relate to small packs of cigarettes and the position where a third person can be involved. It was for those reasons that I called against the second reading, if the Minister wants to raise that issue in this debate.

I brought in the amendment late, but any Government with any nous should have been aware of the law in relation to other drugs. I should not have had to raise this matter here and now, even though I was late. The Minister knew what the age was, so he cannot use that as an excuse. His Government has considered this matter. Why did not the Minister tell the Committee that the Government considered it being something different to 16 years? The Government chose that as the age, and it is not going to make it any different. That was decided before today. That is better than telling me that I brought in the amendment late. I have a right to move an amendment. That would be a logical argument from the Minister.

The Hon. G.F. KENEALLY: I do not know what the honourable member is on about. We have not brought it in as 16 years. It is already there. It is existing legislation.

The Hon. Jennifer Cashmore: It's been 16 since 1904.

The Hon. G.F. KENEALLY: I thank the member for Coles. Perhaps the member for Davenport should have moved to amend the age in the intervening years. The Government is not ready to change from 16 years to 18 years, and I suspect that the community is not ready for that change, either. I am sure that some of the people advising the honourable member would not want this measure to pass. If the honourable member is able to convince the community that the age should be changed from 16 years to 18 years, I am certain that the Minister who has charge of this Bill in another place would be happy to talk to him about it. If that is a reform that the honourable member feels very strongly about, I urge him to go out into the community and convince it that we should move from 16 years to 18 years.

The member for Davenport is very passionate about this. He believes that he has put a very persuasive argument to the Committee. However, it has not convinced me at this stage, but I can see that there is some reason in the points he makes. At this stage the Government is not persuaded that we should change a law that has been there since 1904. The member for Davenport may very well be able to lead a campaign in the community to convince the Government that it should be 18 years. If he decides to do that, I wish him well. If he is able to achieve the community support that he obviously desires so much, I am sure that the Government would not be slow in following that lead. However, at the moment, I believe that the community is not desirous of a move from 16 years to 18 years for a whole lot of other reasons that have not been included in this debate (and I do not believe that we will have time to canvass them).

The Government has been aware of the points raised by the honourable member in the debate. I did not say that the honourable member has suddenly thrust upon us a proposition that we had not considered. It is most unworthy for the honourable member to say that I said that. I said that we understood the implications and it was late in the debate that the honourable member seemed to understand its implications and move his amendment (which he is quite entitled to do). I am not reflecting on that. That is his right, and every member's right. I do not question that at all. The Government does not accept the amendment.

Mr S.G. EVANS: I accept that the Government will not accept the amendment. I do not accept the comment about 1904 that the Minister was reminded of. We are amending legislation in relation to tobacco. There have been laws relating to tobacco, as the Minister reminds me, particularly in relation to age of purchasers, since 1904. However, this Bill provides for the age of 16 years. The best opportunity for me to amend that age is while this Government Bill is before the House. It would be hopeless for me to try to do it in private members' time because there are about 60 private members' motions before the House and very few of them will get up.

The Minister mentioned that the age of 16 years has been in the legislation since 1904. Perhaps now in 1986 is the time to change it. Perhaps we have learnt our lesson. In relation to the Minister's comment that we do not have time to debate this, I say that we have lots of time. Last week we crammed the program, this week we have lots of time. In fact, we will probably finish the day's business by dinner time and then wonder why we chucked out two members last week. I ask the Committee to accept the amendment.

The Committee divided on the amendment:

While the division was being held:

The CHAIRMAN: There being only one member on the side of the Ayes, I declare that the Noes have it.

Amendment negatived; clause passed.

Clause 4—'Sale of tobacco products by retail.'

Mr INGERSON: I move:

Page 2, lines 18 to 21—Leave out subclauses (3) and (4).

In moving this amendment I would like to bring to the attention of the Committee the situation of packets of 15. There is virtually no evidence to show that youth of this State are purchasing packets of 15. The most recent survey showed that something like 0.1 per cent of the total South Australian market of one particular brand, Alpine, is sold in South Australia, and that is a very insignificant amount. As I said in my speech, the majority of youth are in fact purchasing 25s and 30s. It is a pack introduced principally to help the light smokers and, obviously, also introduced as a marketing advantage. A company that sees that sort of marketing advantage in a product that is legal should not

have its opportunity completely cut off at the knees. There is no evidence to show that the price is a significant factor in the purchase, because the price is almost the same as 20s and, for a long-term smoker, would be considerably more expensive.

The other problem that it creates is that it removes the group of give-aways the companies give to charity organisations, and that is an area we need to consider. Also, in its discussions with the Minister the industry clearly said that it would be prepared to cease the advertising of this particular group of products. I commend the amendment to the Committee.

The Hon. G.F. KENEALLY: The Government will not agree with the amendment, as I imagine the honourable member would expect. This clause was debated extensively in another place and, by and large, the arguments we are conducting here have already been widely canvassed. I am not in any way suggesting that this Committee should not have the same right to thoroughly examine legislation as does the other place.

The honourable member relied on a survey which I think was an industry survey, funded probably by the industry. I do not want to be deliberately reflecting on surveys completed by people who have a vested interest, and I will not, but I just leave that to the Committee to consider. Another survey was undertaken by the Health Commission in nine randomly selected high schools throughout South Australia, and the results were reviewed by scholarly referees for the Community Health Studies Group. I think that survey showed that 56 per cent of 14 to 15 year olds had purchased 15s in the preceding month. The survey was conducted at the height of the Alpine packets of 15 advertising campaign.

The member for Bragg suggested earlier that in his view there were some problems with that campaign. Quite obviously, it was directed at young people—and at young girls, I am reminded. Here we have an industry whose marketing techniques I believe are without parallel within Australia, directing a campaign at a specific market, and now we are told that because that campaign is being questioned, in fact it has no effect upon young people.

On the one hand, we are encouraged by a very subtle, very professional and, I would argue, very successful marketing campaign to try to encourage people, particularly young people, to purchase cigarettes in packets of 15, and, on the other hand, we are told that that marketing campaign has no impact and, in fact, might only impact upon 1 per cent. The industry is not stupid, and I often wonder why industry spokespersons believe that we are stupid.

I in no way believe that the millions of dollars which the tobacco industry spends in Australia are spent for any other reason than to enable the industry to continue to sell the products it manufactures. I give them credit for that: that is the business they are in. I may not agree with what they are doing but, nevertheless, that is the business they are in. I do not want them to tell me that is not the business they are in and, on the other hand, I want the industry to acknowledge that reasonable people throughout Australia also are not stupid and are able to draw conclusions when looking at quite legitimate tactics of the industry in trying to promote its products. A deliberate campaign has been directed at young people. In terms of the packets of 15, members have said that the cost of those cigarettes is not a factor. Of course, that quite obviously is also incorrect: it is a factor. There is no doubt that many people have limited funds available to them—I do not know about the people the member for Fisher knows, who may run around with $50 notes in their pockets; they are not the sort of people I have come into contact with in a long number of years. Certainly there are some of those.

The overwhelming majority of young people in the 13, 14 and 15 year age group do not have the money available to them, so they purchase products within their financial capacity. Of course, the industry is well aware of that, so they target and market their product to capture a share of the market through those people who have limited purchasing power. That is what it is all about.

The studies we have done indicate clearly to us that there is an encouragement, through the marketing of packets of 15, to young people to become smokers. I think that, as a responsible Parliament, as a responsible community, we should do what we can to ensure that the entry to smoking is delayed as long as possible so that people can make a mature decision, and that there should not be any encouragement by the industry or by society—or even any peer pressure, for that matter—to force or encourage young people to smoke before they are able to make a more mature decision. In any event, the Government believes that packets of 15 are designed to encourage young people to smoke. For that reason, we are opposed to it, and we seek the support of the committee in that opposition.

Mr INGERSON: One point the Minister made was about the study being an industry study. In fact, it was not an industry study but one set up by the Chamber of Commerce using McGregor Harrison here in South Australia purely and simply to check the findings put forward by the Minister. The two surveys, when put side by side are, like the old saying, chalk and cheese. The Minister is arguing very strongly that he is correct and the industry, rightly, is prepared to stand up and say, 'Look, Mr Minister, we have checked your figures and we just don't believe them.'

I think it is very important that that be on the record: that it was an independent survey carried out here by the Chamber of Commerce quite independent of industry. That survey showed clearly that there was no question that, of the young people surveyed, 71 per cent were purchasing packs of 30, and 21 per cent packs of 25. So, that independent survey showed that about 92 per cent of purchases involved packs of 30 or 25. It is therefore very difficult for the Minister to argue that 15 packs were the big deal. What it really says is that the argument put forward by the Minister that packs of 15 are being purchased by youth does not hold water.

Mr Hamilton interjecting:

Mr INGERSON: Some 10 per cent. That survey clearly argues against what the Government is saying. Surely anybody should be able to argue that the Government sometimes (as in this case) is wrong? I put this comment forward to disagree with what the Minister said about this being an independent survey. I think that there is significant evidence to show it.

Mr S.J. Baker interjecting:

Mr INGERSON: I am reminded by the member for Mitcham of the saying about statistics: 'Lies, lies and damned lies'. It is just a matter of who gets hold of the lies first and which way one bends them. The thing that is important in this instance is that there is plenty of evidence to show that youth is not purchasing the 15 packs and that it is unreasonable to place a requirement on manufacturers that 20 packs should not be available.

Mr M.J. EVANS: When the advertisements promoting these packets of 15 first appeared I was very incensed by the campaign, which I felt was clearly—as the Minister has said—directed towards young people. The marketing initiative related to packs of 15 and I think indicated that the cigarette companies have very good advertising and mar-

keting people. They should be congratulated on the sort of strategy and initiative, from their own internal viewpoint, because quite clearly it was a brilliant move to attract more young people, particularly young females, to smoking.

Of course, their having been got in, it is very difficult for them to get them out. From the point of view the industry would be foolish to deny that, in fact, its objectives were very well achieved and that that campaign was a brilliant piece of marketing strategy. But, from a health and social point of view, it was clearly a disaster. I see what the Government is getting at and support its initiative to outlaw that. However, in light of the other provisions in the Bill which prohibit the sale of this product to young people, how does the Government view that? If the sale to young people is illegal, how is the question of initiatives relating to the sale of tobacco products to young people relevant? Why are we fighting this on these two fronts?

Clearly, if the other provisions are successful and if young people are prevented from buying cigarettes marketing initiatives directed at them will become singularly unimportant. I do not therefore quite see the meaning of the 15 pack clause in relation to the successful introduction of the other clauses. I certainly support it, because I was outraged by the campaign when it first came out. It is clearly an initiative that is designed to attract young people to smoking. Also, later provisions make it quite difficult, if not legally impossible, for a person of 16 years of age or under to purchase cigarettes, so I am not sure what the Minister is getting at.

The Hon. G.F. KENEALLY: I take the point made by the member for Elizabeth. I think we ought to attack this problem on two fronts. With the best will in the world, young people will still buy cigarettes, despite the fact that it is illegal to do so. The honourable member is saying that merely making it illegal—which it has been for many years—should in itself be sufficient. However, packets of 15 will be bought by 16 or 17-year olds who are still at school or who have limited resources, because not every parent in South Australia is affluent enough to provide sufficient pocket money to their children for them to provide for their own needs.

The Hon. Jennifer Cashmore interjecting:

The Hon. G.F. KENEALLY: I am sure that the honourable member was trying to help me by way of interjection, but I did not grasp the import of her remark. The point that I am making is that we need to approach this matter on the two fronts and that it needs to continue to be an offence to sell cigarettes to people under the age of 16 years. We still need to discourage people over 16 years of age from purchasing cigarettes. Those who have rather limited resources are more likely to buy 15 packs than they are to buy the 25 or 30 packs. I think that the industry is well aware of this and that that is the reason for its marketing campaign.

Mr PETERSON: The Minister has raised a very interesting point.

Mr S.J. Baker: Are you a non-smoker?

Mr PETERSON: No, I smoke. The interesting point is that we will take away the right to sell a 15 pack but leave the right to sell a 20, 25 or 30 pack. Just what is the monetary difference, as the point is made about the difference in cost between the packs?

Mr S.J. Baker: The 15 packs are more expensive.

Mr PETERSON: I am trying to get clarification about this, because I think that today the financial difference is not a valid point. Even though I support the concept of the clause, it seems to me that young people of today have as much money as they want. There are many parents who judge their parenting on the amount of money that they give their children, so it seems to me that the argument involving 15, 20 or 25 packs is not valid. Can the Minister tell me the difference in cost between the different packs?

The Hon. G.F. KENEALLY: The honourable member ought to be aware that people with limited resources pay more for products than people who can afford to buy in bulk or in larger packages. It is the people with the limited incomes who buy the smaller packages, which are more expensive. One only buys with the cash available. Surely members in this House understand that. The honourable member is speaking to somebody who is so pure that he has never smoked a cigarette in his life and has no intention of smoking a cigarette or anything at all. As everyone is laying their credentials on the line, I point out that I did not drink alcohol until I was 30 years of age, and have not made up for it since. I was fortunate when I was younger that I had the right sort of encouragement not to smoke cigarettes.

I really do not know the price of cigarettes, but I can ask my son or daughter, who will be able to tell me. However, I have three other children who would not know, so it is a strange world in which we live. One does not know which members of one's family will smoke or drink, but one does the best one can. If one buys in a smaller unit one pays more. One pays with the cash that one has available and, if there is not sufficient money to buy a 30 or 25 pack and there is a 15 pack available, one buys it, because it fits the pocket.

Amendment negatived; clause passed.

Clauses 5 to 10 passed.

Clause 11—'Sale of tobacco products to children.'

Mr INGERSON: I move:

Page 3, lines 28 and 29—Leave out 'or a person who the supplier knows or has reason to believe will supply the product to a child'.

Page 4, after line 5—Insert subclause as follows:

(5) A child shall not purchase a tobacco product.
Penalty: $500.

I do not believe that in this instance it is reasonable for a third party to be able to purchase goods and then for the original retailer to be responsible for whether those goods are handed on to a minor. I think it is unreasonable to expect that situation to pertain and, accordingly, I ask the Committee to accept my amendments.

The Hon. G.F. KENEALLY: The Government opposes the amendments. I point out to the Committee that this provision already exists in the legislation; we are not adding this to the legislation, as it already exists. To take it out of the legislation would be to weaken it. No one denies that there are some difficulties in policing this provision, but in itself that is not sufficient argument to take it out. We must discourage the sale of cigarettes by people who may well know that by selling them to a 17 or 18 year old, or even to a person older than that, the cigarettes will be handed on outside to young people.

I think the Committee ought to be aware that, for a seller or supplier to be guilty for an offence under clause 11 (1), the prosecution must show reasonable doubt that the supplier actually knew or should have known that the customer was going to supply the product to a child. To be able to prove that is a fairly heavy responsibility on the police, and under this provision quite clearly a supplier or seller of cigarettes found guilty in these circumstances would be clearly guilty. So, I do not see why the supplier or seller would be concerned about it, unless they were quite obviously guilty, in which case they ought to be concerned about it, and for that reason the provision is valid. To take it out of the legislation where it already exists would I think be a

retrograde step and something to which the Government would not agree.

The Hon. JENNIFER CASHMORE: I oppose the amendments and support the clause as it stands. As the Minister has said, the provision is already in legislation, and the purpose of this exercise is certainly not to weaken but to strengthen existing legislation. I also point out that the clause has a parallel in the Liquor Licensing Act, a parallel that I believe was supported by all members of this House. Section 118 (4) of the Liquor Licensing Act provides that:

> Where a person acting at the request of a minor purchases liquor on behalf of the minor on licensed premises that person and the minor are each guilty of an offence.

I accept that the two clauses, while parallel, are not identical and that clause 11 of this Bill does not necessarily state that the person who supplies the child does so at the request of the child. But, in effect, both provisions are an endorsement of what one could describe as being vicarious liability. When we are talking about the risk to which children are exposed of being provided with tobacco, which is the most addictive of all the legal drugs, then we are talking about the necessity to provide to children the greatest possible protection that can be provided, and I believe that this concept of vicarious liability goes some way towards the protection that I see as being desirable.

Amendments negatived.

Mr GROOM: I have a question to put to the Minister with the object of securing an undertaking in relation to clause 11. The South Australian Mixed Business Association has raised a query in relation to the way that the provisions of clause 11 could be applied. They are concerned that, if a delicatessen owner employs in the shop a person who is under the age of 16 years or, indeed, a member of the family who is under 16, the delicatessen proprietor could, for example, thereby be regarded as supplying that child with a tobacco product.

I am advised that clause 11 does not apply, nor is it intended to apply, in such a situation, and that on a legal basis such a child would be an agent of the delicatessen proprietor and legal possession of the tobacco product would never be passed from the delicatessen proprietor to the child. I am not entirely convinced by that advice. I would be somewhat concerned if after the legislation passed through Parliament a serious doubt was raised in regard to the operation and applicability of clause 11. Consequently, I seek an undertaking from the Minister that the clause is not intended to apply in relation to the situation that I outlined but that further, if the subsequent operation of the clause threw up that consequence, the Minister would review the provision with the aim of rectifying the situation.

The Hon. G.F. KENEALLY: The advice that is available to me indicates that the problems to which the honourable member have alluded do not apply and that, in fact, the child would be acting as an agent of the tobacco seller. However, I will refer this matter to my colleague. I give an undertaking that the situation will be monitored to ascertain whether such problems exist. The clear legal advice that is available to the Government is to the effect that the legislation does not have the import that the honourable member fears. Nevertheless, we will monitor the situation and keep it under review.

Clause passed.

Clause 12—'Smoking in buses.'

Mr BLACKER: I seek advice from the Minister as to the thinking behind this clause, for as I read it it means that on any STA bus smoking will not be prohibited but that on buses on country runs it may well be prohibited. I fail to see the logic in that. I would have thought that for any bus trip of an hour or two or less there would be justification for prohibiting smoking, while for longer bus journeys that may not perhaps be the case, although I appreciate that many people (certainly in my electorate) would like to see smoking banned on the Stateliner. Notwithstanding, as I read this clause, smoking would be banned on the Stateliner between Adelaide and Port Lincoln but not banned on STA buses. Am I correct?

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

The Hon. G.F. KENEALLY: Before the dinner adjournment, the member for Flinders asked why smoking should be precluded on private buses but not on STA buses. When this Bill was being prepared, it included a prohibition on smoking on STA buses but, after discussion with the STA, it became apparent that it would not be appropriate to cover that prohibition in both this Bill and the regulations made under the STA Act, and it was decided to leave the prohibition in those regulations. This Bill covers other route service bus operators in South Australia, and the industry itself supports the Government's action in this regard.

Mr M.J. EVANS: Certain penalties are provided in clauses 12 and 13 for offences in relation to the smoking of a vegetable matter in public, and one can compare these provisions with the penalty provisions in a Bill that was considered by members recently. In this Bill the $200 fine will be the full criminal penalty in respect of which an offender would be charged and required to appear in court and a conviction could be recorded against that offender. The maximum penalty might be imposed for repeated breaches. Is not that inconsistent with legislation, that has been before members in a similar context? Does it mean that the Government intends to introduce expiation fees for these offences in future or that other legislation might be reviewed to bring it into line with this Bill?

The Hon. G.F. KENEALLY: Rather than agree or disagree with anything that the honourable member says, it might be more appropriate if I explained that the Attorney-General has a policy of expiating as many of these minor offences as it is appropriate to do. All Ministers have been asked by the Attorney-General to inform him of current offences and penalties that might be expiated, and in this regard clauses 12 and 13 will be drawn to his attention. Currently, the South Australian courts are being overwhelmed by the time and expense of court proceedings taken over relatively minor offences with minor penalties, much more time and expense than if they were expiated. The whole matter of those offences that might be expiated is being considered, and the two cases referred to by the honourable member will be dealt with in that way. Ultimately, a decision will be made by the Attorney-General, and I believe that everyone agrees that he should decide this question.

Mr S.G. EVANS: Once we have caught up with offences to be expiated, will the Attorney-General then consider medium type and major offences?

The Hon. G.F. KENEALLY: No. Any decision to expiate will be made only after careful consideration of the nature of the offence, and the suggestion that ultimately such consideration will lead on to medium and serious types of crime is the same as suggesting that, because the courts bring down a minor penalty for minor offences, a minor penalty will be introduced for medium and serious type of crime. I do not believe that the honourable member is serious in his suggestion and I do not think that anyone could draw that conclusion.

Clause passed.

Remaining clauses (13 to 16), schedule and title passed.

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

That this Bill be now read a third time.

The Hon. JENNIFER CASHMORE (Coles): This Bill is part of an inevitable series of overdue and urgently needed moves to restrict tobacco consumption in the interests of health and, as it comes out of Committee, it is the same as when it went in. The Bill embodies and consolidates a number of statutory controls that have existed in other pieces of legislation and, in addition, it outlaws simulated cigarettes, increases penalties for the sale of tobacco to children, and enshrines in statutory form the prohibition on smoking on public transport. The latter prohibition was initially introduced in this State by a former Minister of Transport (Hon. Michael Wilson) in a courageous act by outlawing smoking on STA vehicles.

Members interjecting:

The Hon. JENNIFER CASHMORE: The prohibition on smoking on public transport was in fact Michael Wilson's initiative. The Bill outlaws smoking in lifts and establishes the powers of authorised officers. In my opinion, it does not go far enough or as far as it would have if the Government's original intentions had been supported in another place.

As I said earlier, I believe that this is one of a series of steps and, in time to come, there will be more severe steps taken to control tobacco consumption. It is not for nothing that tobacco was known in folklore and in literature as the 'filthy weed'. I suggest that those who considered it in that light in the nineteenth century and the earlier part of this century had a great deal of folk wisdom which is now being demonstrated scientifically to be soundly based. I believe that in a relatively short while the combination of public education campaigns, scientific evidence and political pressure will see further restrictions placed on the sale and consumption of tobacco.

Bill read a third time and passed.

ADJOURNMENT

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

That the House do now adjourn.

Mr GUNN (Eyre): In the short time available this evening I wish to refer to the administration of the Rural Assistance Branch and to a couple of other matters concerning my electorate. In relation to the Rural Assistance Branch it is obvious that criteria under which the department operates are far too narrow, so that people who really need assistance are denied it. That also applies to people who make applications for farm build-up. The section is far too restrictive, because the conditions placed on people bringing in outside income deny assistance to people who could really make a go of it.

I refer to the position of a husband and wife team: the wife might be a schoolteacher and the husband a shearer, and because of outside income restrictions they are prevented from buying an adjoining block that would ensure that they could make a go of farming. There is room for improvement in this area. I want to talk about debt reconstruction, and I hope that the Minister and the department will take heed of my comments. The following letter was sent by the department to a person in this State.

> Your application for debt reconstruction under provisions of the rural adjustment scheme has been declined. In assessing the application it is noted that on your figures you are non-viable and the assistance sought is unlikely to make you viable.

That was a Department of Agriculture reply on 4 August. The Commonwealth Bank wrote to that constituent on 10 September, and stated:

> We refer to our recent discussions and are pleased to confirm that the Commonwealth Bank of Australia has approved a rearrangement of facilities which now comprise an overdraft limit of $3 000 and a Small Business Loan of $30 000 to assist to repay your personal loan, bed-down portion of the overdraft debt and provide working capital requirements for the overdraft account. Approval is on the bank's usual terms and conditions . . .

The Commonwealth Bank was prepared to assist, yet the rural reconstruction authority, which is supposed to be a lender of last resort, would not assist this person. The terms of reference are far too narrow, and action should be taken.

I refer now to a person in the Riverland who is having difficulty. I will not name the person, but in a letter dated 25 September 1986, the writer states:

> In 1982 the State of South Australia was affected by drought and frost. The frost affected our lucerne which, in turn, forced us into the position of buying in hay for our dairy stock. At the same time we were unfortunate in that we purchased semen which, when tested, proved to be of inferior quality, thus putting our breeding program back two years. All this cost us in excess of $40 000 and, because we did not have the finance, and because legal aid would not help us, we could not afford to take the matter of legal action any further.
>
> In 1982 we applied for rural assistance but were turned down because, as they put it, we were not viable. They gave us household support and told us to get out of the industry. They did not bother even to look at the property to view its potential.
>
> Four years later, after applying again, we were told that as we were now viable and able to get a bank loan, we were not eligible for assistance.
>
> We have had to refinance our debts yet again at 18 per cent because we are now $1,500-$2 000 a month worse off since Dairyvale took over the local factory . . .
>
> During the past eight years of working 12 to 18 hours a day we have had to face the fact that our expenditure has spiralled while, at the same time, our profits have decreased considerably. If we had the Government assistance we asked for at the lower interest rate when we first applied for it we would not be in the position that we are in and we would have been able to employ a man to lighten the workload.

Here are two cases where it is obvious that the rural industry assistance criteria and the manner in which they are being administered is far too restrictive. Therefore, I call upon the Minister to show some compassion and commonsense and have this matter urgently investigated.

South Australia, as a large State, requires the best possible air services so that its community and tourists can travel quickly, efficiently, and have full access throughout the State. Recently Kendell Airlines has moved into South Australia to provide services to Whyalla, Port Lincoln, Broken Hill and Ceduna. The company wished to bring into operation a Saab jet. However, permission has been denied by the Federal Department of Transport in regard to servicing Ceduna with this jet.

I am pleased that the South Australian Minister of Transport is present in the House, because I hope he will have his officers make representations to the Federal Minister. In this regard, I will read to the House a letter from the District Council of Murat Bay written to Mr Morrison (the Federal Minister), as follows:

> I refer to the operation of Kendell Airlines on Eyre Peninsula and more specifically to its use of the Ceduna Aerodrome.
>
> Recently the Department of Aviation discovered that the main runway being used by Kendell does not meet Aviation Department requirements. Accordingly Kendell Airlines has been advised that it cannot service Ceduna with its Saab turbo-prop. plane, despite the fact that Airlines of South Australia (prior to Kendell's operations) visited Ceduna regularly with a Fokker Friendship service for many years.
>
> Council is of the opinion that the Ceduna Aerodrome is in urgent need of upgrading. It needs ideally a north/south bitumen airstrip and modern pilot activated lights in lieu of the ancient

flare operation currently in use. The aerodrome has been untouched for the last 40 years!

Both the Federal and State Governments are aware of Ceduna's important geographic location and this is evidenced by the diverse nature of Government departments represented in the town. It is a growth centre and census statistics continually verify this fact. Because of its remoteness, a good plane service is of utmost importance to Ceduna's residents and visitors (both business, government, tourists and the local domestic market).

Kendell Airlines are now restricted to the use of a Metro plane (14 seats, no toilets, no air hostess service) in lieu of its Saab turbo plane (34 seats, toilets and air hostess service). There is also doubt about the legality of the Metro plane service! Council is disappointed that in this modern era a private operator (Kendell) cannot meet the demonstrated demands of the public concerning an adequate flight service because of the inadequacies of a now antiquated aerodrome.

The letter goes on to make other comments. I sincerely hope that the Federal Minister will take some action to allow people in this part of the State to have their air services upgraded with a modern and reliable system of transport.

Finally, during the 1983 Federal and 1982 State elections the Institute of Teachers, the teacher organisation in this State, spent hundreds of thousands of dollars campaigning against the Liberal Party. It is now reaping its reward in large bucketsful because this current State Government is attempting to reduce the number of teachers available in country schools with the drastic effect on the range of subjects available.

For many years as a member of Parliament I worked hard and managed to get the cooperation of the Minister now in charge of TAFE and various other things in getting year 12 services established in that town. The town has now been advised that it will lose at least one staff member, thus reducing the number and range of subjects that can be taught at the school and greatly affecting its operations.

It is a quite deplorable decision in relation to the needs of people in isolated rural communities. They have received little or no help from the State Government. At a time when it is so important that students in these areas receive adequate education, the State Government is reducing services. The sum of $750 million is to be spent on education this year. If the Government wants to make cuts in education, it should look to Flinders Street and get rid of some of the 2 000 people there who are paid more than a member of Parliament in this State receives. Get rid of Jim Giles and some those people who have been political agitators for years. They are the sorts of people that we should get rid of. Do not take people out of the classrooms, people who will do a lot of good. I have no argument about reducing the bureaucracy at Flinders Street—it is those sorts of people that we should be getting rid of.

I understand also that an attack will be made on the Correspondence School, which is recognised, from the inquiries that I have made, as one of the finest organisations of its type in the world. Why is it that these areas that serve isolated country communities will be attacked? The same can be said about the Port Kenny school, which will lose 1.5 teachers, with a disastrous effect on that school. I could go on with other areas of complaint. I refer to the Children's Services Office. I never received any complaints about the Kindergarten Union when it operated in my area, but I have had plenty of complaints about the Children's Services Office. Members on this side warned the Government what would happen when it brought in that proposal. I ask the Minister of Education to please look quickly at this problem of a reduction of staff numbers in country schools, because that will have a disastrous effect. It is about time the Institute of Teachers stood up and protected these people.

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

Mr ROBERTSON (Bright): I wish to take the opportunity tonight to place on record a little bit of current affairs in the form of a piece of fairly Z grade literature in iambic pentameter that I knocked up at the weekend in tribute to an event that took place on the other side of the Pacific towards the end of last week. With apologies to the octogenarian rocker Chuck Berry (whom members opposite at least would remember), I put the following contribution on the record:

Long distance information
Give me Memphis Tennessee
Try to find the party
Tried to get in touch with me
He could not leave his number
But I know who placed the call
It was written on his inside leg
And on the Bathroom wall
He looked so damned impressive
In his jocks and socks and hat
But he had some trouble figuring
Where it was that he was at.
He said his name was Johnny Jones,
A common sort of label
For a bloke who stood full 6'4"
While slumped across the table
In his 'Admiral Benbow' bath towel
He stood stately in the hall
And his plummy Oxford accent
Hid a Western District drawl.
He mumbled something homely
About Tamie and the farm
And looked a bit unsteady
As he lent upon my arm.
He said he knew Mugabe
And Ian Smith as well
And you could tell he knew Jack Daniels
By a malty sort of smell.
He said he'd once been 'eminent'
And as a tear came to his eye
Said he didn't give a bugger
That Balmain boys don't cry.
'It's in the bloodline, son,' he said
'It all comes down to breeding.
Some are born to just be led
By those who do the leading.'
And as the police led him away
From the hotel damp and sleazy,
It was clear that here in Memphis
Life sure as hell aint easy!

Mr D.S. Baker: Do you remember what happened in 1975?

Mr ROBERTSON: Yes, I thought you might remember that. In deference to the gentleman on whom the poem is based, I thought I would follow it up by recounting some of the things he did for this country by way of positive contributions.

Mr D.S. Baker interjecting:

The DEPUTY SPEAKER: Order! The honourable member must not interject, and he certainly must not interject when he is out of his own seat.

Mr ROBERTSON: I understand that the only positive thing about the member for Victoria is his rhesus factor. I turn to the subject of Australian disinvestment in South Africa—something that the gentleman about whom the poem is constructed would obviously share my sympathy. I refer to an event which most people would be aware of. In the past several weeks a number of very large American companies have withdrawn their investments from southern Africa, and particularly South Africa. I instance particularly, General Motors and IBM which have made a particular point of divesting themselves of their investments in South Africa. It is interesting to note that they have not exactly given their holdings in that country to the South African workers, but through a mixture of self-interest and morality—which I guess we could call enlightened self-interest—they sold their interest in South Africa to the South African

subsidiaries, and of course it is predominantly the Afrikaners who own those companies.

If Americans can divest themselves of their investments, surely Australian companies can do the same. I will take this opportunity tonight to read on to the record the names of a number of Australian companies which presently have investments in South Africa, with a view to perhaps stimulating them to think along similar lines. I refer to a document which comes from an article released in Melbourne this year by Richard Johnstone and Peter Richardson entitled 'Australian Trade with South Africa'. I point out that the following companies have South African subsidiaries: Australian National Industries, through its Australian subsidiary Comeng Holdings, has a South African subsidiary known as Union Carriage and Wagon Company; Borg Warner (which is a fairly major company in the Eastern States) has a subsidiary in South Africa and our own BHP, through Utah International Incorporated, has holdings in South Africa—a very large number.

Mr S.J. Baker interjecting:

Mr ROBERTSON: Some are, but many are not.

Mr S.J. Baker interjecting:

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

Mr ROBERTSON: I am glad to see that he is interested, Sir. Clyde Industries Ltd, a New South Wales based company which manufactures heavy rolling stock, through Dodds Consolidated, also has investment in South Africa. Colonial Mutual Life has a major interest in southern Africa. Elders IXL Ltd (a company that I should not mention because of the various people on the board) is very definitely an Australian company. Fielder Gillespie Davis, which is into foods, is another company, and others include: W.A. Flick & Co.; Monier Ltd, makers of Monier concrete and a New South Wales registered company through Rocla Industries Ltd; Nicholas Kiwi, which is registered in Victoria; OPSM, which is involved in making spectacles and optical equipment; Pioneer Concrete, Repco Corporation; Siddons Industries. I understand that because John Siddons is a Democrat Senator in Canberra that company has made an effort to divest itself of its interests in South Africa. However, at the time of this publication Siddons Industries had holdings in South Africa.

Other companies with holdings in South Africa are: Thomas Nationwide Transport, Tubemakers of Australia, Westralian Farmers, and Wormald International. It seems to me that, if American companies can do as IBM and General Motors have done, surely some of these companies which are either largely based or solely based in this country with subsidiaries in southern Africa can do likewise.

I turn now to the converse situation (perhaps in the terminology of the member for Murray-Mallee that should be counterconverse) of South African companies with holdings in this country. It is interesting to put before the House some of the companies that have substantial holdings in this country and to pose the question of what the Federal Government should be doing about those companies. I point particularly to the following list: Coates Brothers, a South African firm involved in hiring plant and equipment, amongst other things, have a subsidiary Coates Brothers Australia; De Beers Consolidated, of course, through Australian Anglo-American Limited and Stockdale Prospecting, have considerable holdings in this country, not the least of which is in the Western Australian diamond industry; Delta Manganese, through Alcan Australia, have holdings in Australia; Fucha Electrical Industries have holdings in Email; General Mining Union Corporation of South Africa has a number of holdings in this country.

The largest would be Consolidated Rutile and Cudgen RZ Ltd, both of which are involved in the mining of heavy metals in the Eastern States, in places like northern New South Wales and southern Queensland. O'Brien Glass Industries is a subsidiary of Plate Glass Limited, a South African company. Rohlig and Company of South Africa have a subsidiary called Rohlig Australia. Safocean, a fishing company, owns Nedlloyd Swire Pty Ltd, a minor Australian company.

Members interjecting:

Mr ROBERTSON: A host of South African companies have holdings in this country.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr ROBERTSON: We ought to be thinking about the implications of that, and, more particularly, the Government in Canberra ought to be thinking about the implications of that. Ought they to be thinking of directing those companies to sell or ought they to be acquired? I answer that emphatically: no, they should not. What should we be doing about stopping the flow of Australian profits back to South Africa to bolster the sort of regime that exists over there? What should we be doing about those companies which are investing in this country? I think it is a question that we all ought to consider, and I would refer it particularly to our colleagues in Canberra, because I believe the time has come to follow the lead of General Motors and IBM and start thinking about the implications of that investment in this country.

The DEPUTY SPEAKER: I did not interrupt the honourable member, as he had only a very short time remaining, but I called the member for Mitcham to order. The member for Mitcham took very little notice of the Chair. The member for Victoria interjected and posed the question, by way of interjection, whether I was prepared to toss out, in his words, the member for Victoria. Let me assure both members that I am quite capable and quite prepared to toss out any honourable member who does not obey the Chair and, in so far as the member for Mitcham is concerned, if the member for Mitcham is taken out of this House again during this session, he will find it extremely costly. Now, I would expect members of this House to take notice when the Chair asks them to come to order, and I would hope that all members on both sides will take notice of this.

Mr D.S. BAKER: On a point of order, Mr Speaker, the comment I made was, 'Are you going to toss out the member for Mitcham again?' I made no comment at all about your actions, whatever action you might take as far as I was concerned.

Mr S.J. BAKER: On a point of order—

The DEPUTY SPEAKER: Just one moment. The member for Victoria has raised a point of order, and I agree with that point of order. What I am saying to the member for Victoria is that my answer to the question is 'Yes'. The member for Mitcham.

Mr S.J. BAKER: On a point of order, Mr Chairman, whilst the member for Bright was speaking I did indeed interject, and you, Sir, did, call me to order. You will find that I actually obeyed that order very resolutely so as not to enrage the Chair, and I cannot understand why you have made this public pronouncement because, indeed, I was very, very quiet and listened quite intently to the honourable member's contribution after the honourable member had got off his list of companies.

The DEPUTY SPEAKER: There is no point of order. The member for Mitcham continued to interject after I had asked him not to do so, and if it happens again the Chair is prepared to take action. The member for Davenport.

Mr S.G. EVANS (Davenport): The subject I was going to talk about I will leave to a little later, because I believe I must make at least some comment about the contribution of the member for Bright. I find it amazing that a person will stand up in this House and start saying that his Federal colleagues should take action about some companies that may be Australian and operating with subsidiaries in South Africa, or that South African companies may be operating in this country or this State. I never hear one word from that person, or any who hold the extreme leftist views he holds about Russian tractors coming to this country, or the hypocrisy we have where we complain that America will sell cheap wheat to Russia when Russia has killed in the last six years one million Afghans, not on Russian soil but on Afghan soil—and there is not one comment as to whether or not we should deal with Russia.

We have culture, in the way of sport and the theatre, coming to this land from Russia, and we herald it. We encourage people to go and witness it, and say that is great, but another country with an internal problem, where they may have killed hundreds—and I do not condone that—in the greatest human rights problem we have in the world, probably, with a conflict of race and ideas taking place is not even allowed to send the sportsmen here. That country has never committed the atrocities that Russia has committed; never made out the threats to other countries that Russia has made.

I know that I have a Right view, that Russia has a Left view, and that the member for Bright has an extremely Left view—I accept that—but someone has to come back and say what hypocrisy it is for a country to deal with Russia in all those fields while allowing a million people to be destroyed. I just ask the honourable member who talks a lot—the honourable Minister out of his place, perhaps—whether there is such a thing as having one standard. If South Africa is wrong, Russia is wrong. We should be saying, 'We don't want to deal with you. We don't want your tractors. We don't want any of your equipment here and don't want any dealings with you in trade or commerce', if it is wrong for Australian companies to be in South Africa or for South African companies to be in Australia.

Let us be quite sure that, if they want to get around it, all they have to do is set up some subsidiary on an island somewhere and sell their goods through an agent, and there is very little we can do about it. If we look at the problems in South Africa, there is not one of us here in this Parliament or the Federal Parliament who knows the answer, because both sides live in fear of what will happen to them if they give in. We know that, and we cannot deny it, so I find it hypocrisy when people get up and start saying these things. I have never been to South Africa or to Russia, except to land at an airport in Russia for two hours, and was not allowed to leave it because people had guns and told me I could not. That is the only time I have been to Russia. My passport and papers did not allow me to leave the airport, and I admit that. I find it a strange sort of concept to make the sort of attack that was made by the member for Bright today in saying to his Federal colleagues to kick them in the teeth.

My view would be that we should deal with both of them as much as we can, selling motor cars in South Africa, selling them in Russia if we can, trade with them and deal with them, because the best way to bring about peace in the world is to have contact with people through trade, culture, and sport. There is no better way to break down the barriers of the world then have sporting people competing against one another, and people coming to the theatre. When they have finished with the theatre they can mix with the community in that country. That is how to break down barriers, but to build a wall and say, 'If you cross that wall we'll shoot you, or we'll take you out of the trading field of our country,' will create the barriers that will stay for ever.

I want to pick up a point made by the Minister of Mines and Energy the other week, when he said that it is all right for people who think they know everything (referring to me), when I interjected as he was talking about the Electricity Trust perhaps having to cut off power on bad Fridays. I interjected when he was talking about the tank supplies of water and how they would be sufficient to see the normal demands of a community through the periods when the power was likely to be off under a reasonable sort of fire ban period—not extremes, like the Ash Wednesdays. He was not implying that, and I do not suggest that he was. My interjection was to suggest that we have in the Hills and other areas pumping stations to fill the tanks that have electric motors.

The thing which the Minister has not picked up which the Minister in charge of the Engineering and Water Supply Department has picked up, is that there are also pumping stations to dispose of sewage. These pumping stations, which are in the valleys, push the sewage waste up the rising mains, over the range and into the treatment works on the plains. My interjection was that, if the power was cut off, we would need auxiliary diesel motors to supply stand-by power, which big business and the hospitals in the Hills and cities have. Therefore, if power was cut, we would not suddenly find that all the sewage holding tanks were full and that raw sewage was flowing down the streets or creeks. That will happen if we do not install auxiliary diesel motors to keep pumps going when the electricity goes off. That can be done automatically.

Even the big irrigators of market gardens have diesel motors on stand-by and as soon as the power goes off—for whatever reason—those motors cut in and keep up the supply of water. We could do that to all the sewage pumping stations and to all the water pumps to maintain water reserves in the tanks. I am not arguing that in the case of a bad fire there would be enough water in the tanks to supply everybody in the community, although there is probably enough water when the tanks are full. However, a water pipe is like an electricity cable: if everybody in the one street turns on their tap, there is not enough water to run through the pipe and supply every tap. So anyone right down the line will get only a dribble, although the people nearest the tanks might be lucky enough to get more water than people farther away. I am not arguing that point. I am saying, 'Let us be prepared', and we can be prepared by installing diesel auxiliary motors so that, if the power goes off, pumps do not stop, thereby allowing raw sewage to flow down the streets, because that sewage would be difficult to pick up later. Installation of such motors would solve that problem and the problem relating to tanks.

I turn now to the Belair Recreation ('National') Park, a subject that I raised by way of question today. Of course, one cannot debate the explanation or question. However, I query the wisdom of the department trying to vermin proof the park by erecting a 1.5 metre fence—which it is doing—around part of the Belair Recreation ('National') Park. I cannot see the benefit of doing this. I can understand the Minister wanting an ordinary farmer's post and wire fence erected around the park to stop people driving vehicles in the park while still allowing people to get through the fence to go for a walk or take a dog on a leash, which is lawful, or to be able to enter the park outside normal hours when the rangers are there.

This has been the tradition for the 100 years that the park has been there, yet suddenly a 1.5 metre high vermin proof fence is to be erected. Let us be frank about this matter. The neighbouring community will not stand for this; they will cut a hole in the fence as they did alongside the Belair Golf Course. Is the Minister trying to keep feral cats and foxes in to eat the ducks, or to keep the dogs out to stop them chasing the kangaroos and emus? Whichever it is, that is what he is doing. Dogs have enough intelligence, if they come up against the fence, to walk to the end of it and get in. If the Minister is to have the whole 800 hectares fenced, that will involve many kilometres of fencing and will cost a minimum of $40 000 or $50 000, so why do it? Why not erect a post and wire fence and have rangers present to penalise people who let dogs roam loose and to make sure that the park is like the Adelaide parklands, where people can walk whenever they like. If they wish to take motor cars or motorbikes in, they be can charged as they go through the gates, as are people in the Eastern States, and the money raised can be used to develop the park. They get no objection from me. But, to erect a fence as is being suggested is a waste of money.

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

Motion carried.

At 8.15 p.m. the House adjourned until Wednesday 5 November at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 4 November

QUESTIONS ON NOTICE

GOVERNMENT MOTOR VEHICLE

158. **Mr BECKER** (on notice) asked the Premier: To which department or agency does the motor vehicle registered UGM-121 belong and what Government business was being conducted by the female driver of the vehicle when stopped near the Brighton Music College to allow two children to disembark from the vehicle?

The Hon. J.C. BANNON: The motor vehicle UGM-121, is used by a social worker employed by the Mental Health Accommodation Program whose duties required her to spend a major portion of her work time travelling in the community. The normal practice of the social worker is to return home directly from the community location at the finish of a day's work. However, on this particular day the worker picked up her daughters from their grandmother's home (to which they go after school each night, normally being picked up by their father) and dropped them at the Brighton College of Music.

This was done because the children's father was in the country with employment duties on that particular day and was unable to transport them himself. The worker, apprehensive about allowing the young girls to travel alone on a dark winter's evening, decided to transport them to the college in the Government car on her way home, as she did not have sufficient time to return home before commencement of their lesson, to pick up the family car. She later returned in the family car to pick them up after the completion of the lesson. It has been pointed out to the worker concerned that this is not an acceptable practice.

189. **Mr BECKER** (on notice) asked the Minister of Correctional Services: When will a detailed reply be made in response to the member for Hanson's correspondence of 12 and 18 August concerning an inmate of Yatala gaol and what has been the reason for the delay in replying?

The Hon. FRANK BLEVINS: Two letters dated 12 and 28 August were received in my office on 12 and 29 August respectively, concerning an inmate at Yatala Labour Prison. The first letter dated 12 August 1986 sought information concerning the release date of the prisoner, as he had made verbal representations to you for assistance in obtaining the particular information on his behalf. This letter was duly acknowledged and a report was sought from the Department of Correctional Services.

On 29 August 1986 a further more detailed letter (13 pages) from the prisoner in question was forwarded to my office under cover of your letter dated 28 August 1986. This letter was also acknowledged and a report from the Department of Correctional Services was requested. As both letters pertained to the same matter, it was more appropriate to deal with the letter dated 28 August 1986, simply because of the greater detail and information contained therein on the matter. I responded to your letters under cover of my correspondence dated 26 September 1986, and detailed below is a copy of that letter:

Mr Heini Becker, M.P., J.P.,
P.O. Box 186,
Brooklyn Park 5032

Dear Heini,

I acknowledge receipt of your letter dated 28 August 1986, in regards to (. . .) an inmate of Yatala Labour Prison. In response to your requests I advise the following:

(a) The allegations made by (. . .) particularly with regard to his unlawful detention are incorrect. Unless and until the Supreme Court declares his continued imprisonment unlawful, then the department can only treat his imprisonment as lawful. An officer of my department attended to (. . .) on 6 August 1986 and discussed with him his continued imprisonment. (. . .) was advised that it is not the department's responsibility to challenge orders made by the courts, and that if he wished to challenge his continued imprisonment, he would have to initiate the necessary court proceedings himself.

In the knowledge that this could only be done through the agency of the Legal Services Commission, the department undertook and contacted the Director, Legal Services Commission on (. . .) behalf. The Director has advised that it is currently considering the legal argument upon which (. . .) bases his claim for immediate release.

(b) (. . .) was sentenced to two years and nine months imprisonment in the District Court, Adelaide on 22 December 1978, to commence on 4 December 1978, for shop breaking and larceny. He was sentenced to a further one year and three months on 29 March 1979 for larceny. On 12 November 1979 he escaped from Yatala Labour Prison. He was extradited from Queensland on 17 April 1986, and sentenced to a further three months on 17 June 1986, for his escape from Yatala Labour Prison. His discharge date is calculated to be 9 February 1987.

I trust that this information addresses your query.

Yours sincerely,
Frank Blevins, M.P.
Minister of Correctional Services

On 2 October 1986 I received an acknowledgement of my letter from you:

Dear Minister,

Thank you for your letter of 26 September 1986 addressing the allegations made by (. . .) regarding his unlawful detention.

CROWN LEASES

190. **Mr GUNN** (on notice) asked the Minister of Lands: How many Crown perpetual leases, miscellaneous leases and marginal perpetual leases, respectively, are currently handled by the Department of Lands and how much has the Government collected in lease payments from each group since 1980?

The Hon. R.K. ABBOTT: The replies are as follows:

1. As at 30.6.86 there were:
   (a) 1 212 marginal perpetual leases.
   (b) 20 798 Crown perpetual leases.
   (c) 2 731 miscellaneous leases.

2. Separate figures are not kept; however, the following represents total receipts for perpetual, marginal and miscellaneous leases including occupational fees and annual licences:

Financial Year Ending	$
30.6.80	1 382 500
30.6.81	1 147 300
30.6.82	1 331 100
30.6.83	1 945 200
30.6.84	1 511 200
30.6.85	1 652 700
30.6.86	1 776 700

FREEHOLDING PROPERTIES

191. **Mr GUNN** (on notice) asked the Minister of Lands:

1. How much revenue has the Government collected from freeholding each year since 1980?

2. Does the Government intend to increase the charges for freeholding property?

The Hon. R.K. ABBOTT: The replies are as follows:

1. Year	Receipts from Sales $'000	Less Expenses $'000	Net Proceeds $'000
1985-86	3 467	223	3 244
1984-85	3 889	89	3 800
1983-84	2 578	161	2 417
1982-83	1 792	208	1 584
1981-82	3 095	189	2 906
1980-81	3 009	—	3 009
1979-80	744	—	744
	18 574	870	17 704

2. No.

SHACK SITES

192. **Mr GUNN** (on notice) asked the Minister of Lands:

1. How many non-acceptable shack sites are currently occupied in South Australia?

2. Has the Government accepted the recommendations in the final report of the review of the classification of non-acceptable shack sites?

The Hon. R.K. ABBOTT: The replies are as follows:

1. 2 561.

2. Yes, with the exception of sites which were recommended for 30-40 year leases.