HOUSE OF ASSEMBLY

Thursday 26 November 1987

The SPEAKER (Hon. J.P. Trainer) took the Chair at 11 a.m. and read prayers.

EXOTIC FISH

The Hon. P.B. ARNOLD (Chaffey): I move:

That the regulations under the Fisheries Act 1982 relating to exotic fish, made on 2 April and laid on the table of this House on 7 April 1987, be disallowed.

I move this disallowance because I believe that South Australia is being singled out. This motion concerns tropical fish that can be traded in New South Wales and in tropical Queensland. Of course, our climate is not conducive to the survival of tropical fish outside of controlled conditions. While I, along with most other members of this House, am concerned about the introduction of any disease or pest into South Australia that could become a problem to our native flora or fauna, I do not believe that in this instance the Department of Fisheries has proven that the fish that are being disallowed for trade in South Australia are or are likely to be a problem in this State.

As a result of representations from and meetings with representatives of the Pet Traders Association of South Australia I was provided with a great deal of information from recognised experts around the world about the likely survival of the fish that are being disallowed if they were released from captivity in South Australia. A letter from the Pet Traders Association summarises much of the extensive material provided. I can make this information available to the Minister of Fisheries if he does not already have a copy of it so that he can consider it, as I do not think that under Standing Orders I can table it. The information contained in this letter is the basis for moving the motion to disallow the regulations. This letter, dated 5 October 1987, states:

Please find enclosed documents that you requested from our discussion on 24 September 1987.

1. List of exotic tropical fish applied for to be traded in South Australia. The fish underlined are the only exotic fish permitted to be traded in South Australia as of this list submitted.

The underlined fish on the list are very few indeed. The letter continues:

2. Pet Industry Joint Advisory Council commissioned Dr Eccles . . . to submit a detailed and indepth report on the ecology of the different exotic fish (which are not permitted to be traded under the present regulations) within the South Australian environment. Dr Eccles states his credentials . . . including a Bachelor of Science (Zoology and Botany) B.Sc(Hons) in Zoology at the University of Cape Town, 1965-79 he was the Senior Fishery Research Officer for the Fisheries Department of the Republic of Malawi, 1972 he was awarded an MBE for his services in the Fisheries Department of Malawi.

3. A report from Dr Herbert R. Axelrod (well known author on aquariums) confirming our belief that these exotic fish would not become feral in South Australian waters. The South Australian Department of Fisheries considers Dr Axelrod to be an authority on exotic fish. This proves to be contrary to the present regulatons.

4. A report from Dr Paul V. Loiselle (author on aquariums) stating his opinion on the South African cichlid's survival in South Australian waters which, once again, is in agreeance with the Pet Traders Association of South Australia's opinion.

5. A report from John A. Dawes Scientific Consultant (Aquatics) also confirms that the exotic fish species in which we would like to trade cannot become a risk to our indigenous fish or the living resources of South Australia.

6. A signed certificate from Mary C. Bailey, Technical Editor of the British Cichlid Association and 'cichlid expert' for practical fish keeping magazine. Ms Bailey is also of the same opinion as the Pet Traders Association of South Australia that the South African cichlid could not become feral in South Australian waters because of the variance of water temperatures.

There are a number of other authoritative persons who have been listed in the material that has been provided and the letter later continues:

In all discussions held with the Department of Fisheries, not once have they produced any scientific data to determine that the exotic fish on the import list could become feral. As we have spent a lot of time and several thousand dollars in producing the above evidence, we would like to see the amendments to the present regulations changed to suit the South Australian trade.

We would like to stress that we are not against the existence of regulations or fish category listings, but we cannot agree to the number and species of fish disallowed for trade within those listings. As other States trade in all those fish listed, we would like the South Australian industry to have the same opportunity.

I think that is probably the pertinent point in all this. The other States can trade in the fish that the Pet Traders Association is concerned about. South Australia is not a tropical State; the fish species we are talking about are tropical species and yet they can be freely traded in Queensland. So the likelihood of the species concerned becoming a feral problem in South Australia is somewhat remote. As I have said earlier, extensive material is available to me, which I am quite prepared to make available to any other member of this House, and to the Minister.

Ms GAYLER secured the adjournment of the debate.

FIREARMS LICENCE FEES

Mr MEIER (Goyder): I move:

That this House deplores the duplicity of the Government in raising firearms licence fees to up to 150 per cent when such action will have no effect in alleviating major crime, is a ruse to raise revenue and merely penalise honest citizens.

I am gravely concerned that this Government has decided to increase licence fees for the holding, registration, etc. of firearms by up to 150 per cent as a token move, so far as it was concerned, to try to show the people of South Australia that it is taking action against crime involving the use of guns, and the like. It is despicable, to say the least, that the innocent people of this State, the people who are prepared to obtain a licence, who register their firearms, and who use them in gun clubs, sporting clubs, pistol clubs and the like, are the ones who are being penalised.

I remember the occasion when legislation for establishing a register of people who had firearms was considered. It was stated quite clearly that there would be no increase in these firearms licence fees. It was not meant to be a revenue raiser but, rather, it was a nominal amount that could be used so that at least the authorities know who had firearms and, by implication, who did not. From that point of view, I suppose that the people of South Australia generally had no complaints and certainly the people who operate firearms, either on farms, or in pistol clubs, rifle clubs and gun clubs, likewise do not have any real problems with that aspect.

On 10 August headlines appeared throughout the country about the horrific killings which occurred in Hoddle Street, Melbourne, on 9 August. I do not intend to go into the details of those killings, because I think that our memories of it are still very clear, but one of the headlines which appeared in the *Advertiser* stated 'Five die in Victorian Rambo rampage'. The lead paragraph states:

Five people are dead and up to 20 injured after two—

although it was one gunman—

gunmen went on a bizarre Rambo-style shooting rampage in suburban Melbourne last night.

The details are very grisly, to say the least: it was shocking. The net result was that a person, who previously had been in the armed forces as a serviceman in Australia, was arrested. It seems that he had a very strange attitude towards the use of guns and to the use of weapons generally. Various weapons were confiscated from his possession, most of them of very high calibre; of course, we will be told the results of that through the court process in due course.

The point is that this person did not use weapons that had been registered; he did not use weapons for which he had a licence, so it is coincidental that, as this happened only on 9 August, on 20 August, a few days after, this Government used the opportunity to increase firearms licence fees by 150 per cent and got away with it. Not one word was said about it, because the people of South Australia generally felt that the Government was taking a positive stand.

The Hon. Ted Chapman: In a climate of emotion.

Mr MEIER: In a climate of emotion, as the member for Alexandra says—exactly. Obviously, the Government thought about it. Realising that it was known as the high taxing Government and that it could not continue in that vein without being very shrewd about it, it came to the conclusion that it needed more revenue. It was shrewd. It used an emotional period to introduce these massive increases in fees. It is to be condemned for its duplicity in that respect, and we deplore its actions.

In June of this year a gunman went on the rampage in the Northern Territory and finished up killing, we believe, five people in different incidents. It is a tragedy and something that we deplore, but it was a further lead for this Government to decide that it could tax the honest citizens, those who cannot fight back, those who are law-abiding and have never hurt anyone.

The Hon. Ted Chapman: It capitalised on the situation.

Mr MEIER: Yes, it capitalised on the situation, as my colleague the member for Alexandra interjects. I hope that the people of South Australia see through the duplicity of this Government and realise that the Government's move will have absolutely no effect whatsoever in bringing down the crime rate in this State or any other part of Australia. It is to be deplored in the extreme.

Some fees went up 150 per cent. I know that the member for Davenport will be moving in the next motion that the regulations be disallowed. Members will see these motions in a combined sense. While I will not dwell on the regulations, I point out that several fees have increased by 150 per cent. In my motion I have understated things somewhat, as the application fee for licences in categories 5, 6 and 7 increased from $2 to $10, which is a 500 per cent increase. I did not want to rely on emotion, because a fee increase from $2 to $10 is relatively small. I trust that the Government will reconsider the whole concept of how to tackle crime and gun control. Increasing fees for honest citizens is not the way to go. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

FIREARMS ACT REGULATIONS

Mr S.G. EVANS (Davenport): I move:

That the regulations under the Firearms Act 1977 relating to fees, made on 10 September and laid on the table of this House on 6 October 1987, be disallowed.

It is very easy for a society to become emotional about firearms. Within the last week an elderly couple were attacked at their home and one was able to get his hands on his own firearm. He did not fire at the two intruders, but fired to frighten them. Others of us in the same circumstances might have fired at them. As he is an elderly person, I give the man great credit that he took that course first. The two intruders subsequently ran away. We will never know whether that man and woman would have been killed or seriously injured by those intruders if he had not had a gun—it is an unknown factor. Likewise, if we banned guns altogether in society we can never know how many people—more or fewer—would be killed.

Any one of us with skills (I do not have great skills) could make in a week a firearm that would be good enough to kill at a reasonable distance. People who are involved in crime will use a homemade or a factory made firearm. They might use a firearm that has been brought in under the lap for which high fees have been paid, and in this way a black market system for firearms is set up behind the scenes.

Banning firearms will achieve nothing in that area. As to holdups, I am sure that members and the public have noted that a lot of the more recent holdups have been achieved through the use of replica and toy guns. A bank teller working behind a counter having something that looks like a gun pointed at him has no opportunity to decide whether it is loaded, whether it is fair dinkum or whether it is a replica. Employees are told that, when they find themselves in these circumstances, they are better advised to hand over some cash and take the chance that the law may catch up with the offender at a later date than take the risk of trying to ascertain whether it is a genuine firearm. That circumstance cannot be stopped.

Further, we have in our society people with a complex about guns. There is a growing number with that view, which is understandable. This country was first settled by white man, when the firearm was part of the system involved in getting a living. Settlers shot bronze wing pigeons and then subsequently when the rabbit was brought in they shot rabbits and other forms of game (I refer to game in the general sense and not the game bird sense as in Britain and Europe), because that was the way; it was part of life.

There was then the Boer War, the Crimean War and the First and Second World Wars. They were individual types of fights. There was no nuclear war, although some gas was used in the First World War. We did not have tanks, planes and the like as we did in the Second World War, and owning a gun was part of household life. As society developed fewer and fewer people bought their own firearms; this is understandable, and with that came a fear of guns by people who did not own them.

I own a small firearm, but I do not have any desire to own a rifle of any kind. I have no fear of them, although I have a couple of friends who have been shot and injured accidentally while hunting. However, all that does not take away the responsibility of Parliament and the Government to think honestly and sincerely about the problems. We know that all types of crime have increased in society, with or without firearms. Although there has been an increase, we know that there has been a decrease in police surveillence. All members know that. The number of people in society has grown, but we have not increased the strength of the Police Force proportionately.

Further, when society has an increase in the number of disadvantaged people who are unemployed, whether deliberately or through no fault of their own, we find more people struggling or on drugs (alcohol or others) and, when they are affected by such substances, they do foolish things, including breaking and entering—looking for money or goods to sell, or whatever—or bashing up people. So, our present society has a few problems, mainly because of the attitude of the 1970s that the Government would supply everything

if people did not work for it; there was a gravy train attitude. Some people thought that if society could not provide what they wanted they turned on society and said that they could not get their grog or drugs, that they were not getting their handouts and that the few which they were getting were not good enough; as a result, they turned on society and turned to crime.

One or two bad incidents involving guns have occurred. Partly to blame are Rambo-type films, which are given a lot of publicity when serious incidents such as the one in Victoria occur. As a result, other people try a similar thing. The report of that event went around the world and a similar incident occurred in England. That is what sparks off the mind of some people. All of us in this place have been through a rough patch. I have always said that it does not pay to tell the police or the press about a nasty threat. Live with it; take some caution and live with it. I have never told the police or the press of any threat that has been made against me, because it is foolish. All it does is stir up some tangled mind in a person who is not thinking straight and who then threatens to take action against another individual. In other words, it encourages those who are slightly unbalanced to go a bit further than the last person who received publicity.

As much as I appreciate the role of the press, publicity of bad incidents quite often encourages others with a somewhat warped mind to take similar or worse action. That is one of the things that society needs to look at. Given the sort of films that people can see from a very early age, it must change the attitudes of human beings. People who come into this place are supposed to be fairly well balanced. The ideal situation is that everyone in the community has the same or greater capacity than we have. In fact, we must realise that some people have difficulty handling life in our society. Not everybody can think on the higher plane. That is one of our difficulties. We tend to think that if we set up an ideal set of circumstances the problems will be solved.

This Government—the highest taxing and greatest rip-off Government that we have ever seen in this country—acting on a couple of incidents involving firearms which the media blew up (they say it is their right or responsibility, but that is a matter for debate), has increased licence fees. It has not done anything about controlling guns or their use. The licence fee for a pistol has risen from $8 to $20 per annum, which is a 150 per cent increase. The firearm licence fee has increased from $24 to $60, which is also a massive increase. A dealer's licence has risen from $80 to $150, which is nearly 200 per cent, and registrations have increased from $2 to $10, which is also a large increase.

Last year I went to get a licence from the Blackwood Police Station and duly obtained one from the police officer in attendance. When I went to register the firearm, the Blackwood station was not open. I went to the Unley Police Station and was told that I would have to go to my nearest police station. I asked, 'To my work or my home?' The lass said that she would find out, went out the back and spoke to a more senior officer. Her advice to me was that I should go to the one nearest my home. So I had to go out of my way, from my normal route to work, to go to Stirling to register the firearm. What sort of humbug is that? I raise that merely as a side issue. The only justification for increasing licence fees on firearms and for dealers is to raise revenue, and on that basis alone it should be defeated. It will not save another life or save a person from being injured.

We can outlaw guns totally and it will only be outlaws who have guns. Parliament has built up the expectations of people to get by without effort, without responsibility, so we need to tackle this problem at the grass roots level. We should be giving the police more personnel, more equipment and more opportunity to move. I sincerely hope that the House will look at this matter of the Government trying to raise money through the back door, because it got itself into debt, by raising the fees on firearms at the time when there is some emotion about the subject as a result of terrible crimes having been committed by people with disturbed minds, and that the House will support the motion.

Mr ROBERTSON secured the adjournment of the debate.

HOUSING TRUST

Mr S.G. EVANS (Davenport): I move:

That in the opinion of this House the South Australian Housing Trust is neglecting the opportunity to recover in excess of $10 million annually which could be used to provide proper shelter for many of the disadvantaged of our society.

The Housing Trust now has 58 000 units in South Australia. Of those 58 000, approximately 35 per cent are in the category the South Australian Housing Trust calls market rent. It is the trust's definition of 'market rent'. The trust does not imply that it is the market rent the property would command in the private sector. As at 1 August 1987, the highest rent prevailing for Housing Trust homes is for the three bedroom, medium density type of unit, which is $102 a week. The trust has other units ranging from the villa flat, two bedroom type at $63, to the standard five room single unit brick at $83.50.

Outside the metropolitan area the rents are lower, and I am not out to argue the point about the discrepancy. I accept that in the regional areas no home privately owned or owned by the trust would command the same rent as if the building stood in the metropolitan area; that is understandable. I accept that trust rents in that field need to be lower. One of the reasons for that is that it costs less for land in the first place, but in most cases the demand is not there, so people have to take what they can get in the private sector and the trust automatically has some benefit. Some Government employees and some employees of private companies are given a benefit to encourage them into those areas, which is a benefit to the Government, the private companies and the State as a whole—and I am not arguing against that. Of the 35 per cent of homes, I will take off the 15 per cent which possibly exist in the country. In other words, for 20 per cent of the 58 000 in the metropolitan area people are paying what the trust calls its market rent.

I will be reasonable and take only 20 per cent of 55 000, which is 11 000. If there are 11 000 homes in metropolitan Adelaide where people pay what the trust calls market rent and are paying the absolute maximum for the best of those homes—some of them are excellent homes which would command $130 and $140 per week on the open market—these people pay $102. The rent ranges down to $56 a week, which is the cheapest rent. So there is a lot of money there that is available to the Government. I will be reasonable in the sorts of figures I use. I will not take the attitude of saying kick them to death, but the trust decides that people will pay market rent at a time when the information supplied to it indicates that it no longer needs to be subsidised under the Housing Trust subsidised rent system. In other words, these people have reached a level of income which enables them to meet their normal living commitments, including rent, paying for their shelter.

I submit that my figures are accurate. If there are 11 000 people in that category and they were all asked to pay an extra $30 a week, which is still not exorbitant, it would put

the top rate at $132—and I am only talking about the metropolitan area—and the lowest rate at $86. That is still very moderate rent on today's market values. Such an increase would bring in to the Government, not the $10 million I have talked about in my motion, but $16 million a year from 11 000 homes with an increase of $30 per week.

I give some credit to the Government. Recently it has pushed rents up a little; it pushed them up in August and they are due to go up again next year. But how can we justify a society where there are 45 000 families waiting for Housing Trust accommodation and the Minister tells us that that means in excess of 100 000 people are waiting for Housing Trust accommodation. That is one in every 15 South Australians—every time we pass 15 people in the street, man, woman or child, one of them is waiting for a Housing Trust home. I think there is something wrong with that figure. I am not saying that the department does not hold that number of applications, but I ask members to think about it. One in every 15 South Australians is waiting for a Housing Trust home. That is the figure if there are 100 000 out of 1.5 million people waiting for Housing Trust accommodation.

Perhaps we should compare this Government's performance in real terms with the performance of the Playford Government in the light of the number of homes that have been built. Back in the days of Playford—and some of the members opposite hate that name to be mentioned—in the 1955-56 year 3 238 Housing Trust homes were built. Only 7 807 units for living were built in the whole of the State and the trust built nearly half of them.

If we go right through the figures, up until 1961-62 when the Playford Government was defeated, we find that the trust produced anywhere from a third to 45 per cent of all houses built in this State. The present Minister dances about and brags in Parliament that the trust is doing great things, but I point out that in 1985 the Housing Trust produced only 3 914 houses out of a total of 13 179 houses built in this State; and in the following year the trust built 3 107 houses out of a total of 12 306 houses. They are very poor figures for the Housing Trust, and its waiting list is not improving.

We must remove those unworthy people on the gravy train who are living in subsidised housing when they can afford to pay the full tote odds that apply out in the private market. The Government, or the Housing Trust, recently employed private land agents to try to sell its houses to tenants. I suggest that they should do the same thing in the rental area: agents in the rental section of the real estate industry should be asked to place a rental value on these houses and then tell the tenants that that will be the rent in, say, six months. The tenants would have two choices: to start paying the full market rent or buy their homes, or they must get out (being given a reasonable time to vacate). On 30 April Mr Edwards wrote to me in the following terms:

> My attention has been drawn to some comments attributed to yourself suggesting that well-off to rich families receive cheap Housing Trust accommodation. The trust would wish to encourage tenants who are in a position to do so to purchase the property they occupy. This would have the double benefit of enabling those tenants to secure the status of home owners and also provide the trust with capital funds for reinvestment in the housing program.

That is exactly what I am saying, because it would help us to overcome some of the problems. Mr Edwards then went on to say:

> I should be grateful, therefore, if you could arrange for me to be advised of the names and addresses of the affluent families you have in mind so that the trust may make an approach to them to encourage them to purchase the home they occupy.

I have considered that request, but why should I dob in these people, including a couple of friends who run large businesses and pay tens of thousands of dollars in tax when the Government will not require people living in Housing Trust homes to complete a statutory declaration stating their income and assets? If they refuse, they should be forced to pay the market rate that applies in the private sector. Why is it that people who receive a benefit from the taxpayer are not required to declare their worth? If they do not want to make such a declaration, they should pay full tote odds, undertake to buy their home or get out.

As a result of a small article in the *News* this week I received a telephone call from a person who transported a three bedroom relocatable holiday home to Ardrossan, where he has a block of land. This person rents a Housing Trust home in the Salisbury area under the subsidised rental system—the trust calls it its market rent—which is $30 or $40 below the market rate. There are 100 000 people waiting for Housing Trust accommodation, yet this person, who has a three bedroom holiday home and a block of land at Ardrossan, is living in subsidised housing. We have parasites, as I call them, living on the gravy train, while deserving people are waiting for trust accommodation.

We are told that there are a lot of young people in terrible situations waiting for homes—deserted wives and unmarried mothers—but we do not have the guts or, should I say, the intestinal fortitude to ask people to sign a statutory declaration of their income and assets. If they are in the bracket in which they can afford to pay private market rent, they should pay it.

The last case that I want to mention—I had about 22 altogether—is of a lady who is from a broken marriage, but the gentleman who is seeing her does not only call there for the plumbing, I believe. He was living there, but social security caught up with them, so he left. They were both working part time and paying $53 a week rent for the home. They were caught up with through social security claims, and eventually they may have to pay back some money, but the man is now working full time in the building trade and earning very good money. They share the home and are paying only $53 a week. Why should other people who are trying to pay off high mortgages, with no better incomes, be paying in excess of $120, $130, or $140 a week to meet their mortgage commitments and struggling like mad to do so—people with just as much right to a good standard of living as this couple has—be prejudiced? I repeat that everybody who takes such advantage of this situation should sign a statutory declaration of their income and assets. Every year I put forward a similar motion, and I will keep doing so, because the injustice is there. The Government is giving in and is gradually agreeing with me, so I ask the House to support the motion.

Ms LENEHAN secured the adjournment of the debate.

STATUTORY AUTHORITIES REVIEW BILL

Mr GUNN (Eyre) obtained leave and introduced a Bill for an Act to provide for the establishment of a committee of the Legislative Council to be entitled the Statutory Authorities Review Committee. Read a first time.

Mr GUNN: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

There are approximately 278 statutory authorities operating in this State. In a modern parliamentary democracy it is essential that the Parliament takes an active role in examining the operations of statutory authorities. The only effective and efficient way this can be carried out is by having an appropriate committee system to examine and report to the Parliament, therefore, informing all members of what is taking place in these particular authorities. Many of them have not been examined by the Government or Parliament since they were established. I believe that when they were originally set up, there would have been very good reasons, but some of them may no longer be required and some may be carrying out functions that are now obsolete and may only need their terms of reference altered to be more in tune with today's community.

It is essential in a parliamentary democracy that the members are aware of what is taking place in the Government and the only way this can be achieved is to have a number of committees. The Public Works Committee plays an important role although there is always room for improvement. The same could be said for the Subordinate Legislation Committee. The Public Accounts Committee, for example, has a fine record as it is important for past action to be examined and reported to Parliament.

The design of such reporting should not embarrass or make life difficult for the Government, but make constructive inquiries, examinations and recommendations which will benefit the Government and its citizens. I believe a committee of this nature will be of great assistance to the Government and should not be seen as a committee to annoy, harass or embarrass the Government. From my experience as a member of Parliament, every piece of legislation that has ever been referred to a select committee has been improved.

The Federal Parliament is currently moving towards an improved committee system. I therefore believe members of the South Australian Parliament will be carrying out a most productive and effective role on behalf of the citizens of this State by investing more of their time in a more effective committee system.

Many of these authorities absorb large amounts of money in providing facilities that are expensive in order to conduct effective inquiries which influence the lives of citizens. It is important that Government resources are spent in the most effective and efficient manner and this review will make sure that those sentiments are carried out.

The object of the Bill is to establish a committee of review for statutory authorities, to ensure that Government corporations, commissions and trusts are reassessed by a parliamentary committee requiring them to justify their continued existence and effectiveness.

Before deciding on this approach to a statutory authority review process, a detailed investigation of interstate and overseas experience was undertaken, also, it was necessary to clarify what is a statutory authority and what is the extent of their operations.

I am concerned at the apparent large increase in the number of authorities in South Australia in the past 15 years. There are now approximately 278 stautory authorities operating in this State. Because of the autonomous nature of these authorities there did not seem to be adequate parliamentary scrutiny over their borrowings, annual budgets, or overall programs. Increasing indebtedness of statutory authorities and the apparent lack of accountability to Parliament and in some instances the Government itself, clearly indicates that a statutory authorities review committee would play a vital role in examining and evaluating their functions.

During its term in office the Tonkin Government worked on improving the accountability of statutory authorities and reviewing the operations of other authorities. During that time the Government, through the combined efforts of the Department of the Premier and Cabinet (Research Branch and Deregulation Unit) and the Public Service Board, with the cooperation of other departments:

1. Compiled a comprehensive list of statutory authorities categorised into those with separate corporate status and those without separate corporate status, and also categorised the authorities by Act of Parliament and responsible ministerial portfolios.

2. Surveyed during early 1980, by way of questionnaire, all authorities to provide information on board membership and fees paid, financial matters including borrowings enabling legislation, objectives and achievements, and annual reporting.

3. Undertook comprehensive reviews of fees payable to board members with particular reference to public servants serving on boards.

4. Established a semi-governmental borrowings committee to review all requests for borrowings and to consolidate the Government's borrowing program for presentation to Cabinet for smaller authorities.

5. Undertook major reviews of some statutory authorities in accordance with stated Government policy to either wind up or restructure the authority.

The success of that work is clearly demonstrated by the action taken and discussions implemented. Action taken includes:

1. The abolition or restructuring of the following statutory authorities: Monarto Development Commission, South Australian Land Commission, South Australian Meat Corporation, Apprenticeship Commission and Red Scale Committees.

2. Borrowings by statutory authorities under the semi-government borrowing program have been rationalised and geared to meet the needs as they arise. This action has resulted in vastly improved overall financial management, savings in interest charges against revenue budget and less pressures from Government on the capital market in South Australia.

3. Fees paid to board members of authorities have been rationalised and a decision taken to phase out fees being paid to public servants serving on these boards during working hours.

4. These initiatives, combined with the background work undertaken, as mentioned earlier, have undoubtedly contributed to increased awareness amongst the management of statutory authorites for the need for tighter financial control, cutting red tape and improved accountability to Parliament and Ministers.

While this background work was progressing, a detailed investigation was also undertaken into the alternatives available for a review mechanism for statutory authorities. A study was carried out of overseas experience in the United States, Canada, and the United Kingdom, particularly by the Public Review Committee in Victoria. The alternatives considered were:

1. Sunset clause in Acts creating authorities.
2. Independent review body or commission.
3. Administrative process through Government departments.
4. Auditor-General or special commissioner.
5. Parliamentary committee.

It was decided upon the establishment of a parliamentary committee to review the justification for the continued existence of statutory authorities for the following reasons:

1. A sunset clause for all statutory authorities would overload Parliament with Bills to permit authorities to continue to exist after the sunset date. A five-year review period for example would average 50 Bills per year.

2. Additionally under the sunset clause proposal—

(i) A formal structure or committee would still be required to make recommendations to Parliament, but would find it impossible to review objectively each authority with so many subject to a sunset date review each year.

(ii) Also, by declaring a review date in advance the statutory authority concerned would have several years' notice of review and there would be a tendency for authorities to spend considerable time and effort justifying their continued existence.

3. The Government desires greater parliamentary scrutiny of the affairs of authorities and accountability to the Parliament. A parliamentary committee with Government and Opposition members appears the best alternative to achieve this objective.

4. The powers of a parliamentary committee and the requirement to publish its findings will ensure public confidence in the recommendation concerning the future operations of authorities reviewed.

5. A parliamentary committee will be able to utilise the expertise existing in the Public Service, from, say, the Auditor-General's Office or Public Service Board as required by arrangement wiht the Minister concerned. Additionally, subject to budgetary constraints, private consultants could also be utilised by a parliamentary committee.

These are the major reasons for proposing a parliamentary committee to review the need for the continued existence of South Australia's statutory authorities. A sunset clause will still be considered in other legislation where appropriate. The committee will not overlap the work of the Public Accounts Committee but rather complement the work the Public Accounts Committee does in the area of Government departments via the Auditor-General's Report. The Statutory Authorities Review Committee will have specific objectives quite distinct from those of the Public Accounts Committee as detailed in the explanation of the Bill.

Considerable attention has been given to defining which authorities come within the jurisdiction of the committee. Single-person authorities which include some Ministers and Commissioners are excluded as are the Houses of Parliament, the courts and tribunals. To further clarify the situation, authorities subject to review will need to be listed in regulations provided for by the Bill. It should be clearly seen that the committee is an appropriate function for an Upper House. It will give appropriate and proper power to the Upper House to review the functions of statutory authorities.

There is no doubt that statutory authorities should be reviewed by a separate body whose major thrust is looking at the rationale for their continued existence, the way in which they continue to operate and indeed whether they need to operate at all. The committee would comment on and, if necessary, criticise the specific operations of authorities where it was considered their efficiency and effectiveness could be improved. Where the committee recommended the abolition of an existing authority, it would report this to Parliament. Such a committee would result in an increased accountability to Parliament—and, therefore, to the public. The bipartisan nature of the committee would mean more likelihood of parliamentary acceptance of its recommendations.

The Bill provides for the committee to comprise six members of the Legislative Council, of whom three shall be nominated by the Leader of the Government in the Legislative Coucnil. The one certain conclusion is that there is a massive amount of Government regulatory legislation which is in need of review and reform.

The Parliamentary Liberal Party believes that this is an essential piece of legislation and in the unfortunate event of the Government not agreeing to this measure, it will be a high priority for an incoming Liberal Government after the next State election.

I commend the Bill to the House and ask all members to give it their careful consideration as I consider it will greatly enhance the standing of the Parliament, provide great opportunity for better administration and the possibility of redirection of scarce public resources.

Clauses 1 and 2 are formal.

Clause 3 is an interpretation provision. The central concept of a 'statutory authority' is defined as a body corporate that is established by an Act and—

(a) has a governing body comprised of or including persons or a person appointed by the Governor, a Minister or an agency or instrumentality of the Crown;

(b) is subject to control or direction by a Minister; or

(c) is financed wholly or partly out of public funds,

but does not include—

(d) a council or other local government authority;

(e) the State Bank of South Australia;

(f) the State Government Insurance Commission;

(g) a body whose principal function is the provision of tertiary education;

(h) a body wholly comprised of members of Parliament;

(i) a court or a judicial or administrative tribunal;

(j) any other body excluded by regulation.

Clause 4 establishes the Statutory Authorities Review Committee. It consists of six Legislative Council members appointed by the Legislative Council, three (and not more than three) from the group (excluding Ministers) led by the Leader of the Government in the Legislative Council and at least two from the group led by the Leader of the Opposition in the Legislative Council. Membership is for the life of the Parliament in which the member is appointed.

Clause 5 provides for removal from, and vacancies of the office of a member of the committee. The Legislative Council may remove a member from office. One of the grounds for an office becoming vacant is if the member becomes a Minister of the Crown.

Clause 6 gives the Remuneration Tribunal jurisdiction to determine the remuneration of members of the committee.

Clause 7 provides that a vacancy in the membership of the committee does not invalidate the acts or proceedings of the committee.

Clause 8 requires the Governor to designate one of the members as the presiding officer of the committee.

Clause 9 deals with the manner in which the committee is to conduct its business. A quorum is three members, one of whom must be a member who was appointed to the committee from the group led by the Leader of the Opposition in the Legislative Council.

Clause 10 provides for the central function of the committee—to review statutory authorities. The committee may carry out a review on its own initiative and must do so at

the request of the Governor, the House of Assembly or the Legislative Council.

Clause 11 sets out the purpose of a review of a statutory authority—whether or not, in the opinion of the committee, the statutory authority should continue in existence. In carrying out a review the committee may inquire into—

(a) whether the purposes for which the statutory authority was established are relevant or desirable in the circumstances presently prevailing;

(b) whether the cost to the State of maintaining the statutory authority is warranted;

(c) whether the statutory authority and the functions it performs provide the most effective, efficient and economic system for achieving the purposes for which the statutory authority was established;

(d) whether the structure of the statutory authority is appropriate to the functions it performs;

(e) whether the work or functions of the statutory authority duplicate or overlap in any respect the work or functions of another authority, body or person;

and

(f) any other matter it considers relevant.

Clause 12 gives the committee certain powers to ensure that it is able to get information needed to properly carry out a review. A person appearing before the committee need not give answers to questions tending to incriminate him or her. The statutory authority under review and the responsible Minister are entitled to appear personally or by representative before the committee and to make submissions to the committee. The committee must meet in private (unless the committee decides otherwise). It is not bound by the rules of evidence. Persons appearing before the committee may be represented by counsel. The committee may, in its discretion, allow the statutory authority or responsible Minister access to evidence taken. The committee may authorise a member to enter and inspect, at any reasonable time, any land, building or other place.

Clause 13 provides that a review being carried out by a committee which comes to an end when a Parliament lapses may be completed by the committee established during the life of a subsequent Parliament.

Clause 14 compels the committee to prepare a report on the completion of a review, containing its findings, its recommendations as to the continuance or abolition of the statutory authority and its reasons for those recommendations.

In respect of the continuance of a statutory authority, the committee may further recommend—

(a) the time at which the statutory authority ought again to be reviewed;

(b) any changes that ought to be made to the structure, membership or staffing of the statutory authority;

(c) any changes that ought to be made to the powers, functions, duties, responsibilities or procedures of the statutory authority;

(d) any provision that ought to be made for the reporting, or better reporting, of the statutory authority to its Minister and to Parliament;

(e) such other matters as the committee considers relevant.

In respect of the abolition of a statutory authority, the committee may further recommend—

(a) the time at which, and the method by which, the statutory authority ought to be abolished;

(b) the administrative or legislative arrangements for implementing the abolition of the statutory authority, and for dealing with any matters ancillary or incidental to that abolition;

(c) such other matters as the committee considers relevant. A copy of the committee's report must be laid before each House of Parliament.

Clause 15 requires the Minister responsible for a statutory authority to respond to the committee's report on the review of that authority within four months of the committee's report being laid before Parliament. A copy of the response must be laid before each House of Parliament. The response must set out—

(a) which (if any) of the recommendations of the committee will be carried out;

(b) in respect of recommendations that will be carried out, the manner in which they will be carried out;

(c) in respect of recommendations that will not be carried out, the reasons for not carrying them out;

(d) any other response which the Minister considers relevant.

Clause 16 prevents further reviews of a statutory authority for a period of four years, unless such further review was recommended in the committee's report or both Houses of Parliament resolve that the statutory authority should be further reviewed.

Clause 17 provides for staff and other resources of the committee.

Clause 18 provides that the office of a member of the committee is not an office of profit under the Crown.

Clause 19 provides that the money required for the purposes of the measure must be paid out of money appropriated by Parliament for the purpose.

Clause 20 provides that an offence against the measure (see clause 12 (2)) is a summary offence.

Clause 21 gives the Governor general regulation- making power.

Mr KLUNDER secured the adjournment of the debate.

WORKERS REHABILITATION AND COMPENSATION ACT AMENDMENT BILL

Mr BLACKER (Flinders) obtained leave and introduced a Bill for an Act to amend the Workers Rehabilitation and Compensation Act 1986. Read a first time.

Mr BLACKER: I move:

That this Bill be now read a second time.

This Bill is a short, but brief, amendment to the Workers Rehabilitation and Compensation Act 1986, designed to overcome an anomaly which occurred when the Act was originally drafted and which is believed to have the potential to cause serious anomalies within WorkCover for employees within the fishing industry.

As members would know, the arrangements for the employment of crew on fishing vessels are rather peculiar to the fishing industry alone. Most employees are engaged on a share fishing agreement in which a deckhand or worker is paid from a share of the normal profits that would accrue from that particular fishing trip. Such arrangements take into account the normal wear and tear of the gear, the cost of fuel, bait and provisions and items associated with the actual operation of the fishing trip. It does not take into account major overhauls, engine replacements or major breakdowns which are considered to be separate from normal operational costs. It is this grey area that is causing problems within the fishing industry at this time.

The potential problem was drawn to the attention of the Department of Labour as early as March of this year and it was first believed that the Act as drafted covered all possible options. However, there is now differing legal opinion as to whether, in fact, the employees and the employers are covered by these arrangements.

One legal opinion indicates that the share fishing agreement would indicate that the employee or deckhand is responsible for his own workers compensation cover. However, that interpretation has been placed in doubt by another opinion which would indicate that there is a possible doubt as to whether that is the case. With the negotiations which have taken place between the fishing industry and the Department of Labour and WorkCover, there is a clear indication that an anomaly potentially exists and that amendments would be made.

The purpose of this amendment is to bring that into being at the earliest possible time and to backdate to the time of commencement of the WorkCover legislation. I am informed that, because of the original advice that the share fishing agreement placed the obligation of workers compensation cover on the share fishermen, vessel owners have not covered the workers as would be the case in other forms of industry.

Although there has been recognition that the Act will be changed when other amendments have been introduced into the House, the fishing industry is concerned (and I share that concern) that should a major accident occur in the meantime, and the traditional arrangements which have been believed to be accurate proved not to be the case, then serious ramifications could occur where either the injured person is denied compensation or the boat owner would be financially ruined.

I trust that the House will give this matter its urgent consideration and support the Bill through its remaining stages to ensure that this anomaly is corrected and placed beyond all doubt, which will guarantee that all employees, irrespective of the terms of their employment, will be covered. I ask members of the House to support the Bill.

Mr **HAMILTON** secured the adjournment of the debate.

CONSTITUTION ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.
(Continued from 22 October. Page 1492.)

Mr BLACKER (Flinders): This Bill, introduced by the member for Davenport, causes me some concern. It embodies a proposal which calls for a reduction in the number of members in the House of Assembly and in the Upper House.

I recognise the motives behind what the honourable member is putting to the House in his belief that provisions can be made to allow members of Parliament to service their electorates in a more practical way. My country electorate is the second largest electorate in the State, but it is only a fraction of the size of the member for Eyre's electorate. I appreciate the difficulties that one has in traversing the area, in being available to constituents and, in general, in providing a political representation to constituents that metropolitan constituents take for granted.

When one considers the ability, or more particularly the inability, of a country member to represent an area (in my case) the size of nearly 35 000 square kilometres and compares that with (in one case) the nine square kilometres of an Adelaide electorate, one can appreciate the difficulties that can occur. I have already mentioned the massive size of the member for Eyre's electorate and I think that it is unreasonable that any comparison can be drawn between his electorate and the Adelaide electorate. Irrespective of the personalities involved and the additional services provided to a member, it is humanly and physically impossible to provide that sort of service. If we are looking to reduce the number of House of Assembly members we are looking at an increase in quota and an increase in the size of electorates. The member for Davenport, in introducing his Bill—

The Hon. H. Allison interjecting:

Mr BLACKER: As the member for Mount Gambier said, Federal members have trouble in servicing their electorates, and they get considerably—

The Hon. Frank Blevins interjecting:

Mr BLACKER: The member for Grey's electorate is only marginally bigger than the member for Eyre's electorate, and I think that both gentlemen—

The Hon. Frank Blevins interjecting:

Mr BLACKER: I am not sure about that. Members on both sides of the political fence represent basically the same area and in this case I think that they would both have similar views as to their ability, or more particularly their inability, to be able to provide a service to their electorate in the manner in which they would like. I know that in both instances they are very hardworking members for their electorates.

The member for Davenport suggested that there should be an increase in tolerance from 10 per cent to 15 per cent. I am a firm believer that there should be an increase in tolerance and a demarcation between metropolitan and country areas. It has always been National Party policy that there should be a 20 per cent allowance for country electorates. I believe that that is justifiable on the basis of distance, the area of the electorate served, and a number of other problems associated with a country electorate.

In country electorates we experience every type of problem that one can imagine whereas in metropolitan electorates there are basically issues of community welfare, social security, and departmental type problems (such as E&WS, sewerage, highways, and local government). In country electorates, in addition to these problems, rural, mining, fishing, and other such issues also arise. In my electorate, the member for Eyre's electorate, and some electorates in the South-East and on Yorke Peninsula, virtually every type of problem that could be envisaged in this State is brought to the member's attention at some time or other.

I believe that there should be a differential quota for country electorates versus metropolitan electorates to the maximum of 20 per cent. I think that this is justifiable. The member for Davenport has not clarified his views on that in the Bill and just maintains that there should be a 15 per cent allowance. That should be the case, because in practical terms we are far beyond that 15 per cent now. If one just takes a glance into the future and looks at what could well happen to the present Government in the dilemma that is confronting it then I think that they in turn would love the opportunity to get back to 15 per cent.

I draw to the attention of the House the dilemma that the Government is facing, because the last distribution that we had was in 1983, and that came into effect in 1985. However, the Constitution, as it is so drafted in the Electoral Act, provides that there must be a given period of time before the Electoral Commission can meet. Whilst the guidelines that were set down applied quite specifically to the period of time when we had a three-year term of government, we have now had a change to a four-year term of

government, and that has thrown the criteria out the window. In fact, I am led to believe that, if the present Government runs for its full four years—in other words, does not go to the people until early 1990—and then the following term is another four-year period to 1994, the Electoral Boundaries Commission cannot meet until after the 1994 election. It then eventuates that the effectiveness of the subsequent redistribution that would take place after that period of time would be 1998.

Bearing in mind that the previous redistribution was actually conducted in 1983, we would have a 15-year period with no change of electoral demography between the various electorates. I can see the Government, and for that matter the whole Parliament, having phenomenal problems in electoral boundary distribution and malapportionment with those areas. I have not really sat down to work out exactly how I would come out of it but, as my electorate is relatively stable, I do not believe in my circumstances that there would be a lot of change. However, I recognise that in areas of growth, in areas where there is a reduction in population through transfer of people or in areas where there is a change in land use, demography or agricultural pursuits, there could be some quite dramatic changes.

That is a problem facing the Government, and I am glad it is the Government that has to confront it and not me because, irrespective of who was in that position, it is going to cause some phenomenal headaches; either that, or the Government could be wearing the proposition that, by the time of the next redistribution, there may well be some electorates that are 100 per cent bigger in numerical strength than others. I think present predictions indicate that that could well be the case.

Another aspect of the member's Bill proposes to alter the membership of the Upper House and reduce the numbers there. I think that if changes are to be made in one House then it is obviously appropriate that changes be made to the other House. I would not have any great argument with that. Other clauses of the proposal indicate a change in the number of the quorum, and again that is an obvious amendment that would take place. However, I again raise the issue of the change of the permissible tolerance from 10 per cent to 15 per cent. I recognise that it is feasible, but, to my mind (from a country member's point of view), unless it was quite specifically stated in the Bill that the additional tolerance could be applied in country areas where distance was a grave problem, I could not support the measure.

To reduce the number of members from 47 to 43 is a considerable percentage reduction and, whilst I recognise that the State has been run with considerably fewer members of Parliament in the past, I can also quote figures that go back half a century when we had members in the 50s in the very early times of Statehood.

I can go back even further, when the very first member for Flinders was elected. At that time the electorate of Flinders covered an area that is considerably larger than Grey and considerably larger than Eyre, Flinders, Whyalla, Stuart, most of Custance and part of Chaffey. The member who won that election won with 18 votes—he did not win by 18 votes but, rather he won with 18 votes. I believe that not one of the three candidates had ever set foot in the electorate. Those were the very early days when communication really was a problem. In those days constituents did not necessarily expect to see their member, nor did they have social security problems and all the other sorts of problems about which they would expect to see a member of Parliament now.

To that end, I think that circumstances have changed dramatically and therefore there are justifiable reasons as to why country electorates in particular should not be increased under any circumstances and, if anything, as to why areas of the electorates should be reduced and an additional quota and tolerance should be allowed under those circumstances. I oppose the Bill.

Mr GUNN (Eyre): I wish to have a considerable amount to say on this measure at a later stage. It is a matter that needs full and frank discussions, because there are a number of defects in the legislation. There may be some element of popular support in the community by people who do not understand the need for adequate and effective parliamentary representation. The argument of smaller government cannot be related to the size of Parliament. They are two completely different debates and discussions and should be clearly seen in that light.

In a sophisticated and modern parliamentary democracy there is an urgent need to have adequate numbers of members of Parliament to deal with the complex issues that are placed before the Parliament. Therefore, there has to be rational and responsible debate in this place and, if it were in my power, I would increase the size of the Parliament by at least two—not reduce it. From my experience as a member of Parliament over a long period, and having taken a great deal of interest in these matters, I believe that, rather than emotional debate, what is required is commonsense and a rational discussion. With those brief comments, I seek leave to continue my remarks later, so that I can make a detailed response on this Bill.

Leave granted; debate adjourned.

KALYRA HOSPITAL

Adjourned debate on motion of Mr S.G. Evans:

That, in the opinion of this House, the Government's recent decision on Kalyra Hospital is unjustified and should be reversed.

(Continued from 22 October. Page 1494.)

Mr S.G. EVANS (Davenport): I apologise to the House for using the practice of seeking leave when I spoke on this matter earlier. I do not intend to adopt that practice in future, except in exceptional circumstances. I strongly believe that in the past couple of years we have gone down the wrong track by speaking on a subject and then seeking leave to continue at a later date. If that is done, anybody else is denied the opportunity of taking up the challenge, especially when there might be some direct attack on a Government or an individual. I make that point at this stage and add to what I said about Kalyra Hospital.

I have now been given more petition forms, some of which do not conform to the requirements of this House so that they can be tabled through the normal processes, but I have received a further 2 000 signatures. In fact, a total of more than 24 000 people have now signed petitions objecting to the ruthless and uncaring attitude that this Government took towards the Kalyra Hospital.

That is a lot of people showing an interest and a deep concern at the Government's lack of interest in the grass roots feeling in the community. The point was made by another member recently about the power or strength of Parliament over the strength of the Public Service, that is, that the Public Service—the Health Commission—made a recommendation to the Minister, because it saw it as a way of getting more glory and glamour for doing something. The Minister accepts it and, once that occurs, he has difficulty, when pressure is brought to bear in showing that a decision is wrong, improper, uncaring, ruthless or without compas-

sion, changing his mind very easily, because he has to go back to Cabinet and say, 'I think my advice was wrong.' He or she then cops a lot of egg on their face and/or the public servant cops it.

All the volunteers who have built up a great team around that fine institution have written to the papers stating that they are satisfied with the great environment in which that caring institution operates. All the dedicated staff that form the team cannot be transferred as one group, but will be transferred in different directions. Over time another team spirit will develop. Whether it will be as good or as dedicated is unknown; it is as near as we can get to perfect, as the Premier said at election time. He said that it was ideal and that we could hold up our head anywhere in Australia and say that we have it—Kalyra. The great Premier of South Australia—as he was seen by some before that incident but seen by fewer now (I refer to the incident when he said that the place would be closed)—said that Kalyra was the place for hospice care and that all South Australians should be proud of it.

Within a couple of years it is no damn good, and he is saying that he will give the service elsewhere for what is in the end a saving of something less than $200 000—a measly amount. It is less than we spend—in fact, about half—on overtime for chauffeurs of ministerial cars, let alone maintenance. That is the sort of consideration that the Government makes. The previous Tonkin Government made sure that people used taxis in order to cut the cost burden, and I could name many other areas. It is a disgrace to the State that it did not make the decision but rather that the Government did so. When people ask me why it has happened, I say that the person that they once described as caring is now an uncaring person.

The Premier of this State is not interested in sticking to his word that it is a great and fantastic place and one of which we should be proud. The personnel and service have not changed. The team of volunteers is bigger and greater than when the statement was made by the Premier. The environment is the same. The buildings are not falling down—they are in good sound shape—and there is no need to spend $12 million on them, as claimed stupidly by the Minister who was informed of such by some head of department. It is all there and operating. Not one person in the Health Commission, the Government or elsewhere in our society can claim that the transfers will be successful.

It is all hypothetical; no-one can prove it, because it is a gamble that is being taken: give away something good in the hope of creating something as good, nearly as good or better. No-one can tell us that. We cannot justify the action that has been taken. This Parliament cannot justify it; nor can the Government or the Minister do so. If a Liberal Government tried to do what this Government has done for a measley figure under $200 000—that is the absolute maximum—just imagine the handkerchiefs coming out on this side drying tears of shame for what had been done to the great team who worked there, to the sick and dying people and those in future who would have been able to live in that excellent environment.

In asking members to support my motion, I hope that back bench members of the Government get the message and tell Cabinet and Caucus, and particularly the Minister who does not seem to understand, that it is time that at least one decision in this State was reversed, and this is the one. Kalyra Hospital should remain to operate as it has operated in the past.

Ms LENEHAN secured the adjournment of the debate.

HILLS TRANSPORT SERVICES

Adjourned debate on motion of Mr S.G. Evans:

That in the opinion of this House the Government has ignored the transport needs of many disadvantaged people and everyday commuters with its decision to remove STA public transport from Bridgewater and other Hills residential areas,

which Mr Tyler has moved to amend by leaving out all words after 'That' and inserting in lieu thereof the words:

this House congratulates the State Government for its policy of providing adequate access to public transport throughout the Adelaide metropolitan area; however, this House urges that its commitment to an investigation into viable long-term public transport options should be implemented quickly with full consultation with commuters, community groups, local government and trade unions.

(Continued from 22 October. Page 1501.)

Mr S.G. EVANS (Davenport): Under the parliamentary process, a member can move an amendment to a motion moved by another member. In this case the member for Fisher has moved an amendment to my original motion, making it, in effect, a new motion. His amendment provides for the virtual opposite view to the intention expressed in my original motion. For that reason I do not believe that I should encourage the motion to go to a vote. As what the member for Fisher has moved is not really an amendment to my motion, because it provides the direct opposite view, I seek leave to continue my remarks later.

Leave granted; debate adjourned.

RENTAL ASSISTANCE

Adjourned debate on motion of Mr Duigan:

That this House acknowledges and endorses the principle that rental assistance reduces the impact of housing costs on low income families in the private rental market and helps alleviate poverty.

(Continued from 12 November. Page 1877.)

Mr S.G. EVANS (Davenport): This is the most obvious motion that could be moved and is for no purpose other than a bit of grandstanding by the member for Adelaide to say how great we are.

Mr Hamilton interjecting:

Mr S.G. EVANS: It could be the unhappy hour of the member for Albert Park. There is no doubt that in cases of poverty society should offer rental assistance for shelter. Before going any further, I support the motion but I ask members to be honest in looking at the Housing Trust and the mob of 11 000 people, at least, who are ripping the system off on the gravy train paying lower rents than they should while they have holiday shacks, caravans, boats and trips around the world at the expense of the taxpayer. Yet a member of the ALP has come up with a motion that rental assistance helps those in poverty by providing shelter and a reasonable standard of living. Of course it does, but we should attack the real problem. At least $10 million and perhaps $16 million is going down the drain for people to live on the gravy train and off the taxpayer through the Housing Trust, but nobody has the intestinal fortitude to take that up. I support the motion.

The Hon. D.C. WOTTON secured the adjournment of the debate.

YOUTH SUPPORT

Adjourned debate on motion of Hon. D.C. Wotton:

That this House, recognising the desirability of supporting families, calls on the Minister of Community Welfare to take the

necessary steps to ensure that when a minor leaves home of his or her own accord, and seeks to be, or for some other reason is admitted to a Government youth accommodation facility, it be made mandatory that an interview be conducted between the youth concerned, the youth's parents or parent and a qualified social worker and every effort be made to have the youth reinstated with his or her family when it is in the best interest of the youth.

(Continued from 12 November. Page 1878.)

The Hon. D.C. WOTTON (Heysen): When I spoke on this motion last time, I referred particularly to correspondence that I have received from one of my constituents. I pointed out that I have received a considerable amount of representation and, since my contribution in this House, I have received further representation from people as a result of recognition of this motion in the media. I will return to the letter that I referred to from my constituent, because he made perfectly clear that the opportunity had not been provided for his wife or him to be involved in a discussion with the welfare officer responsible for the facility that their son found himself in when seeking accommodation.

Since I received the original letter, my constituent has mentioned to me that his son, who is now living at home, has informed him that the officer in fact asked him, the 16-year-old, whether he wished a conference to be held involving his parents and the social worker, and at that stage he said 'No', he did not want that to happen. I think that that is quite wrong, and the intent of this motion is to make it mandatory, whether or not the minor believes that it is necessary or desirable, that the parents be involved. The parents should be invited to have that say.

I do not want to reiterate what I said last week, other than to say that I recognise that there are occasions when, as a result of domestic problems in the home, it is not suitable for a young person to be returned to that home. But in cases where it is just a problem arising out of an argument which has taken place between the minor and the parents, there is every reason for the parents to be involved. One of the pieces of correspondence I have received since last week came from the School Chaplain of the Blackfriars Priory School. He has written to me supporting the motion and has provided me with a copy of a letter he has written to the Premier, which states:

May I be allowed to draw your attention to the enclosed item from last night's *News*, and to ask you to give every support to this motion of Mr Wotton. I think it is outrageous that a DCW officer may take it upon him or herself to presumably 'punish' parents for the row a child has had with them, by not letting them know immediately that the child is with them—rather allowing the parents extreme anxiety for two or three days. Presumably there will be times when the row has been very bitter and the DCW does not want parents around making trouble. In such a case they could surely move the child to a further away centre and simply let the parents know the child is in their care. One does get the impression that some of the DCW officers see themselves in a role above that of parents and perhaps of God Himself in their very high-handed actions in matters of this sort.

There is also the question of wasting the time of the police, who presumably are notified by parents when a child disappears. Therefore I do ask you to see to it that legislation is passed making it compulsory for DCW people to let parents know immediately their child is in their care or as soon as they can move the child to another place.

That is signed by the Reverend Father Robert Ebbs. In debate last week I indicated that I believe it is that the intent of the Department for Community Welfare legislation that parents be notified and involved when children leave home of their own accord and make their way to an accommodation facility.

I referred to the fact that I can recall quite vividly the discussion that took place in Cabinet at the time amendments to that legislation were brought down. That was one of the amendments to make sure that happened. My concern is that there are obviously many occasions on which parents are not involved as they should be. I also noted a letter to the Editor of the *News* recently, under the heading 'Welfare Helping Kids onto the Streets'. The name of the writer was not supplied, but underneath it indicated that on following up this matter the name would be given. The letter states:

I would like to comment on homeless children. The welfare helped me get on to the streets. They believed a young stupid 14 year old girl's lies about my father without giving him a chance to defend himself. I didn't like his discipline. I was never abused, but I knew I could get out and do what I wanted if I blackened my parents' names.

I succeeded. I stayed in a hotel for a couple of weeks then I just went my own way. I used to receive $25 a week but the strange thing was they didn't inquire where I was living or what I was doing.

I ended up a hopeless drug addict wandering around Hindley Street. But I was lucky back in those days. All of us street kids stuck together and always found a house or somewhere to go.

I interrupt that quote to make the point that that is one of the major problems that we have today. The advice I am given is that you usually find that these young people go off by themselves rather than sticking together, as this letter suggests. I return to the letter, and quote as follows:

The kids these days don't trust each other. They haven't got survival skills. The times have changed so much in 10 years. Please, someone, look into the welfare system before all our kids are on the streets. My greatest regret is the way I lied about my father as he only wanted good for me and he is a great man.

As I say, that name was supplied. I also refer to another letter to the editor written by Mrs Joan Davidson of an organisation called Parents Who Care Incorporated. I have considerable respect for that organisation; it does a magnificent job, and it needs all the support it can get. This letter to the editor, published under the headline 'Not all homeless youths have been assaulted', states:

There has been much comment recently in the media regarding the plight of homeless youth. It would appear that each young person interviewed has been either sexually or otherwise assaulted or thrown out of the parental home.

There is, however, another side to the coin. This association comprises the parents of many of these so-called homeless young people. Our members have not assaulted their children, nor have they thrown them out of the house. Rather, they have had the courage to say 'no' to their children and to love them enough to encourage them to resist peer-group pressure.

Unfortunately, while the parents are saying: 'We expect to know where you are going, who with and expect you home at a reasonable hour', the law allows the child to do exactly as he/she pleases. This, we are told, is the child's rights. It is easy to run away from home because there is no law which says a child must remain home until a certain age is reached, and so our children run away from caring homes for the 'freedom' of the chains of drugs, prostitution and alcohol.

We do not in any way deny the existence of those young people who have been assaulted and abandoned, and we deeply appreciate the need for these unfortunate young people to have proper facilities and care. We also believe that children have rights, but far more than the so-called rights and freedom they have been granted by law. You see, we believe that our children have the right to a loving and caring family life, the right to parents who do, indeed, care enough to say 'no' when necessary, and, above all, the right to a future.

I support that letter very strongly. I am sure that the majority of parents would also support the points made in that letter. Finally, I express concern about a publication that was published some little time ago by the Department of Social Security. Headed 'Young Homeless Allowance for unemployed', it states:

This leaflet tells you what it is, how to get it and how much you get. If you want to know more just ask at any Social Security office. We're here to help you.

We all know about these Government departments that are here to help everybody. It is prepared in a way that would be attractive to young people, and begins:

. . . it's the pits
When you're 16 and 17 life can be full of hassles.
For some it's more than that.
You can't get a job. You have to go on a Social Security benefit. And you can't live with mum or dad.
That's the pits.

I certainly recognise the concerns that many young people have and the problems that they are experiencing as a result of not being able to obtain meaningful employment. I am sure that all members would recognise that. I certainly do not support the suggestion that living at home with mum and dad at the age of 16 or 17 years is 'the pits'. I suggest that many young people aged 16 and 17 and much older—

The Hon. H. Allison: The vast majority.

The Hon. D.C. WOTTON: Yes, the vast majority, as my colleague the member for Mount Gambier says, would live at home in a very happy situation. My motion is an attempt to promote that: I am trying to achieve that situation for as many young people as possible. Just because young people have an argument at home or for a brief moment they have other problems does not necessarily mean that the advantage of having family support should be interrupted. I ask the House to give my motion some recognition and, at the appropriate time, support it.

Mr GREGORY secured the adjournment of the debate.

QUESTION TIME PROCEDURES

Adjourned debate on motion of Mr S.G. Evans:

That in the opinion of this House the practice condoned by the House, since the reduction of Question Time from two hours to one hour, has given the Government a distinct and unfair advantage over the Opposition and ignores the guarantees that were given by Ministers at that time.

(Continued from 12 November. Page 1882.)

Mr FERGUSON (Henley Beach): It certainly gives me some pleasure to contribute to this debate. It is certainly difficult, from time to time, to get a chance to speak during private members time. At the outset, I point out that I am not at all happy with the way that private members time is organised, particularly with motions like this. It is almost impossible for Government backbenchers to respond to propositions put forward by members because of the way that the House is prepared to allow members to continually adjourn motions. I am totally in favour of imposing time limits during private members time so that all members have an opportunity to speak, and the House is not dominated by one or two members, which is the case at the moment. I think it is quite disgusting. Private members time was never designed to be conducted in that way.

Turning to the motion, I refer to the number of questions that are asked during Question Time. I asked the Parliamentary Library to research this matter back to 1967 because, in view of the wording of the motion, it is necessary to look at the record for Question Time—particularly of late. In the years between 1967 and 1973 there was an extended Question Time, and a daily average of 41 questions were asked. In 1973 changes were made along with certain agreements, which have been of advantage to all members, to reduce Question Time from two hours to one hour. In 1973-74 an average of 24.6 questions were asked; from 1974 through to 1979 an average of 14.04 questions were asked; and from 1979 to 1982, when the member for Davenport was deeply involved with the then Government, we had the blackest time in our history in relation to the number of questions asked in this house.

The average between 1979 and 1982 was a miserable 11.6 questions per hour. From 1982 through to 1984, when the Labor Government came back into power, the number of questions rose immediately to 15.1 per hour. From 1984 to 1987, the average has slipped a bit, and we are down to 12.9 questions per hour but, as a Labor Government, we are certainly in front of the Liberal Government when it was in power between 1979 and 1982.

Members interjecting:

The SPEAKER: Order!

Mr FERGUSON: At least members opposite have woken up. I thought they were dead. I have taken the opportunity to take out some statistics from the parliamentary research service, and I seek permission to have the details inserted in *Hansard* without my reading them. I assure you, Mr Speaker, it is purely statistical material.

Leave granted.

AVERAGE NUMBER OF QUESTIONS ASKED ON THOSE DAYS WHICH INCORPORATED A QUESTION TIME

Parliament	Sitting Days	Days Questions Asked	Questions Without Notice	Daily* Average Asked in Question Time		Questions on Notice
1967	57	57	2 011	35		82
1968	(Prorogued on second day)					
1968-69	68	67	3 099	46		34
1969	64	64	2 910	45		19
1970	(Prorogued on third day)				41	
1970-71	75	73	2 763	38		109
1971-72	74	73	2 949	40		92
1972	54	52	2 133	41		147
1973	(Prorogued on fourth day)					
1973-74	69	65	1 601	24.6**		202
1974-75	74	71	968	13.6		625
1975-76	45	39	634	16.3		365
1976-77	65	55	811	14.7		990
1977	11	9	91	10.1	14.04	171
1977-78	45	39	630	16.2		513
1978-79	55	49	657	13.4		1 201
1979	11	10	140	14.0		219
1979-80	35	31	393	12.9		980
1980-81	56	47	619	13.1		1 255
1981-82	68	62	672	10.8	11.6	598
1982	27	25	235	9.5		185
1982-83	26	21	331	15.8		239
1983-84	56	53	761	14.4	15.1	469

AVERAGE NUMBER OF QUESTIONS ASKED ON THOSE DAYS WHICH INCORPORATED A QUESTION TIME

Parliament	Sitting Days	Days Questions Asked	Questions Without Notice	Daily* Average Asked in Question Time		Questions on Notice
1984-85	60	51	718	14.0		513
1985	31	29	275	9.4		156
1986	12	12	155	12.9	12.9	175
1986-87	57	56	775	13.8		349
1987-5 November 1987	24	22	278	12.6		277

* Total number of questions without notice divided by the number of sitting days on which a Question Time was held. (This varies from the figure used in the House of Assembly Digest, which is based on the total of both types of questions divided by the total number of sitting days regardless of whether Question Time takes place.)

** Transition figure for 1973-74 when Question Time was reduced and the adjournment grievances instituted.

H. F. COXON
Parliamentary Librarian
9 November 1987

Mr FERGUSON: I have carefully read the arguments put forward by the member for Davenport to substantiate his proposition. The main thread to his argument is that Government backbenchers should refrain from asking questions. He severely criticised backbench members for posing questions at all in the House, and seemed to suggest that Question Time should be left entirely, or almost entirely, to the Opposition. I refer to his speech at page 1496 of the *Hansard*. The honourable member suggested that most of the question being directed to the Ministers were dorothy dix questions. I have been here for five years and, during that time, I might have asked two dorothy dix questions. The trouble is that members of the Opposition cannot recognise what is a genuine question and what is a dorothy dixer. I refute the proposition that the member for Davenport has great difficulty in understanding what is a genuine question from a backbencher and what is not. According to members opposite, most questions are dorothy dix questions.

I believe strongly that Question Time is a time to be used by all members of the Parliament. It is not a time for Parties to be dominant. Every member of the Parliament is equal, I believe, and all members ought to have the opportunity to ask questions, particularly those pertaining to their own electorate. Since coming into Parliament, I have been aware of the value of Question Time, and I do not think that any member of the Parliament should be penalised by not being able to ask appropriate questions at that time. I understand the member for Davenport is suggesting that Government backbenchers should not be able to utilise their opportunity to ask questions in the House and that, therefore, the field should be left totally to the Opposition. I refute that motion. Question Time is for all members of the House, and it is a particularly valuable time for members to be able to raise matters of concern. There should be equality in the House, and Government backbenchers should be treated no differently from members of the Opposition.

I understand the member for Davenport has stated that in the past 18 months he has had the opportunity to ask six questions. This is a matter that I think he should take up with the Leader of the Opposition. I believe if a member wishes to raise a matter in the House he should be allotted the time to do so. If he sits on the Opposition benches and does not have the time to ask the number of questions that he thinks he should be able to ask, he should take up that matter very strongly with the Leader of the Opposition. I have been one of the lucky ones, as have most members of this House, having had the opportunity to observe Question Time in the House of Commons, the doyen of Parliaments in the Westminster system.

Every Parliament functioning under the Westminster system bases its procedures on the House of Commons, which allows only one hour for Question Time—exactly the same as that allowed here. Considering the size of the population of the United Kingdom and the number of members in the House of Commons, which means therefore that the time allowed for backbenchers is limited, I see no reason why our Question Time arrangements should be changed.

Mr Becker interjecting:

Mr FERGUSON: I see that the member for Hanson has come in, and it is nice to see him in the House—welcome back! I would have no argument with changing the formula for conducting Question Time, if members wanted to do that. In the House of Commons the Prime Minister is questioned for the first 15 minutes, and that time is called Prime Minister's Question Time. The Leader of the Opposition has the opportunity to ask questions and then to follow them up with supplementary questions. Following the changes that have occurred so far as radio and television coverage is concerned, Question Time here has become a bit of a theatre platform.

I would have no objection to allowing the Leader of the Opposition to question the Premier for the first 15 minutes of Question Time. That would give both of them an opportunity to get on to subsequent television news services. I would say that this is perhaps an opportune time to consider such a change. In introducing this proposal, the member for Davenport did not mention the changes that have occurred in relation to the grievance debate.

The Hon. Ted Chapman interjecting:

Mr FERGUSON: It is nice to see the member for Alexandra in the House—I wonder where he has been for the past hour. However, the change to the grievance debate procedure came in at a time—

The Hon. TED CHAPMAN: On a point of order, Mr Speaker, I ask the member for Henley Beach to withdraw the derogatory remark that he directed towards me a moment ago. I was in the House and seated in the Chamber before the member even rose to his feet. His nasty remark that I had just entered the Chamber has offended me and I ask him to withdraw it.

The SPEAKER: Order! The honourable member has made quite clear his point of order. It is obvious that the remark made by the member for Henley Beach has caused some pain to the member for Alexandra. However, it was not out of order in the sense that it constituted unparliamentary language and, therefore, I cannot direct him to withdraw it. If he wishes to do so, that course is open to him. The honourable member for Henley Beach.

Mr FERGUSON: Mr Speaker, I did not want to offend the member for Alexandra in any way whatsoever and I tender to him my sincere apologies. My only problem was that I could not be heard; I was making a speech and could not be heard, but that is beside the point. I was referring to the changes made concerning the time allowed for Question Time and in relation to the grievance debate. As val-

uable as Question Time is, I suggest that the grievance debate is of far greater value to backbenchers. It gives them an opportunity to put forward problems relating to their electorates. On the matter of changes to procedure, I think one should take into account the beneficial aspects of such changes.

I am not completely satisfied with grievance debate procedures and I seek further reforms. This is my personal view, although I have not been able to convince other members of it. I would not be upset if backbenchers from both sides of the House could lead off with grievance debates early in the afternoon. That would give them an opportunity to put their point of view when there are members in the House, to catch the press (so to speak) and even to catch the electronic media. The House would then not be dominated by the Executive. I would not object to a member's putting that proposition.

I have been critical of private members' time. When one discusses Question Time one must also discuss private members' time because, at the time changes were made to Question Time, certain moves were made to assist private members in relation to private members' time. I am not at all happy with the way in which private members' time is being conducted. I do not think that everyone is getting a fair go. I believe that there are inequalities, and that one side of the House should not be dominated by the other and that everyone should have the opportunity to speak if they so desire. I say this particularly with respect to Government backbenchers. I favour further reforms of private members' time and, as I mentioned earlier, I am looking forward to the day when I can convince members of Parliament that there should be time limits on private members' time so that everyone can have an opportunity to have their say. Needless to say, I am totally opposed to the motion and will vote against it when given the opportunity.

Mr BECKER: I have never heard such garbage in my life, and—

The SPEAKER: Order! Is the honourable member seeking the adjournment of the debate—a procedural motion?

Mr BECKER secured the adjournment of the debate.

ELECTORAL ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 22 October. Page 1503.)

Mr HAMILTON (Albert Park): In opposing this Bill--another one of these garbage Bills introduced by the member for Davenport—members on this side of the House are aware of the attempt of the Liberals to introduce voluntary voting in South Australia. I have found little evidence to suggest that a substantial element in the community feels that compulsory voting is oppressive.

Members interjecting:

Mr HAMILTON: You will have an opportunity to stand and have a say later. If you have any manners and believe in democracy you will keep quiet. Listen to what is said. You talk about other countries. Let me have a bit of a go. If there was a favourable feeling in the community for voluntary voting, the media would be inundated as would, I suggest, electorate offices and MPs, who would have been extensively lobbied for support for such a proposition. In the eight years I have been in this place not one person has contacted me either by telephone or letter, or even approached me, on this matter. So much for the nonsense that—

Members interjecting:

Mr HAMILTON: You talk about wasting time! Talk about the member for Hanson wasting time! I suggest that he look at the figures. In my patch I have very strong support, even in the West Lakes area. I had very strong support in 1982 when the millionaire-elect stood against me, and he got done like a dinner—thrashed, in fact.

So, the support in my area for the member for Albert Park is very, very strong. I understand that the very intelligent and responsive approaches people get when coming to my electorate office are reflected in the vote each year. So much for the member for Hanson! He is the one who is sitting on the very marginal seat, not the member for Albert Park. The member for Albert Park—

Members interjecting:

The SPEAKER: Order!

Mr HAMILTON: He is one who has quite a substantial majority in what is perceived by some people in the Liberal Party as a marginal seat. It is no longer a marginal seat, I can assure them of that. Indeed, my personal following is well known by all people except the member for Hanson, who will not face up to reality. But I suppose we are talking about compulsion. There is no compulsion on the part of people in the electorate of Albert Part to vote for the Liberal Party; they are certainly quite happy to vote for the Labor Party and indeed for me.

Ms Gayler: They come out in droves.

Mr HAMILTON: As my colleague says, 'They come out in droves.' They always come to see me at election time when I have a booth in the West Lakes Mall and they say what a fine young man I am, and I agree with them, too. So there is no problem in my patch in relation to compulsory voting. Even aged people, who are quite substantially represented in my area, are only too happy and willing to come along and register a vote in my favour.

Ms Gayler: They get there early.

Mr HAMILTON: Indeed, they get there early. They come along very early. In response to the proposition about compulsory voting put forward by the member for Davenport, it should not be forgotten by the House that compulsory voting was introduced to Australia—

Members interjecting:

Mr HAMILTON: I love that tag and you can keep saying that. My constituents believe that Hollywood Hamilton is a fine young man. And I agree with them—I love it. Let us get back to the real issues: I would like to point out that the Liberal Denham Government of Queensland was responsible in 1915 for the introduction of compulsory voting—the Liberal Government—the colleagues of members opposite. Of course, when other States followed suit, they found that perhaps they had made a blue.

Members interjecting:

Mr HAMILTON: You make your bed, you lie in it. That is exactly what happened. They want to change it when it suits them. I believe it will change when the people of South Australia say to me and to their elected representatives in the Parliament that they want voluntary voting. As I said at the outset, not one soul has come into my electorate office or made representation to me about voluntary voting. I suppose next week there will be a handful, after a ring around by the Liberal Party to try to whip up a bit of support. It is a nonsense. The member for Davenport has more points than a porcupine, manipulating and trying to convince people, through the Parliament, that voluntary voting is what they want and that compulsory voting is not on. We all have a responsibility once or twice in four years to go to the polling booth and register a vote, and that is not too much to ask. I very strongly oppose this Bill.

Mr **BECKER** secured the adjournment of the debate.

[*Sitting suspended from 1 to 2 p.m.*]

PETITION: WHYALLA ANNEXE

A petition signed by 232 residents of Whyalla praying that the House urge the Government to reverse its decision to close the educational facility known as The Annexe, which caters for students who would not attend regular school, was presented by Mr Blevins.

Petition received.

PAPER TABLED

The following paper was laid on the table:

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

Department of Fisheries—Report, 1986-87.

QUESTION TIME

The SPEAKER: Before calling for questions, I advise that questions that would otherwise be directed to the honourable Minister of Emergency Services will be taken by the honourable Premier, and that questions relating to environment and planning and water resources will be taken by the honourable Minister of Mines and Energy.

ST JOHN AMBULANCE SERVICE

Mr OLSEN: Will the Premier immediately intervene in the dispute within the St John Ambulance Service and force the Minister of Health to accept the advice of the Health Commission that will save taxpayers almost $500 000 a year and ensure that volunteers continue to make their vital contribution to the service? In a compulsory conference before the Industrial Commission last Wednesday, the Health Commission's representative, Mr Sayers, gave evidence which clearly shows that union demands for more full-time staffing of the service are not justified. Mr Sayers said that it was the commission's understanding that South Australia had an ambulance service which was as good as any other in Australia and that, on this basis, spending of almost $500 000 to meet union demands could not be justified. He said (and I quote from the transcript of the hearing):

> On the basis that we have a large number of very urgent areas in which money needs to be expended where patients are in fact suffering on waiting lists for hip replacements, and so forth—a real problem to the Government at the moment—at this stage I am not convinced that $500 000 is going to improve patient care one bit.

To these priorities could be added issues like the closure of Kalyra Hospital and reduced funding to the Royal Society for the Blind. However, the Minister has decided to ignore this advice. I quote from a letter he has just sent to the Chairman of the St John Ambulance Brigade:

> I am prepared to give an undertaking that I will seek Cabinet approval for the provision of an additional $362 000 required in a full year for the operation of the Echo system on a 50-50 basis by paid ambulance officers and volunteers.

In other words, the Minister is rejecting the commission's advice to agree to spend taxpayers' money simply to meet completely unreasonable union demands which will jeopardise the volunteer component of the ambulance service in South Australia.

The Hon. J.C. BANNON: This Government has a strong commitment to the volunteer element in the ambulance brigade and to ensuring that we have an extremely professional and competent ambulance service in this State. The Leader of the Opposition asks whether I will intervene in the dispute and force the Minister of Health to do something, and he then goes through an elaborate explanation in which he indicates that the matters are under active consideration, that the commission is dealing with them, and that the Minister of Health is certainly—

Members interjecting:

The SPEAKER: Order! Will the Premier resume his seat for the moment? The Leader of the Opposition was able to ask his question in an atmosphere of courtesy from other members of the House. It is the view of the Chair that the Leader of the Opposition owes the same courtesy to the Premier in his reply. The honourable Premier.

The Hon. J.C. BANNON: The Leader of the Opposition does not want to hear.

Mr Olsen interjecting:

The SPEAKER: Order! I call the honourable Leader of the Opposition to order and I warn him. The honourable Premier.

The Hon. J.C. BANNON: The Leader of the Opposition does not want to hear the answer that I am giving. He wants to grandstand and glance at the cameras and put on a bit of a show. I would have thought that the matter was a little too serious just to play around with like that. I would also have thought that the very information that he put before the House showed that the matter is being dealt with in an appropriate way, and intervention by me or the politicisation of the issue by the Opposition will not help ambulance services in this State.

Members interjecting:

The SPEAKER: Order! The honourable member for Price.

The Hon. E.R. Goldsworthy interjecting:

The SPEAKER: Order! The honourable member for Price will resume his seat. When the Chair has just called the House to order, it is highly disorderly for the Deputy Leader of the Opposition to interject one second after that call to order, and I warn him accordingly.The honourable member for Price.

SUBMARINE PROJECT HOUSING

Mr De LAINE: Can the Minister of Housing and Construction say whether there are any plans to assist people connected with and working on the submarine project at Port Adelaide to obtain adequate housing? With the expected influx of skilled people into the metropolitan area, and in particular the Port Adelaide region, these people and their families will be in urgent need of housing.

The Hon. T.H. HEMMINGS: The submarine project is likely to create thousands of jobs throughout the State's economy, but the actual number of jobs on the site is expected to number around 750 to 950; in other words, the Government does not expect the submarine project to create a significant demand for houses. Certainly there will be no need for new public housing estates such as was provided when GMH began in Elizabeth—the great program that attracted me to this State. The submarine project will, of course, be located in Adelaide's major industrial crescent—that is, the area stretching from the Le Fevre Peninsula in an arc through to Parafield. It is also, therefore, surrounded by dormitory suburbs. It is expected that workers on the project who are not already domiciled in Adelaide will seek housing in these suburbs.

In days gone by, it was necessary to concentrate workers' housing around major plant facilities, such as with GMH or ICI at Osborne. That is no longer the case given the existence of surrounding suburbs and today's transport options. However, there will be considerable additional private housing provided in the Port area as part of the Port's rejuvenation over the next few years, and no doubt some submarine project management and workers will choose to live there. The Government is working with the Port Adelaide council to ensure that the necessary support services are provided for submarine personnel who are newly resident in Adelaide, but at this point it is expected that the relatively small number of new residents resulting from the submarine project will be adequately catered for by the city's existing real estate market.

WORKCOVER

The Hon. E.R. GOLDSWORTHY: Can the Premier say whether the Government will undertake to review immediately anomalies applying in the levying of premiums under WorkCover to organisations in the welfare, charitable, and sporting areas, either by reducing the level of their payable premiums, or through additional funding to cover the added cost to such non-profit organisations? The Government has no doubt been inundated with complaints from such groups about the level of their WorkCover premiums, as has the Opposition. They have expressed great consternation about the increase, and have pointed to their inability to raise additional funds from the public in the present economic climate. Not one of them has yet had their premiums reassessed. To illustrate the point, I will give some examples: Guide Dogs for the Blind, an increase from $5 905 to $28 500.

An honourable member: That is disgraceful.

The Hon. E.R.GOLDSWORTHY: Absolutely disgraceful. Meals on Wheels has been increased from $6 000 to $13 000.

Mr Meier: They said that they supported voluntary organisations.

The Hon. E.R. GOLDSWORTHY: It really is quite astounding. The premium for Para Hills Child-care Centre has increased from $1 700 to $6 000; the South Australian Softball Association has had an increase from $109 to $1 035; and the South Australian Olympic Council has an increase from $352 to $1 216. A further example of the absurdity of the situation is provided by Workmake Inc. I believe all members have had a letter from that organisation, which is funded by the Department for Community Welfare and which is a community service organisation counselling the unemployed and organising work experience. Their workers compensation premiums have jumped by 201 per cent and they have indicated that their two half-time staff will have to forgo their duties in fundraising endeavours to meet the bill. Even the Barossa Valley Vintage Festival Association has been hit with an increase of 150 per cent. So, I ask the Premier urgently to review these imposts on charitable and other organisations.

The SPEAKER: The honourable Minister of Labour.

The Hon. FRANK BLEVINS: Mr Speaker—

Members interjecting:

The SPEAKER: Order! The honourable Minister.

The Hon. FRANK BLEVINS: Thank you very much, Mr Speaker, and I thank the Deputy Leader of the Opposition for his question. It is a serious question, and I think it is one that was worth asking. I am certainly very happy to give the House the background to it. In some areas there has been a quite significant increase in workers compensation premiums. That was clearly stated at the conception of the scheme.

Mr S.J. Baker: That's not true: you said everyone was going to save.

The SPEAKER: Order! The honourable member for Mitcham may have an opportunity to make some contribution at a later stage. He cannot do so by way of interjection. The honourable Minister.

The Hon. FRANK BLEVINS: Thank you very much, again, Sir. The intention was quite clear: the wealth producing sectors—mainly the manufacturing sectors of our economy plus primary industry—were struggling under the previous workers compensation system and it was necessary to revise completely the whole of the way in which we operated workers compensation in this State. The result of that has been many hundreds of per cent reduction—

Mr Olsen interjecting:

The Hon. FRANK BLEVINS: Tubemakers is self insured—

Mr Olsen: It is not—check.

The SPEAKER: Order! The honourable Minister.

Members interjecting:

The SPEAKER: Order! I call the honourable member for Bragg to order. The honourable Minister.

The Hon. FRANK BLEVINS: Again, thank you very much, Mr Speaker.

Members interjecting:

The SPEAKER: Order! I warn the honourable member for Bragg. The honourable Minister.

The Hon. FRANK BLEVINS: Thank you again, Sir, for your protection. It was necessary for manufacturing industry and primary industry in this State to have a significant reduction in workers compensation premiums, and that has been achieved. I would indicate that, of the 50 000 employers in this State, all bar about 2 per cent are very happy indeed.

Mr S.J. Baker: That's not true either.

The Hon. FRANK BLEVINS: They are very happy indeed with their premiums. By and large they are, I would have thought, generally conceded to be supporters of the Liberal Party. The comments that I got at the Chamber of Commerce dinner the other night about the WorkCover scheme were very complimentary indeed.

Members interjecting:

The Hon. FRANK BLEVINS: Very complimentary indeed.

Members interjecting:

The SPEAKER: Order! The honourable Minister.

The Hon. FRANK BLEVINS: Comments, particularly from primary industry, which I would have thought—

Members interjecting:

The SPEAKER: Order! Honourable members may have all sorts of opinions on a wide range of subjects, but we have to maintain Question Time with a reasonable amount of decorum, and certain members are not assisting. The honourable Minister.

The Hon. FRANK BLEVINS: Primary industry in particular has commented very favourably on the new scheme. I would have thought that members opposite, who again purport to represent the bulk of primary producers in this State, would have noticed that primary producers have made no comment whatsoever on the scheme. Of course, I did not expect them to publicly congratulate us—that does not happen. I refer to shearers, for example—and I am sure that some members Opposite have been involved in that industry—where the rate has gone down from about 16.5 per cent to 4.5 per cent, a significant reduction indeed.

The Hon. D.C. Wotton: What about the charitable organisations?

The SPEAKER: Order!

The Hon. FRANK BLEVINS: I am coming to that. I am sure that the member for Coles in particular would be pleased about that, because I recall that about 18 months ago she asked a question about shearing contractors from Victoria taking work away from South Australian shearing contractors because, under the new Victorian workers compensation scheme the Victorian shearers could quote a cheaper rate per annum. So the member for Coles will be able to write to the constituents who complained to her and point out that the Government's new scheme has reduced workers compensation payments to shearers by several hundred per cent. However, there is another side of the coin, and we have made no secret about it and make no apology for it. By and large, the service sector has had to pick up some of the savings that are now enjoyed by the wealth producing sector. Overall, service industries in this State have agreed and accepted that that was necessary because, if wealth is not produced in this State, there is nothing for the service industries to service. So, by and large, the service industries have accepted some increases.

In relation to charitable bodies, I have asked WorkCover to contact SACOSS, and I point out that there have been extensive discussions and I believe that agreement is close. In fact, I heard a SACOSS representative on a news broadcast only yesterday say that he was very pleased indeed at the discussions with the board and management of WorkCover and that he expected a favourable result. Of course, in any new scheme, especially one which involves 50 000 employers, there are anomalies, but they are being dealt with. During all the debate on the WorkCover legislation I cannot recall one question from the Opposition about these bodies. No-one asked a question about charitable agencies and welfare bodies and what their fate would be. I cannot remember one question, and I have rather a good memory.

Members interjecting:

Mrs APPLEBY: I rise on a point of order, Mr Speaker. I am interested in hearing the Minister's response—

Members interjecting:

The SPEAKER: Order! I caution the honourable member for Morphett.

Mrs APPLEBY: —but I continually hear the member for Victoria over the top of the Minister.

Members interjecting:

The SPEAKER: Order! All members are aware—and I repeat this for the umpteenth time—that all interjections are out of order but, traditionally, a certain amount of tolerance has always been extended by the Chair.

Members interjecting:

The SPEAKER: Order! Speaking from personal experience, I point out that, having sat on the Opposition benches, I am not insensitive to the urge that members may have to express a point of view. However, there is a dividing line between what is reasonable and that which is highly disruptive, disorderly, discourteous or disrespectful to the Chair. I ask honourable members to remain within the bounds of propriety. The honourable Minister of Labour.

The Hon. FRANK BLEVINS: Thank you very much again, Sir, for your protection. It is clear that the negotiations between SACOSS and WorkCover will have a successful result. That is the opinion of WorkCover and SACOSS, and I agree with them. It may mean adjustments in other areas where the levy perhaps has not been sufficiently high, so there are winners and losers when you have a pool. If we give a bonus to one section, it obviously is a penalty against another section, but I believe that the question of these charitable groups will be taken care of. The negotiations are well under way and, according to SACOSS yesterday, those negotiations are proceeding very well.

Members interjecting:

The SPEAKER: Order! I caution the honourable member for Victoria. The honourable Minister.

The Hon. FRANK BLEVINS: Those negotiations are going very well, and I expect a satisfactory conclusion.

JAPANESE INTERPRETER SERVICE

Mr HAMILTON: Can the Minister of State Development and Technology advise what Japanese translator or interpreting service is provided to South Australian manufacturers by the State Government? An interstate newspaper this month stated that a $1 billion export chance has been wasted. The article from the newspaper's Tokyo source states:

> Australian manufacturers have wasted a chance to sell technical goods worth millions of dollars to the lucrative Japanese market. The Japanese Government is seeking $1 billion worth of foreign goods and 65 Australian firms were approached as possible suppliers. But half the Australian firms did not even reply or ask for details.

Later, the article states:

> The episode has emerged as a classic example of Australian manufacturers not having either the initiative or the ability to seek what were lucrative and attainable contracts. Australian officials are disappointed that local companies, which often complain that Japan's markets are closed to foreign companies, did not even try to take advantage of the special import-buying campaign.
>
> The national marketing body, Austrade, has concluded an expensive four-month drive in which it tried to arouse interest among Australian firms to tender for Japanese contracts. 'We were looking for commercial opportunities for Australian companies and, in that context, the program has been a failure,' Mr Greg Dodds, Austrade's senior trade commissioner in Tokyo, said. The experience showed 'a number of weaknesses in Australian manufacturers' response to major international opportunities,' he said. Austrade officials spent hundreds of hours sifting through more than 1500 Japanese-language bulletins to send details on 307 items to 65 Australian firms.

This is the crux of the question:

> 'The need to document their tenders in Japanese seemed to throw many companies,' Mr Dodds said. Most firms either sent an English-language response or missed the deadlines by waiting to have their specifications translated, he said.

The Hon. LYNN ARNOLD: I thank the honourable member for his question. In the first instance, it has not been the practice of the Department of State Development and Technology to provide for the translation of company tenders or documents into Japanese. We believe that there are commercial translating facilities available which the private sector should be making use of. I acknowledge the point that perhaps many business opportunities are being lost by business not recognising that an advance is made if the documentation is in Japanese—of high calibre, I might say. We do not want to see poor quality expressions in Japanese being used to the detriment of the company involved.

In that context we have been doing a number of things. First, the Government has established the South Australian Institute of Languages. That institute is the subject of a Bill before this House right now, and will be used to promote further studies in languages relevant to South Australia. These, of course, include the languages of our major trading partners, including Japan.

It is interesting to note that the Manufacturing Advisory Council of South Australia, chaired by the Premier, has already dealt with the matter of languages and the impact that that has on economic development, and has strongly

urged industry in this State to be more aware of the need for knowledge of other languages. I can also advise that the South Australian Institute of Technology has offered some Japanese studies, particularly with a commercial purpose in mind. The institute wants to offer opportunities for business people to become familiar with the Japanese language, for the purpose of translation of their own documents and so that they can understand Japanese documentation that comes here.

More recently, I have received an approach from the South Australian College of Advanced Education, which is proposing a course in Japanese that will have economic development potential. The college has to meet with me or representatives of my office, and we are due to do that in the near future. I believe, however, that improved services at the tertiary level should, in the first instance, be the responsibility of the Federal Government, since it is primarily responsible for the funding of higher education.

Also, members may have noticed that Qantas recently indicated its concern that Australian business was not sufficiently aware of the need for other languages to be known by Australians—and it particularly identified the Japanese language. As a result of this public approach, I wrote to Qantas and indicated the initiatives that we were taking and our firm desire to cooperate with Qantas in anything that it wished to do in this area. However, I will certainly refer to the department the matter raised by the honourable member and examine whether or not the initiatives that we are presently undertaking in this matter are sufficient for the problem and, if they are not, what other areas of work we can pursue.

SCHOOL DISCIPLINE

The Hon. JENNIFER CASHMORE: Will the Minister of Education say whether the Government's much publicised 'parents participation policy', part of which aims to give parents a greater say in the discipline of their children in State schools, will allow parents to have a say about the Minister's announced plan to abolish corporal punishment in schools? Last year, the ALP State Convention passed a motion, which was seconded by the Minister, urging that:

> corporal punishment in South Australian schools be abolished within the next five years . . .

The Minister would be aware that his predecessor, the now Minister of State Development and Technology, commissioned a survey of parental attitudes to discipline in schools in 1984. The findings of that study, entitled 'Management of School Behaviour' revealed overwhelming support by parents for the retention of corporal punishment in schools. The then Minister of Education quite inexplicably refused to publicly release the findings, and the Government subsequently ignored the views of parents on the subject in favour of promoting the ALP Convention's policy. Parents are now asking whether the Government intends to honour the principle of its new policy of parental participation in schools by actually listening to what they are saying about this important issue.

The Hon. G.J. CRAFTER: The Government is certainly listening to what parents are saying about this matter. Very clearly, they want improved discipline and orderly learning environments in schools—and that is what will be provided. How that is to be achieved is the real question. It is very clear that corporal punishment is an outmoded approach to achieving this very important aim. The overwhelming majority of schools are looking for assistance in new approaches in providing an orderly learning environment. All schools are looking for that assistance, direction and support to achieve that very important goal. What they do not need is a hotch-potch of policies to achieve discipline across the education system.

It is not appropriate for every school to determine its own approach to this matter, with some schools having corporal punishment as a method of maintaining discipline and others not. Clearly, time must be given for new techniques to be developed and for them to permeate the system. That is why I believe that the Government has taken a responsible and appropriate course of action in providing a five year period for this to be achieved. By contrast, the New South Wales, Western Australian and Victorian Governments brought in the abolition of corporal punishment overnight. Further, the British Thatcher Government, for example, brought it in by way of legislation passed through both Houses of Parliament. Most other countries in the Western World have adopted the abolition of corporal punishment. To retain in our society a behaviour modification technique by the infliction of pain on a child, when that is prohibited by law for adults, I believe is now outdated.

The Hon. Jennifer Cashmore: Hear, hear!

The Hon. G.J. CRAFTER: In a responsible, humane, advanced society I believe that it is incumbent upon us to develop techniques that modify behaviour and create an orderly learning environment in our schools by other techniques which we are now very sure can be achieved.

We have appointed a very senior high school principal to work full time on this issue to give advice to schools and, indeed, many schools have in fact already decided to abolish the use of corporal punishment as a behaviour modification approach: that is, the infliction of pain or a legalised assault on children in order to obtain an end result. It is simply seen as not being effective. In the short term, by fear, it may achieve modification of behaviour. However, in the long term it is seen as being an ineffective approach. There are better methods, and we are working to achieve that goal.

The editorial in today's *News* says that what we do not need in working towards an orderly learning environment in our schools is the politicisation of this issue. That is precisely what the member for Coles and her Party have decided to do. They have decided to use this as an issue to divide parents, to divide schools, to divide children from their parents and to divide children and their teachers. What we need is a little bit of—

Members interjecting:

The SPEAKER: Order!

The Hon. G.J. CRAFTER: The community in South Australia deserves a little more from the Opposition. In fact, the children of South Australia are looking to us to provide a little more by way of leadership than that politicisation of an issue as important as the well-being of our schools.

DOMESTIC NOISE

Mr ROBERTSON: I address my question to the Minister of Transport, representing the Minister of Local Government in another place. Is the Minister aware of a recent approach by Brighton council to the Local Government Association, seeking the association's support in preparing a set of guidelines for distribution to member councils on the subject of domestic noise? In the minutes of Brighton council's meeting on 26 October 1987, Alderman Jones referred to a report on domestic incinerators and domestic heating which had been expressly prepared by the LGA in

past years and, following a motion from Alderman Jones, the council resolved to write to the LGA to seek similar support on the subject of domestic noise.

The Hon. G.F. KENEALLY: I thank the honourable member for his question. All members of this House would realise that excessive domestic noise is a significant contributor to sickness and to gross inconvenience in the community. Once people become aware of the noise, no matter how slight, that noise can become not only irritating, but can certainly cause deterioration in the health of the individual who has been affected by a noise. Obviously this is a matter that the Brighton council is concerned about, as it has motivated that council to take the matter up with the LGA to develop guidelines to issue to the member councils.

I would be happy to take up that matter with my colleague in another place, the Minister of Local Government, who I am sure would be very interested in this initiative and in the work that the LGA might do. I am also prepared to take the matter up with my colleague the Minister for Environment and Planning, who has, as part of his portfolio, responsibility for the Noise Control Unit. I believe that the honourable member has asked a very good question. It indicates that local government has responsibilities and authorities which can be exercised (and are, I might say) in the best interests of its constituents, and this is an indication of one council's willingness to do that. I will refer the honourable member's question to my colleague for an early report.

POLICE INTEGRITY

Mr INGERSON: Will the Premier instruct his Ministers and ministerial staff to stop reflecting on the integrity of the Police Force by making false allegations about the leaking of information to the Opposition? I refer to reports on radio 5DN this morning in which it was alleged that two police officers involved in the investigation of allegations relating to racing had been seen talking to an Opposition press secretary in Parliament House. The import of the allegations was that police officers had been improperly providing information to the Opposition. I quote in part from this morning's report:

> Senior Government Ministers are suggesting the possibility of a conspiracy.

This is something the Opposition absolutely and categorically denies. At no stage has an Opposition press secretary spoken to any police officer about these matters.

The only contact between the Opposition and the police on this matter has been through me, as the Government well knows: I have had continuing discussions with the police and have provided substantial information into their investigation. The Opposition is aware that a number of ministerial officers have been alleging to journalists that police officers have been acting improperly in this matter in talking to the Opposition, and that there is a conspiracy. In view of this unwarranted and unjustified reflection on police officers, I request the Premier to immediately instruct his staff and the officers to stop telling deliberate untruths in this matter.

The Hon. J.C. BANNON: What a hypocritical question! What an extraordinary thing! It was put to the Government by the news media yesterday that in fact Government members, impliedly also on behalf of the Minister, were standing over or threatening certain police officers who had appeared unexpectedly in the parliamentary gallery before Question Time, claiming that they had received information that questions were to be asked. We did not know what questions would be asked. That is the prerogative of Opposition members: they ask the questions. So, how was it that those two officers had been tipped off, had heard, or believed that questions would be asked? That is what the media asked us. Indeed, they said, 'You, the Government, have challenged those officers, because they were asked to identify themselves.' The police officers were legitimately asked what was the purpose of their being here. The response was that they came here because certain questions or information was to be placed before Parliament.

Who had the knowledge of that? I suggest the Opposition, and the Opposition only. The story was that the Government was in some way interfering with those policemen but, if anyone has been peddling untruths, rumours and innuendoes, it is those on the other side, because that is the story that they planted with the media and our legitimate response to that is that there is no question of that whatsoever. Indeed, today a statement has been issued by the police themselves, totally on the prerogative of the police, as is appropriate in this case, setting the record straight as far as that was concerned and in no way suggesting that the Government was involved.

It is scurrilous of the honourable member and indicates the way in which he has handled this whole business. It was interesting in a radio interview this morning that the member for Bragg said, 'It is not my position to tell the police how to investigate matters. I am sure that, if you have front men, the police also have people behind the scenes working on this at the same time.' I am not concerned about that. Corrupt people eventually get caught. Yet the whole burden of the honourable member's questions, not only yesterday but at other times, is that the Government should actively involve itself in this investigation. However, when confronted himself, the honourable member says blandly that the police should be allowed to get on with the job themselves.

That is what the Minister has been saying day after day in that place. I am glad to see that the honourable member, who is not prepared to acknowledge that in Parliament, is at least prepared to acknowledge it when caught on the radio. Secondly, the honourable member says that he knew nothing about this. Then, how come he said in a response at this interview, 'I told a certain journalist yesterday in an interview that I was not aware that the two policemen were in the parliamentary gallery and I do not know who they were'? The interviewer asked:

> What do you think it shows about the conduct of this inquiry if you have, as is alleged these two people which were former members of the inquiry speaking with not only the Opposition but the media as well?

The honourable member said that he did not know who these people were and knew nothing about it, but he also said:

> Well I think the first thing that we need to correct is that my understanding is that the two people that were in the gallery, one of them was involved in the inquiry and the other wasn't.

That is extraordinary. He continues:

> Now, my understanding is that the other member of the inquiry has been suspended.

So much for the credibility of the honourable member! He even trips himself up under questioning.

Members interjecting:

The SPEAKER: Order!

JACK HIGH

Mr TYLER: Will the Minister of Recreation and Sport make representation on behalf of lawn bowls enthusiasts to

the Australian Broadcasting Corporation asking it to reverse its decision to terminate the successful television series *Jack High*? I have been advised that the Manager of Mazda Marketing Services, Mr Len Bainbridge, has sought assistance from—

Members interjecting:

The SPEAKER: Order! I call the Premier to order and I particularly call to order the Leader of the Opposition. I warn him for the second time regarding his conduct today. There will be no further warnings. If he transgresses the Standing Orders or the practice of the House, he will be named forthwith, regardless of his leadership position. The honourable member for Fisher.

Mr TYLER: Thank you, Mr Speaker. I have been advised that the Manager of Mazda Marketing Services, Mr Len Bainbridge, who has sought assistance from the Prime Minister, State Premiers, Ministers of Sport, bowls clubs and their members throughout Australia to have the ABC reverse its decision. In his letter to supporters of the game, Mr Bainbridge states:

> With cooperation, considerable pressure will be brought to bear on the ABC who will quickly realise—perhaps more fully than before—the depth of support for the program. *Jack High* has played a significant role in providing entertainment, particularly among the elderly and retired sections of our community.

Mr Gunn interjecting:

Mr TYLER: If the honourable member had listened, he would know that I am quoting. Mr Bainbridge continues:

> It has also stimulated great interest among the younger people who seem to be taking to the game with great enthusiasm. The program has, therefore, played an important part in the development of bowls and in our view should continue this vital role.

My constituents have told me that they intend to write to the Managing Director of the ABC, Mr David Hill. However, they have indicated to me that they would also appreciate the Minister's making representation on behalf of supporters of lawn bowls.

The Hon. M.K. MAYES: I thank the member for Fisher for his question. I am not sure whether or not he is indicating a future interest in the sport of bowling. After our match last year with the press, perhaps he will publicly indicate that he may retire from that other sport, the great bat and ball game of cricket. Hopefully we can look to greater success from him against the press this year.

I have already written to Mr David Hill, the General Manager of the ABC, regarding *Jack High*. When one considers that an estimated 2 000 000 Australians watch the program *Jack High*, it is quite extraordinary, and that takes into account those people involved in bowling. I know also that many people who are not bowlers watch that program for interest, not only from the point of view of observing the skill in the game but also from the enjoyment aspect, because it is a very enjoyable spectator sport. I think that in many ways, in terms of its potential with spectators, it is much underrated.

South Australia has successfully hosted many national championships and it is looking forward not only to national but also to world championships in years to come. Our facilities for bowling competition are probably equal to those anywhere else in the world. Of course, the situation is causing great concern to the Royal South Australian Bowling Association. I am a member, and I am sure that many members in the Chamber are also members of that association. I am sure that this is causing a fair bit of distress to those people who over the years have enjoyed *Jack High*. It has been an extremely well produced program that has had a very good viewing audience and support from the public at large. Therefore, for the elderly people who actively take an interest in this sport and others it is unfortunate that this program has been removed from their viewing time; I imagine it is quite distressing to a number of people and it is frustrating from my point of view, as Minister of Recreation and Sport.

I believe it is incumbent on the ABC to review its decision and I very much hope that the ABC General Manager will screen either a replacement or a renewal of the *Jack High* program. I hope that those members of the community whom the member for Fisher has indicated are writing to Mr David Hill will urge everyone to write to him to encourage him to review his decision. Indeed, I hope that there is universal support from the many bowling members registered throughout South Australia and nationally to see that the program is reinstituted. It is a sad reflection that a public broadcaster such as the ABC should take a step to remove such a popular sporting program, and I urge other members of Parliament to join me in registering a protest with the General Manager so that we see *Jack High* restored to its appropriate place on the ABC.

ABORIGINES IN CUSTODY

The Hon. P.B. ARNOLD: Can the Minister of Aboriginal Affairs say whether, at the meeting in Hobart tomorrow of State Ministers with responsibility for police, it is the South Australian Government's intention to give guarantees being demanded by the Federal Minister for Aboriginal Affairs on the handling of Aborigines taken into custody? Last week, the Federal Minister, Mr Hand, warned that he would use the Constitution to force the States to act if they did not reach an agreement at Friday's meeting. I understand that the code to be discussed relates to matters such as medical examinations within an hour of being taken into custody, Aborigines being placed in multi-prisoner cells, preferably with other Aborigines, avoiding arrests on minor charges and the immediate notification of Aboriginal legal services or liaison officers.

The Hon. G.J. CRAFTER: I thank the honourable member for his question. It is a most important matter. This is the second ministerial meeting dealing with this matter. At the first meeting there was the evolution of a code of practice with respect to the imprisonment of Aboriginal offenders. This State has participated fully in the development of that code of practice and I understand that it will be discussed again tomorrow. My colleague, the Minister responsible for police, will be attending that meeting, and it is anticipated that there will be agreement with respect to the establishment of that code of practice.

The question of its implementation of course is the next crucial matter. Some of those matters have already been attended to in this State. We have already implemented them for a considerable period, but others require some long-term changes to our system, including physical changes to our prisons and other custodial institutions, and that will take further time to achieve. It is anticipated that, as far as South Australia is concerned, agreement with the code of practice will occur in this area.

ROCK MUSIC

Ms GAYLER: Will the Minister representing the Minister of Youth Affairs in another place ask his colleague to look at ways of developing contemporary music skills of young people in schools and in higher education institutions to build on their talents and increase our State's share of the lucrative rock music industry? Tea Tree Gully youth at a

recent seminar were critical of what they saw as neglect of their music in schools and in arts funding. They pointed to big funding subsidies to classical music, performing arts companies and patrons, and schools' concentration on classical music with quality instruments and teaching to the exclusion of rock music.

Claiming prejudice against contemporary music, students say that instruments are non-existent or of poor quality and that student bands are not allowed to practice at school or hire equipment out of hours. One student who has been a busker in Rundle Mall tells me that he is not allowed to take music at school because he has not had prior professional music lessons. Young people say that rock music in Australia is a $1.5 billion industry which contributes 'heaps' and offers economic and employment opportunities that we should be developing.

The Hon. LYNN ARNOLD: I thank the honourable member for her question, which I will certainly refer to the Minister of Youth Affairs in another place for more detailed comment, and I will also refer it to my colleagues the Minister for the Arts and the Minister of Education. Some of the comments made by the honourable member indicate that certain people in the community feel that some of our educational institutions may be overlooking contemporary music education. On the other hand, I point out that significant work is going on in a number of our educational institutions—particularly in, as identified a moment ago by way of interjection, the School of Music of the Adelaide College of TAFE. The South Australian College of Advanced Education provides experienced jazz and contemporary music education as components of their music courses, and that also occurs in a number of our high schools in this State.

The secondary curriculum guide for the teaching of music expressly set out to redress what had been perceived by some as an imbalance against components of contemporary music. In addition, the Senior Secondary Assessment Board of South Australia includes contemporary music within its course offerings. In the theory section of the publicly examined course students may study jazz and modern harmony, and in the performance section students have an opportunity to choose their own pieces—and many choose contemporary pieces. In the school assessed course under SSABSA there is more scope for ensemble work, and the ensembles are likely to choose the modern idiom.

In addition, many schools have formed their own contemporary music groups and bands which perform at socials and similar functions. Some have even achieved considerable acclaim. High schools such as Morphett Vale, Modbury, Nuriootpa and Banksia Park have big bands which play a whole range of modern music. The Woodville High School Stage Band has an enviable reputation as does Norwood High School's Jazz Stage Band. Fremont High School has a number of student ensembles and Wirreanda has produced the remarkable close harmony group 'Confined Quarters' who are reinterpreting many of the standard popular songs in their own way. The Education Department provided a grant of $5 000 towards the 'Rock 'n' Roll Eisteddfod' and students from 10 high schools competed in the finals. Indeed, the Eisteddfod was won by Reynella East High School for the second consecutive year with a performance most appropriately titled 'The politics of dancing'.

That indicates that a number of our schools and certainly our tertiary education institutions such as TAFE and the South Australian College provide education in the contemporary music idiom. It is true that a number of other schools may not be providing those opportunities, and I will draw that to the attention of my colleagues. I will also obtain from Austrade a report on whether rock music is an area of future export potential—because I understand that it has been identified in those terms—and the extent to which the Department of State Development and Technology can assist in this area.

The honourable member also said that there is a feeling of unfair distribution of Government resources in relation to cultural support to classical music away from contemporary music. One must take account of the fact that, as contemporary music is more likely to be commercially self-sustaining than is the case with the classical idiom, the community should expect the Government to support a wide range, and that may require greater support for the classical idiom for which I am personally quite grateful.

STUDENT MAGAZINE

Mr S.J. BAKER: Will the Minister of Employment and Further Education initiate discussions with the Council of the Salisbury College of Advanced Education about the use of taxpayer-funded resources and premises to produce a magazine which contains grossly offensive material? The Opposition has received representations from students of this college who are seriously concerned about material published in the student union magazine *Boomshanka*. They say that the material is being produced with the assistance of taxpayer-funded resources, in taxpayer-funded premises, and that it is displayed in the campus canteen where it is visible to children and teenagers under 18 years of age.

They are also concerned that its production is partly funded by the corporate fee which they must pay to the college as a condition of their enrolment. I have in my possession some examples of this material which is depicted under headlines such as 'Do you truly, honestly like oral sex?' and 'Cucumbers are better than men because . . .' The material I have cannot, by any stretch of the imagination, be construed as either educational or informative. In fact, it is quite disgusting.

Members interjecting:

The SPEAKER: Order! The interjections coming from the Government benches are not of assistance to the Minister. The honourable Minister.

The Hon. LYNN ARNOLD: I presume in asking his question the honourable member, making a mistake in his first sentence, actually means that I should contact the South Australian college with respect to its Salisbury campus, not the Salisbury college, which has been out of date now for some five years. This matter has already been drawn to my attention by members of this place who have privately sought to express their concerns (such as the member for Semaphore and others) and have chosen not to raise it in a public place to attract automatic media interest in the matter. I am awaiting a report on the matter.

Members interjecting:

The Hon. LYNN ARNOLD: It is interesting that the honourable member chose to titillate this House by particular references to that material, and I ask for what purpose that was done. When this matter with respect to student publications in other tertiary education institutions has been drawn to my attention, I have followed it through with the appropriate tertiary authority, and indicated the concern we may have in those circumstances. There were questions about another tertiary institution a couple of years ago. Because I have already received inquiries on this matter from members privately, as I say, which was appropriate, I have followed them through. I have not yet received the report, but the questions we are asking are, first, the extent

to which the allegations about the publications are true; secondly, the extent to which their publication is being funded at all by taxpayers' resources, through the provision of either facilities or recurrent printing costs; and, thirdly, the extent to which that material should be the subject of control under other legislation with respect to its general distribution.

When I have that report I will decide what further action I should take, if it is within the realm of the State Minister to take further action. I will need to examine my legislative rights in this regard. I certainly assure all members who have brought this matter to my attention either privately—or now, in this case, publicly for the titillation of the gallery and the press—that I shall give a report to them on that matter.

CHILD RESTRAINTS IN TAXIS

Mr RANN: Can the Minister of Transport inform the House whether there has been any progress towards encouraging more taxis to be fitted with baby or child restraints? Last month in a question to the Minister I informed the House of the concerns of a constituent who had had difficulty finding a taxi fitted with a child restraint. My constituent told me that she had been advised by one major taxi company that only two cars out of a fleet of hundreds were equipped with child restraints.

The Hon. G.F. KENEALLY: There has been some progress, and I am heartened by the interest and concern being shown by the people involved. The Red Cross, for instance, which has the responsibility on behalf of the Government of managing the baby capsule scheme, is interested in becoming involved with the taxi industry in the provision of baby capsules in taxis. The Division of Road Safety in the Department of Transport is preparing a technical guide to the installation of child restraint anchorages which is soon to be released.

When the honourable member raised this question previously in the House, I was concerned about the number of taxis that had these anchorages fitted—which were very few indeed. I think I mentioned then and ought to mention again that the taxi industry has a very good safety record, but a previously good safety record is in itself no obstacle to a serious accident happening tomorrow. I believe that these capsules ought to be available or that, at least, the anchorages should be available. I have raised this matter with the Taxi-Cab Board, and the Chairman has advised me that he has canvassed all taxicab operators and that a position on their acceptance of the voluntary fitting of these devices should be known within a few weeks. It has been put to the industry that consideration be given to the supply of a bolt and a plastic clip and washer, to be fitted to one upper anchorage point on the rear seats of taxis.

It is expected that some 855 taxis would be involved on a voluntary basis. It is expected, of course, that parents will supply the capsule or child seat. Where no capsule or child seat is supplied, a child of the age of 12 months or more can be restrained in an adult seat belt. That is not a requirement within taxis, but I believe that that practice ought to be followed voluntarily by taxi drivers and owners. At the moment I am able to report that while progress is being made in the matter of encouraging taxi drivers to install the anchorages for baby capsules and to ensure that children over the age of 12 months are safely seat belted into a vehicle. At this stage I am awaiting a full response from the industry as to what its intentions are. I thank the honourable member for raising this matter. I am confident in my belief that provision will be made within the taxi industry for the safer transport of children.

SMALL LOTTERIES

Mr BECKER: Will the Minister of Recreation and Sport say why he has not yet made public the report of the inquiry into small lotteries, and will he confirm that the report exposes improprieties in the sale of instant cash, beer and bingo tickets? I called for this inquiry in January this year following complaints that the public was being ripped off by some of these ticket schemes, which turn over in excess of $45 million a year in South Australia. I understand that the Minister received the report in early September—almost three months ago. Apparently, the Liquor Trades Union is aware of its contents, for I have received a letter from the union which states, in part:

> Evidence put to the recent inquiry into small lotteries in hotels, etc., overwhelmingly showed that the current bingo/beer ticket system is rotten and needs drastic reform.

The Hon. M.K. MAYES: I have received a report from the working party. The matter will go to Cabinet, and in due course it will be released to the public, with recommendations from Cabinet.

PERSONAL EXPLANATION: PREMIER'S REMARKS

Mr INGERSON (Bragg): I seek leave to make a personal explanation.

Leave granted.

Mr INGERSON: During his reply to a question that I asked, the Premier made several statements which I believe need correcting. First of all, in answering questions on 5DN this morning I made the statement that I was not aware whether during Question Time there had been any police officers in the gallery. That was in relation to a question that I had been asked on this, and the answer was 'No', as I had not been aware of this during Question Time. Immediately after Question Time, two people advised me as I left the House—one being a journalist—of the presence of two police officers. They also advised me that—

Members interjecting:

The SPEAKER: Order! The member for Bragg has the call to make a personal explanation, which should not be interrupted by interjections by the Deputy Leader of the Opposition.

Mr INGERSON: They also advised me that the two detectives were questioned by a ministerial officer on whether they had any right to be in this House and within the Parliament. I was advised of this by a journalist and by another person in this House. As it relates to my statement, correcting a matter as it relates to the two detectives in the gallery, my reply to the question was due to a statement made on—

Members interjecting:

The SPEAKER: Order! I am reluctant to interrupt the member for Bragg but, as I have pointed out on previous occasions, a personal explanation, by definition, is an important matter whereby a member feels seriously aggrieved in some way. It is a requirement that a member be heard with the utmost courtesy and consideration. I ask the Deputy Leader and the Premier not to conduct a dialogue across the Chamber.

Mr INGERSON: The Premier made an inference during a statement in reply that I was incorrect in correcting the two detectives in the gallery. That statement was made prior to my going on 5DN in a statement by one of the journalists.

The reason I corrected it was that in recent times one of the detectives who has been involved in the inquiry into the trotting industry has been suspended due to the investigation by the NCA. The Premier and I are aware of that fact. My statement was in fact continuing on with that. I have also been advised today by one of the detectives concerned that he was advised by a TV station about the possibility of questions being asked as they relate to the racing or trotting industry.

The SPEAKER: Call on the business of the day.

IN VITRO FERTILISATION (RESTRICTION) ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 25 November. Page 2108.)

Mr BECKER (Hanson): The Opposition has no argument with this legislation and supports the Bill.

The Hon. G.F. KENEALLY (Minister of Transport): I thank the Opposition for their support of this Bill.

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

SHOP TRADING HOURS ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 25 November. Page 2114.)

Mr OLSEN (Leader of the Opposition): This is an issue which demanded that public interest be put before vested interest and which required the Government, for once, to give some leadership. However, the Government has put union interest before public interest and the Premier has refused to give any leadership whatsoever. He has hidden behind the Minister of Labour, who, as I will show, is increasingly being exposed—and I suppose he would almost say it with some pride—as a reckless socialist.

I call on the Premier to enter this debate. He has a responsibility to do so. I call on him to explain why he wants to force up retail prices; why he wants to put pressure on wages in the private sector while his Government resists the demands of public sector workers; and, why he blindly supports union demands for wage rises which are being made as nothing more than blackmail to consumers and traders who want the shops to open on Saturday afternoons.

I challenge him to deny that the Government is acting in this matter for one reason and one reason only—the need to preserve factional balances within the ALP. The shop assistants union is influential within the ALP. It helps the Premier to keep the lid on the factions. To buy this union's continuing participation in his factional deals, the Premier is prepared to sell out the interests of consumers, of traders, of the South Australian economy.

This is an issue on which, no matter how it acts, the Parliament will not please everyone. Some hard decisions have to be made. For once, the Premier cannot rely on opinion polls to give him the right answers. While the polls have consistently indicated majority consumer support for extended shopping hours, they do not tell the full story. They do not reveal the divisions within groups which usually have a common view.

Whether it be retail goods, used cars, petrol, meat or many other products, employers and employees in these areas have been traditionally divided on when they should be available for sale to the public. However, I believe a matter of high principle is involved here. Retailing is a service industry. It is a service which should be available when the public needs it, and I believe, for many reasons, some of which I will explore in a moment, the public not only wants but needs to be able to shop on Saturday afternoons.

The present arrangements are ludicrous. For most of the time, most of our shops are open when most of us cannot shop. Of the total hours most of our shops are open during the week, less than 13 per cent of this time falls outside the period when most people are at work. As a result, particularly on Saturday mornings, there are queues in shopping centre car parks, queues at supermarket counters, staff put under unnecessary pressure by frustrated shoppers—all because people cannot shop in a more leisurely, civilised manner.

In fact, our present arrangements are unseemly, uncivilised and as unnecessary as the 6 o'clock swill we buried 20 years ago. If hotels and restaurants can open on Saturday afternoons; if we expect chemists to be open; if we expect to be able to buy a pie and a can at the football on Saturdays; if we expect people to drive the buses and the police to maintain their patrols of our streets on Saturday afternoons: where is the consistency or commonsense if we at the same time force our shops to close? There is no reason why people should be able to visit a picture theatre but not a department store on Saturday afternoons.

Since I became Leader of my Party, I have consistently supported an extension of trading hours to Saturday afternoons. In a speech I made on 4 August 1984, I said:

> There is scope for extending hours. There is demand for extending hours. But decisions must be taken with a consideration of all interest groups.

In that speech, I emphasised the point that labour costs needed to be addressed to ensure that with any introduction of extended hours, small business and consumers were not disadvantaged. My Party's small business policy at the 1985 election recognised that, as our society changes in the hours we work and as leisure time increases, there will be an increasing demand for changes to the shop trading hours legislation. To facilitate this, we said there had to be a significant change in penalty rates and industrial conditions generally. In a speech on 3 October last year, I said:

> Greater flexibility in labour costs, in work practices, would allow more flexibility in shop trading hours to meet community needs, but it must proceed in that order—or small business will be placed in an impossible position. If change can be achieved which meets some of the concerns of small business over cost pressures, it would be possible to extend shop trading hours on a fair and equitable basis.

As recently as 22 September this year, when I opened the New Homemaker City complex at Greenfields, I said that the Opposition supported the commencement of Saturday afternoon shop trading as soon as practicable. In taking our position, we have had three major concerns. We believe there must be greater flexibility with labour costs and staffing schedules. This is not to say that shop assistants should be forced to work much longer hours without appropriate remuneration. We insist that Saturday afternoon work must be voluntary, and we believe that in the main it will provide valuable work experience opportunities for younger South Australians or married women who want to supplement the family income by working on a casual basis.

There is also a need for more flexibility in leasing arrangements. At present, leases for small retailers in shopping centres require that they trade on a one-open-all-open basis.

These arrangements are too restrictive. More flexibility would give smaller retailers a freedom they have long sought to trade according to their personal preference. However, instead of giving serious consideration to these vital questions in determining its attitude, the Government has taken only one decision—to support the unreasonable demands of the shop assistants union. It has done this without first assessing the possible impact on consumers and the higher retail prices that they will be forced to pay. The squeeze on the family pay packet is, for the majority, already severe enough without unthinking, uncaring Government decisions making it any tougher.

The Government has also failed to appreciate that there will be an outbreak of wage demands from a variety of other unions in allied industries, with implications for the State and national economies. It has a policy of extended hours at any price—of peace at any price with its union mates. If the Government-supported union demands are successful, they will mean a rise of more than 24 per cent in labour costs in the retail trade in just 12 months. The Government could not even begin to contemplate such a rise for its own employees, so where is the fairness in trying to force it on the private sector? Where, as well, is the fairness in forcing up the average family's shopping bill by at least $160 a year—for this will be the result of these wage claims? This is not a policy any fair-minded person could or would support. The Opposition will vote for the second reading of this Bill to reflect our support for extended trading. However, if amendments that we intend to move in Committee are not successful, we will seek to defeat the Bill in the interests of consumers and of commonsense.

Our amendments will seek to prevent any extension of current trading hours until the Prices Commissioner has reported to Parliament on the implications for retail prices, and the case before the Industrial Commission has been heard and finally adjudged. Our amendments will also address the current leasing difficulties of smaller traders.

I have referred to this Government's lack of leadership in this matter. The point is neatly illustrated with a reference to earlier parliamentary debate of this matter. On 6 July 1899, the then Premier and Attorney-General (Charles Cameron Kingston) introduced an Early Closing Bill. *Hansard* records the following opening to his second reading explanation:

> The Attorney-General, in moving the second reading of the Early Closing Bill, said that, although it was not the first time he had done so, he trusted that it would be the last.

Kingston's words were echoed almost exactly 78 years later, by the present Minister of Labour. While debating, in another place, legislation to extend trading to one evening a week, the Minister said (and I quote from *Hansard* of 16 November 1977):

> I hope that the Bill now before us is the final Bill in a long and unhappy history of legislation on this matter.

I have no doubt that the Minister is now regretting that his hope was not fulfilled. Changing lifestyles and the increasing number of women in the work force have made sure that it could never be.

Despite the almost eight decades between the two statements that I have just quoted, they admit of one continuing political reality—the difficulty, in trying to deal with this matter, or pleasing everyone. This is why, as well, we have had so many inquiries into this matter. Over the past 20 years they have included the following: in 1966, the South Australian committee appointed to inquire into certain aspects of shop trading hours; in 1969, the New South Wales report of inquiry conducted by the Industrial Commission; in 1977, South Australian Royal Commission into the laws relating to shop trading hours; in 1978, the South Australian House of Assembly select committee on shop trading hours; in 1978, the Queensland committee of inquiry into all aspects of hours of business in shops; in 1981, the Tasmanian inquiry into retail trade; in 1982, the Joint Committee on Australian Capital Territory shop trading hours; and in 1985, the West Australian retail trading laws inquiry.

In other words, over the past 20 years, of Australia's States and Territories, only the Northern Territory has not inquired into the question of extended shopping hours. In South Australia we have had three inquiries—not for the purpose of determining consumer preference, for that has long been clear—but rather, to seek ways to evade the responsibility for making politically difficult decisions.

The first inquiry in South Australia commissioned by the Walsh Government in 1965 noted the following submissions made to it:

> The changing pattern of living, especially with the increasing number of women who now work, our different eating habits, and the increasing numbers and influence of migrants in our community, seem to require something different in shopping facilities.
>
> Shop trading hours should be more convenient to the shopping public and more flexible than at present and should give greater opportunities for husbands and wives (especially in cases where the wife is working) to shop together for high-priced goods and household equipment, for example, furniture, motor cars.
>
> Men and women who work and live alone now have difficulty in shopping within the present shop trading hours, especially for food.

These observations apply with even more force today; yet since that inquiry more than 20 years ago, South Australian consumers have gained only an extra 3½ hours in general shopping time. This Parliament has lacked the political will to reflect, in our laws, the wishes of the majority.

Members of the Party opposite, time and time again, have tried to wash their hands of this weakness because of self-centred, selfish union pressure, and no-one has been a greater apologist for the shop assistants union than has the Minister handling this Bill. When a Bill for extended hours was before another place in 1976, the Minister was an unashamed and uninhibited advocate of the union's total opposition. The *Hansard* of 2 November 1976 records the Minister as reading at length from union documentation—one could almost say propaganda. He also stated:

> Clearly, there will be an increase in costs and at this time I do not see how the Government could be party to any action that would result in increased costs.

The Minister has now taken the completely opposite position. He also said in that debate:

> When the shop assistants, the employers and the public come to the general consensus that this is what they want, I will be only too happy to support it.

For a decade Labor has tried to maintain this position, to avoid its own responsibilities. The Minister's predecessor, Mr Jack Wright, was reported, in the *Advertiser* on 2 August 1984, to have said:

> If there was an agreement he would take recommendations to the Government to have them implemented.

Here, the Minister was referring to an agreement between the Retail Traders Association and the union. I can quote a series of more recent similar statements from the present Minister. For example, from the *Advertiser* of 4 November 1985:

> The Government view is that if the unions and employers can come to some mutual arrangement which suits both sides the Government would be very happy with that.

On 14 July this year, again the *Advertiser* stated:

> If the two parties come to us with an agreed position, the Minister would be delighted to take it to Cabinet.

But this has not happened.

The Hon. B.C. Eastick: Two parties, both with the same idea.

Mr OLSEN: Two parties, both with the same idea, but clearly that has not happened. The Minister has duped the public and he has duped the retailers. There is no agreement, nor can there be, on the basis of the Government's supporting the current application before the Industrial Commission, because there could be no agreement with the union. The Minister has now backed the union. No agreement has been reached. The retailers could not agree to the 24 per cent hike in costs for shop assistants during the course of this year whether or not they work on Saturday afternoons—and that point needs to be made. No agreement was reached and no agreement could ever be reached. The Minister well knew that agreement could never be reached on that basis, so the Minister backs off.

There has been no mutual agreement between the parties, so what does the Minister do? He backs the union and, what is more, he goes to the Industrial Commission with the full weight of the Government and says, 'We will back this claim which, in effect, will give a 24.2 per cent increase in costs across the board to a retail industry,' without investigating the consequences on retail prices. He has done that, despite his speech in Parliament some 10 years ago when he was very concerned about retail prices. He is not so concerned about retail prices today. He refuses to have the Prices Commissioner assess the impact on retail prices, how that will affect consumers, how that will erode their pay packets and how that will disadvantage them for the convenience of Saturday afternoon trading.

The Minister automatically backs the union before the Industrial Commission, in an unprecedented way, in a year when there should be wage restraint. This is in the same year when the same Minister has argued with public sector unions—and rightly so—in relation to the second tier. He has argued about the 3 per cent or 4 per cent productivity offsets, but he is not prepared to argue the 24.2 per cent increase. There is only one reason for that: it is the balance of the factions within the ALP. That is the sum total and it is nothing other than that. That is the bottom line and he knows it. The Minister may well laugh, but he knows that that is the truth of the matter.

The other point is that the Minister and the Government have not determined the implications of this move to a whole range of other employer groups within the community. I have no doubt that the Minister received a message at the Chamber of Commerce dinner on Tuesday night as to its concern about the flow-on effect in a whole range of allied industries as a result of the precedent of the Government's backing this particular union before the Industrial Commission at this time. I am pleased that the Federal President of the Conciliation and Arbitration Commission has seen fit to take some action and has called the Presidents of the State Industrial Commissions together to discuss the matter—he is so concerned about the Government's action in regard to this matter.

Given the Minister's political philosophy, I suppose that this is not surprising. In 1975 he stood up in the other place and proudly said, 'I am a dedicated socialist.' If ever there was a classic case of socialism, this is it. His WorkCover legislation is another. You take it away from the private sector, you give it to Government monopoly and then you start to balance them out. Members opposite call it cross-subsidisation. We now have the Blind Welfare Association having to pay $28 000 instead of $5 900 for this Minister's cross-subsidisation. He ought to talk to some of the manufacturers in this State to clearly identify that they are paying more.

One Adelaide electrical subcontractor had a reduced percentage premium. He acknowledged that fact and was pleased about it until he started to work out the cost of paying the first week. He has now assessed that his costs will be 30 per cent greater this year than was the case last year, despite the 'premium reduction'. You have an absolute nightmare with WorkCover and well you know it. The same principle is being applied here.

The SPEAKER: Order! The Leader is well aware that he must address his remarks to the Chair.

Mr OLSEN: The same principle or socialist direction and philosophy is being applied in this case. It is a matter of backing the union before the Industrial Commission and not worrying about the implications. The Minister says, 'In my 48 years, I have met many people, including some wealthy retailers, but I have never met a wealthy shop assistant.' I respond by saying that the South Australian bankruptcy figures clearly demonstrate that many small retailers are poor—poorer than many shop assistants in South Australia—and they cannot make ends meet. The Government, by supporting this pay hike and cost increase in the Industrial Commission, on top of the WorkCover that it has applied already to these people, will force those people to the wall. The South Australian bankruptcy figures clearly demonstrate that point. Once again we get this equalisation. One or two retailers have made a bob, but the Minister wants to bring them all down. In the process—

An honourable member: Socialist.

Mr OLSEN: Of course it is socialist—it is socialism at its best and that is freely advocated by this Minister. In bringing down one or two wealthy people (there are one or two around, and I acknowledge that), he will cripple and bankrupt many small retailers in this State. In the process, he will render the South Australian unemployment queues longer as a result.

The SPEAKER: Order! The honourable member's time has expired. If the honourable Minister speaks he closes the debate.

The Hon. FRANK BLEVINS (Minister of Labour): It certainly has been an interesting debate. It started off in a totally predictable fashion with the member for Mitcham making a typical semi-hysterical second reading response. Craig Bildstien of the *News* has a fair bit to answer for in pointing out that the member for Heysen was obviously front bench material again, the resurrection being due to his animated way of speaking. This appears to have had a profound effect on the member for Mitcham and, I notice today, on the Leader of the Opposition, because we are having animation in large doses. The member for Mitcham has been reading too many what they called in my youth penny dreadfuls, all hyperbole and colourful adjectives but little content—

Mr Lewis interjecting:

The SPEAKER: Order! The honourable member for Murray-Mallee will cease interjecting.

Mr LEWIS: On a point of order, Mr Speaker, may I ask you to draw to my attention anything that the Minister has said in the past couple of minutes which is relevant to the reply traditionally given by the Minister to the second reading debate.

Mr Duigan interjecting:

The SPEAKER: Order! The honourable member for Adelaide should not interject when the Chair is receiving a point of order from another member. It appeared to the Chair that the Minister was rebutting or replying to remarks made by members opposite in the course of their contribution to the debate on the Bill. The Chair has no intention

of extending any greater latitude to the Minister than the Chair extended to the Leader of the Opposition in his contributions on the Bill, but neither has the Chair any intention of extending any less latitude. The honourable Minister.

The Hon. FRANK BLEVINS: Thank you very much, Mr Speaker. The member for Murray-Mallee is very selective. I would have some regard and respect for him if he took a point of order when someone was deliberately straying from the Bill. The member for Mitcham was 40 minutes into his speech last night when he said, 'Now I turn my attention to the Bill,' and then he spoke for a further three minutes and sat down. However, the member for Mitcham, as I was saying, gave a typical speech: lacking in content, very colourful, delivered in an undergraduate style and, as I said earlier, semi-hysterical. He did not address any issues that I could see that were in the Bill.

He went so far (and I am surprised that the member for Murray-Mallee did not pick this up) as to suggest that the Premier should get the Order of Lenin from Mr Gorbachev. I am not sure what that had to do with the Bill, but the member for Murray-Mallee obviously thought it fitted. This Bill is not about pay and conditions for shop assistants at all. It is a simple Bill about a simple proposition: for those shops, at present not allowed, to trade until 5 p.m. on Saturday. That is the issue that I want to address in this response to the second reading.

I have some difficulty working out the Opposition's view on this. I was surprised to hear the Leader of the Opposition state categorically that the Opposition was in favour of extended shopping hours. There was little indication of that in the contributions last night and, almost without exception, Opposition members said how they were free traders but that they did not agree on this occasion. There is a certain degree of consistency in that because I have never seen such a poor group of free traders in my life. When the Government tried to deregulate the egg industry there were no free traders to be seen on the Opposition side. When the Government tried to deregulate the milk industry to a minor extent there were no free traders on the Opposition side again. When the Government tried to deregulate the potato industry, again there were few free traders on the Opposition benches.

I am not sure from where they get their credentials as free traders: it is certainly not in their actions—only in their rhetoric. As I stated, this Bill has nothing to do with pay and conditions for shop assistants. I make this point: this Government does not support for any employee any increase outside the national wage case guidelines. We have made that perfectly clear to the commission; we will continue to make it clear to the commission, and it is up to the commission to decide whether the claim by shop assistants—whether or not it is supported by us or opposed by the RTA and the Chamber of Commerce or anyone else—

Mr S.J. Baker interjecting:

The SPEAKER: Order! The honourable member for Mitcham has made his contribution and will have a further opportunity to contribute during the Committee stage of the Bill.

The Hon. FRANK BLEVINS: It will be the commission itself that will decide, and that is how it should be. The commission is the umpire. We have a dispute over rates of pay and, within our wage fixation system, which this Government strongly supports, it is quite proper that the umpire makes the decision. I can see nothing wrong with that. I support that, and whatever decision the commission makes we will abide by. Of course we will abide by it.

Before dealing with the substance of the Bill I want to deal with a couple of other points. It seems that the question of costs excites the Opposition considerably. There will be an increase in cost only if the commission says clearly that shop assistants are entitled to more money. The commission has not done that yet but, if it does—and certainly we are supporting that proposition—any increase in costs flowing from that decision will be because the independent tribunal (the umpire) has stated that there should be an increase in pay for this additional work. That proposition should not have to be even argued: there ought to be no question about that. If shop assistants are entitled to more money, they should get it. If it is good enough for members of Parliament to refer their pay claims to an independent tribunal, it ought to be good enough for shop assistants to do the same.

Mr Olsen interjecting:

The Hon. FRANK BLEVINS: I can assure you that the next time the Parliamentary Salaries Tribunal sits the Government will put a view to it. I can guarantee that and the Opposition will be cheering us on. I believe that some members of Parliament are being particularly hypocritical in claiming that the umpire should not make a decision in the case of shop assistants, when they want everyone to abide by the umpire's decision if their own pay packets are affected. I support members of Parliament as well as the shop assistants union. There is no way that any sensible estimate can be made about increased costs, if any. As I have said, we can go to some authoritative sources in the industry. I have already given one quote to the House previously from the *News* of 28 October 1987 when Mr John Patten, Managing Director of Independent Grocers Cooperative Limited, is reported as stating:

> Prices would have to go up between 1 and 2 per cent across the board.

Very knowledgeable: I understand that this gentleman's company has over half of the wholesale grocery market in South Australia. An even more authoritative statement was made in the *Sunday Mail* on 15 November, as follows:

> Some retailers claim the full package will increase costs up to 15 per cent while others have put the likely impact as low as 1 per cent. Le Cornu's stores director, Mr Dean Flemming, who was pushing for all day Sunday trading for furniture and carpet retailers at the same time Saturday afternoon trading is introduced, does not think prices will be affected.

I point out that this was said by a very large retailer. The article continues:

> 'We have done our homework and we are happy to pay the double time penalty rate and award conditions for our shop assistants,' Mr Flemming said. We cover our basic costs in 5½ days trading so the only extra cost involved is the wages we actually pay for the Sunday.

Le Cornu's said that—not the Government—and it should know. Le Cornu has said that there will be no increase in costs at all. The Retail Traders Association and possibly the Chamber of Commerce will put an extensive case to the South Australian Industrial Commission—so they will have their day in court. I imagine that they will put forward a great deal of information as to the effects on prices and employment in the industry. The Industrial Commission will take that into account and make an award accordingly, and that is the way it should be.

One argument that I could not understand from Opposition members last night and from the Leader of the Opposition today was the linking of an extension of trading hours with costs to small business—there is absolutely no connection whatsoever. If, for example, there were no penalty rates paid in the industry at all—

Mr S.J. Baker: Tell us about the $25 a week extra.

The SPEAKER: Order! The honourable member for Mitcham will have an opportunity to contribute further during the Committee stage.

The Hon. FRANK BLEVINS: I am telling the House about something else at the moment, but I will come to that. Members opposite said that somehow the extension of shopping hours should be linked to a reduction in penalty rates—or their elimination—and that in some way that would assist small business. If there was complete elimination of penalty rates, and even a 50 per cent reduction in pay for shop assistants, it would not make any difference to the relative position between small business and large business, because the elimination of penalty rates would not be just for small business but would also include large retailers. So the relative position would be exactly the same—there would be no difference whatsoever.

Mr Oswald: Small business employ permanent staff, while large retailers have casuals.

The Hon. FRANK BLEVINS: But it makes no difference because the playing field would be exactly the same—they would all be in the same relative position. I look forward to someone addressing themselves to that point and telling me how the elimination of penalty rates, or even a reduction in pay, would have any favourable impact at all on small business, because it would also be enjoyed by the large retailers. Clearly, the issues are quite separate. As I have said, the proposition is quite simple: do we want to allow shops to trade on Saturdays until 5 p.m.? The best speech—in fact, the only relevant speech made by the Opposition during the second reading debate—came from the member for Alexandra, who stated the issues very clearly, succinctly, and accurately. There is an industrial dispute about wages at the moment—there is nothing unusual about that because it happens every day in Australia. A lot of noise and smoke will be evident until the dispute is resolved and, again, there is nothing unusual about that and people should not become excited about it. That should in no way interfere with the question of whether we should have extended trading until 5 p.m. on Saturdays for those who want it. I congratulate the member for Alexandra, who is obviously the elder statesman of the Liberal Party. More recent members opposite would do well to worry less about animation, hyperbole and their undergraduate style of delivery and take more notice of the member for Alexandra. If they did that, they would make a much more positive contribution to the debate and perhaps in the process enhance their image with Craig Bildstien.

The shopping hours question has been quite vexed. My views are quite clear: I believe that anomalies that have existed in the system since the introduction of Dean Brown's legislation at the end of 1980 will eventually bring down all the regulations in this area. When Dean Brown deregulated to the extent that any item at all could be sold in a shop, providing that it was of no more than 200 square metres in area, that was the one single act that ensured that anomalies would be quickly identified and, as a result, restrictions on shopping hours could not be sustained. For example, hardware shops can trade on Sundays—and I agree with that completely; I have no argument with it—but the items that they can sell, in my view, are somewhat arbitrary. Wooden furniture, for example, can be sold in a hardware store while an identical item cannot be sold on a Sunday in another store unless that store is less than 200 square metres in area. There is absolutely no logic in that, and, in my view, there is a great deal of discrimination. There is no way that that position can be sustained, and it should not be sustained.

In 1987 we are attempting to unscramble this particular omelette, which is a quote from Lenin (seeing that the member for Mitcham introduced him into the debate earlier, I thought that I would toss that in). We are trying to unscramble the omelette, and that is very difficult—but I believe that we will get there. Another thing that annoys me—and has always annoyed me—about this debate is the fact that small business does not want extended trading hours, and I point out that 98 per cent of the small business area is already deregulated, so it already has extended trading hours. There is no restriction on small businesses trading providing that they are less than 200 square metres in area—so there is no restriction whatsoever. I object to small business having that right, not using it and then wanting to prevent someone else who is prepared to trade outside those so-called normal hours from doing so.

Small businesses want to prevent others from having the right that they already enjoy but choose not to exercise. I have always had a great deal of difficulty in accepting that view from small business. I welcome the member for Alexandra back to the Chamber. He has added immeasurably to the quality of members opposite. If small business came to me and said, 'We do not want extended trading, so close down everything on weekends, including us,' that would have some logic and I would respect that point of view. I would not agree with it, but I would respect it. But it does not do that. Instead, small business says, 'We have the right to pick and choose, and we want that right, but we do not want someone else to have that right.' To me that is hypocritical in the extreme.

I am also somewhat perplexed by some of the contributions from members opposite who talked about their own electorates. I have received representations from traders within those areas and without exception they want extended trading hours in those districts which are regulated. The member for Murray-Mallee made his usual contribution—it was quite extraordinary. As much as I could understand it. he was opposed to extended trading for some obscure reason.

I have had representations from Tailem Bend. They said, 'This is becoming a tourist area: please let us trade. There are customers out there who want our products. We want to service them; why won't you let us do that?' I will write back to them and send them a copy of the speech made by the member for Murray-Mallee, pointing out that their own local member does not support them. The member for Mount Gambier also made a contribution. I constantly receive representations from Mount Gambier for extended trading hours, and I help them as best I can. They say, 'There are members of the public in Mount Gambier who want to come into our shops at times when you won't permit them.' They ask me, 'You justify that,' but I cannot justify it.

Members interjecting:

The SPEAKER: Order! Honourable members are introducing by way of interjection specific points that are best debated in detail during the Committee stage of the Bill. The honourable Minister.

The Hon. FRANK BLEVINS: The member for Alexandra was totally consistent. One area that he represents is Victor Harbor.

The Hon. Ted Chapman interjecting:

The Hon. FRANK BLEVINS: Absolutely! And when I get representations from Victor Harbor in certain areas of retailing, again I try to assist them. They say, 'There are customers here, particularly in the summer months, the holiday period, whom we want to serve.' If I can, I assist them to do that. I understand that the member for Mor-

phett's area includes Glenelg. The Glenelg traders wrote to me saying, 'Please let us trade on this particular day. We are having a festival and we want to trade.' I could see no reason why they ought not to trade, so I allowed them to do so. But it is all very piecemeal and *ad hoc*.

One of the strongest opponents of extended shopping hours is apparently the member for Heysen. I am inundated with requests from Mount Barker for extended shopping hours, and in Mount Barker people go to the extent of trading illegally and being fined up to $5 000 for doing so. That is the extent to which they will go to serve the community of Mount Barker, and I have to prosecute them because of the law. I can assure you it gives me no pleasure to do so and, from now on, when people request extended shopping hours (if this Bill fails), I will refer them to the member for Heysen who has opposed this legislation.

The member for Coles made an extraordinary contribution. She started her speech with what I thought were some very good statements about the position of women in our community, the changing role that women are assuming—quite properly—in our community. She said that they are taking their place, if they wish, in the work force. She then went on to lambast the shop assistants union for daring to ask for extra pay for shop assistants—the same females she was praising for taking up this changed role in the community. These are the people she was talking about initially—the shop assistants. They are overwhelmingly female and overwhelmingly junior. Only about 15 per cent of shop assistants are full-time employees; the rest are mainly female, and mainly junior females.

The honourable member talked about economic power in our community. What economic power do junior shop assistants have? None whatsoever! Who are they up against in this particular wage claim? They are up against the biggest company in Australia, on receipts, the Coles-Myer group, they are up against Adsteam, John Spalvins—and I could go on.

Members interjecting:

The Hon. FRANK BLEVINS: Yes—there you are. He may have an interest in retailing, too. But all the big powerful tycoons in Australia are lined up on one side against a junior female shop assistant whose economic power is nil and whose wages are amongst the lowest in Australia. Very few, if any, workers in Australia have lower wages than shop assistants. Because the Government says, 'We believe that this case is of such public importance that we will support its being tested, the argument being tested, before the Industrial Commission,' it is claimed by the member for Coles to be a socialist plot. Those were the words she used—'a socialist plot'.

Members interjecting:

The Hon. FRANK BLEVINS: Well, she came in like the tide, but she said it—'It's a socialist plot.' It is extraordinary! The member for Coles also made this contribution about the increase in penalty rates: she said that the shop assistants were asking for double time. That is absolutely ridiculous. She does not understand what is happening. At present, Saturday work is paid as overtime. It is time and a quarter in the morning, the first three hours of the afternoon are time and a half, and after that it is double time. That is what shop assistants get today when they work Saturdays, and they are paid double time all day Sundays.

The shop assistants' claim is that instead of time and a quarter, time and a half and double time, they want time and a half all day. It is a smoothing out rather than an increase. Again, I would just like to explain the position to the member for Coles. The member for Bragg also made an extraordinary contribution when he stated that shop assistants should be able to work their 38 hours over six days. That is precisely what we are supporting before the Industrial Commission. We are saying that if the commission chooses—and we hope it does—it can treat Saturday as an ordinary part of the 38-hour week. We agree that there ought to be a penalty of 50 per cent for that, but it can be done. Any five out of six days—that is what we are supporting. So I hope that the member for Bragg will get his facts correct.

The member for Flinders made an extraordinary contribution. He cited a letter from someone in Kimba saying they did not want extended trading hours. Of course, in Kimba there is no restriction on trading hours now: people there are free to open or close as they wish, so I cannot understand what the member for Flinders was on about when he was citing this letter from his constituent. I hope that he will write to his constituent and say that the legislation has no effect on that constituent, and perhaps he had not noticed but there are no trading restrictions in Kimba.

Members interjecting:

The Hon. FRANK BLEVINS: I will send him a copy of your speech. One important point was raised to which I want to give a little time, and that is the question of leases and the apparent practice of some shopping centre owners to require shops to open when the landlord, in effect, says so. There has been some conflicting evidence to me about that. Apparently, some landlords do insist on this, while others do not. In the Iron Triangle landlords do not insist. Where we have large enclosed shopping centres, for example in Whyalla, the supermarkets stay open. The supermarkets are owned by the owner of the complex; the 30 or so small shops still close at 12.30 on a Saturday and stay closed all day Sunday, whilst the supermarkets that are owned by the owners of the complex stay open. So there is no pressure at all on these small shopkeepers to stay open in that area. It may not be the case throughout the industry. There has been some suggestion that this may happen, but time will tell, and we will be addressing that matter in committee.

I think it was the member for Davenport who referred most strongly to the question of attempting to protect small business by keeping competition from them. He suggested that it was an outrage to expose small business to competition. Well, after this debate I am beginning to believe that 'competition' is a dirty word. I was brought up to believe that in a capitalist society competition was the engine of capitalism, that competition was the driving force, that capitalists should welcome it, and say 'Here is competition', and warmly embrace it as being just the stuff they need, namely, the cold, harsh winds of competition to smarten them up, to drive them towards those profits and to serve the community. What happened to that ideal? Were those people who taught me that wrong? No, they were right. Competition in a capitalist society, whether or not one agrees with a capitalist society, has to exist or the society will stagnate. Small business cannot be protected at the expense of other businesses and at cost to consumers in preventing them from buying goods when they wish to.

The majority of small businesses today are attempting to prevent competition. They are not providing a service when closed on Saturday afternoons and on Sundays when they are entitled to open, and they want to stop other people from opening. In my view, small business is quite wrong in doing that. That is not just my view, and I want to refer to an article published in the *Advertiser* of 20 November this year. It is interesting that alongside this article is a photograph of some members of the Opposition, namely, Mr Olsen, Mr S.J. Baker, Ms Laidlaw, Dr Eastick and Mr Ingerson, all striding out there in Rundle Mall with their

clipboards, to undertake their bodgie survey. I was surprised that we did not hear anything about that survey. I thought, 'Here we go, we will get the results of this bodgie survey.' However, the results were never given—because, as bodgie as it was, quite clearly the survey came up with answers that the Opposition did not want us to know about, otherwise, they would have given us the results. However, that is not the point of my referring to the article in the *Advertiser*. Right alongside this picture of these five members of the Opposition are the following comments:

The national president of the Australian Small Business Association, Mr Peter Boyle, said in Adelaide last night that he personally believed extended trading was inevitable and desirable. 'The name of the game is competition. If business wants to survive, it should be craving for the greatest access to the market all of the time,' he said.

I believe that in relation to a capitalist society Mr Boyle, on this occasion, is absolutely correct. What we can ensure and what the Industrial Commission will ensure is that big business has no advantage over small business. Whatever the penalty rates are, they will apply to both, and whatever the wage rate is, it will apply to both large and small businesses.

Members interjecting:

The Hon. FRANK BLEVINS: That applies at the moment, and I am quite sure that it will apply after the Industrial Commission's hearing. So, small business will be competing with big business on a level playing field. It will be the consumer who decides who will be the winner. Implicit in everything that members opposite said during the second reading debate was that consumers would choose to go to big business; members opposite maintained that this would damage small business. They are conceding that consumers want to go to the big businesses and buy their products, and they want to prevent that from occurring. I argue that they have no moral authority whatsoever to tell consumers where they should go to buy goods or at what time. Consumers ought to be able to go where they like in order to buy what they need. The Opposition has no moral authority in this area whatsoever.

I know that a number of members opposite (this was certainly the case with the member for Alexandra, who spoke for himself and a number of others) are very uncomfortable when these matters come before Parliament. Because of the Opposition's policy of just flatly opposing everything, they are compelled to vote against progressive legislation of this nature. I predict that members opposite will vote against this measure now and that the Opposition will vote against it in the Upper House, because of this blanket policy of opposing anything progressive, even though philosophically members opposite ought to be in favour of it.

Because of the foreshadowed amendments I envisage that this debate will continue for some little while in Committee and so I will make further points, particularly on the question of leases, during the Committee stage. At this stage I thank all members who contributed to the debate. With the exception of the member for Alexandra I thought that their arguments were illogical and philosophically unsound from a Liberal Party point of view. The will of the people will out eventually. People will eventually have the right to make a choice as to where they want to buy goods and at what time.

Mr S.J. Baker interjecting:

The Hon. FRANK BLEVINS: Dean Brown ensured that. The contradictions in Dean Brown's Bill ensured that the present regulated retail area could not be sustained. The members who were here at that time made no complaint about that. The member for Davenport made no complaint about it. However, inherent in that legislation were the seeds of destruction of it. As the Minister who has to deal with this issue, I will be delighted when that legislation is finally destroyed. With this Bill we are taking a considerable step towards that. There will be others because once this extension takes place other anomalies will be highlighted. Other retailers will be disadvanted and they will not tolerate it, and the consumers will not tolerate it. And nor ought they do so. They will have my support in bringing in any measures, within reason, that allow access to goods by consumers. These goods should be available for sale by anyone who chooses to open a shop in order to supply them. I commend the second reading to the House and, again, I thank all members for their contribution.

Bill read a second time.

In Committee.

Clause 1—'Short title.'

Mr S.J. BAKER: In keeping with the Liberal Opposition's commitment that this Bill be adjourned until such time as the Prices Commissioner and the Industrial Commission have reached a conclusion on the matter, I move:

That progress be reported.

The Committee divided on the motion:

Ayes (16)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker (teller), Becker, and Blacker, Ms Cashmore, Messrs S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis, Meier, Olsen, Oswald, and Wotton.

Noes (27)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Blevins (teller), Crafter, De Laine, Duigan, and M.J. Evans, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Peterson, Plunkett, Rann, Robertson, Slater, Trainer, and Tyler.

Pair—Aye—Mr Chapman. No—Mr Hopgood.

Majority of 11 for the Noes.

Motion thus negatived.

Clause passed.

Clause 2 passed.

Clause 3—'Closing time for shops.'

The CHAIRMAN: Both the member for Mitcham and the member for Elizabeth have amendments on file to insert new paragraph *(d)* in this clause. I understand that the member for Elizabeth is prepared to defer consideration of his amendment until the amendment to be moved by the member for Mitcham has been disposed of.

Mr S.J. BAKER: I move:

Page 1—
Line 22—Leave out 'and'.
After line 25—Insert new word and paragraph as follows:
and
(d) by inserting after subsection (14) the following subsection:
(15) A shopkeeper whose shop is within a shopping district cannot be required under the terms of any lease or other agreement to keep the shop open for business after 1 p.m. on a Saturday except when—
(a) the shop is one of at least six shops that together form a shopping arcade, centre or complex;
(b) a majority of the shopkeepers have resolved to open their shops for business on Saturdays after 1 p.m.

My amendment provides that a shopkeeper whose shop is within a shopping district cannot be compelled under the terms of any lease or similar agreement to keep the shop open for business on Saturday afternoons except where the shop is one of at least six shops that together form a shopping arcade, centre or shopping complex, and where most of those shopkeepers have resolved to open their shops for business on Saturday afternoon. The Minister has said that a shopkeeper can open now at any time at which he or she likes, the only constraint being the general shopping hours. Under leasing arrangements that apply to all shop-

ping complexes, all lessees are required to open when the shopping centre is open.

We have discussed this matter with owners, managers and shopkeepers in these centres and we understand that, if such shopkeepers are forced to open for the period of the extended trading, they will be faced with a costly venture. Major supermarkets and shopping centres at present open for about 50 hours a week and this extension of trading hours will mean that they remain open for about 55 hours a week. This will probably mean that South Australian shops will be the shops with the longest trading hours in the Western world with the possible exception of the United States of America.

Many of the European shops that remain open on Saturday afternoons or late at night commence trading at a different time from that applying in South Australia. The number of hours during which South Australian departmental stores and supermarkets are open is in the main greater than the shopping hours that apply overseas. At present, the difficulty is in the application of restrictive arrangements imposed by the leases that require the shops to open when the shopping centre is open.

This amendment signals the Opposition's attempt to come to grips with this dilemma. Indeed, we intend to take the matter further in another place, so I shall not call for a division on my amendment because its wording is still subject to significant negotiation. Opposition members would like to see shops open when the trade is there and close when it is not. Because of the inflexibility of the present system, however, shopkeepers must open at times when there is little or no trade and this adds to their cost burden.

My original proposition was similar to the foreshadowed amendment in the name of the member for Elizabeth, but my amendment in its present form modifies the original wording to take into account other requirements. We are working towards a better legislative framework so that shops generally are not restrained by an unreasonable leasing arrangement. I commend my amendment to members, because it is about time that South Australia grew up and shopkeepers were not required to trade all day every day for the sake of only one or two customers. If we change the thinking of the major stores we may change the thinking of the smaller shopkeepers who at present believe that they must open at 8.30 a.m. or 9 a.m. each day.

Mr M.J. EVANS: I am happy to cooperate with the arrangement suggested by you, Mr Chairman, of considering the amendments one after the other. That is a sensible procedure. I commend my amendment which will be considered subsequently if the amendment of the member for Mitcham is not accepted. I believe that the principles espoused by the member for Mitcham when speaking to his amendment are those that I support, but I find that the detail of his amendment is not supportable because paragraph *(b)* in new subsection (15) would involve us in substantial practical difficulties. Indeed, I believe that the honourable member recognises that when he indicates that the precise wording of his amendment is in a state of flux.

My alternative amendment, which I commend to members, is preferable to that of the member for Mitcham because a freemarket implies free trading and, although I would have normally applied that principle across the whole trading period, we already have a 5½-day trading week with the addition of night trading on either Thursday or Friday. Those shopping hours provide the core trading hours required by many people and keep large shopping centres open on a continuing basis during the week. Saturday afternoon shopping represents the principal extension under the Bill and, because of the nature of Saturday afternoon shopping, it is unreasonable to impose a requirement in respect of many leases that compel traders to open at such times as it is lawful to do so.

Those leasing provisions are an unnecessary restriction on the viability of some smaller shops at certain times of the year and should be taken into account by the Government when it is moving for extended shopping hours to include Saturday afternoon. As a member of a Government working party that studied commercial leases some years ago, I examined many of those leasing documents, some of which represented a life's work for a Queen's Counsel and ran into many pages of single space typing. Such clauses as those to which I refer are not uncommon in shopping leases.

Although I have not conducted such a survey recently, I have every reason to believe that that principle is still prevalent, whether to a greater or lesser degree I cannot say, but the Minister may be better informed on that point. If a lease did not contain such a clause, this amendment would have no adverse effect but, if it did, the amendment would relieve the shopkeeper of the obligation to keep his shop open when it might not be viable, appropriate or convenient to do so. If the market is to operate freely in this context, I believe that at least for this part of the trading period shopkeepers should have this freedom in addition to the freedom to trade referred to by the Minister. Such freedom should not be restrained by law or by private agreement that is not reached on precisely mutual and equally balanced terms.

Although it could be said that a lease is an agreement reached between equal parties, I do not believe that that is true in all cases because in many cases the major shopping complexes have an unequal bargaining power. This has been recognised in the commercial tenancies provisions of the Landlord and Tenant Act which members have previously debated. Few people would deny the reality of the inequality of the bargaining position of the parties in those circumstances.

So, although the lease is a contract freely entered into, it cannot be said that the parties have equal bargaining power. The bargaining power of the parties is not the same and, on the whole, the provisions of such leases favour the landlord who in many cases has invested substantial funds in his premises and derives some privileges thereby. However, I do not believe that we should allow those privileges to take undue precedence of the reasonable expectations of shopkeepers to open and close as they see fit in the interests of their own market and in the interests of their own business. For that reason I commend the alternative version of this amendment which the Committee will consider shortly.

Mr S.G. EVANS: I cannot understand why the member for Mitcham suggests in paragraph *(a)* that it is up to a group of at least six shops.

The Hon. Frank Blevins interjecting:

Mr S.G. EVANS: I am asking the member for Mitcham why he stipulated six shops. I thought we would ensure that any shop that did not want to open should not open and, if there happened to be a group of shops, then the majority situation could apply. The lease agreements worry me. In my second reading speech I said that no political Party, including the Labor Party, would have the courage to ban these sorts of lease agreements where people with entrepreneurial skills, who want to go into the retail business, are forced to sign an agreement that they open their premises to suit the owner of the complex. I believe that, as long as they pay the rent, the person who wants to go into the shop should have nothing to do with the complex owner and that they should not be forced to open at certain times.

The complex owner might say that, for the sake of the other business houses, he wants the support of that individual shop's opening, but then the complex operator really is making use of the entrepreneurial skills of an individual. He is relying on those entrepreneurial skills to attract customers to that shop to help support the other shops. As much as I do not like interfering with lease agreements, I believe that these owners of big complexes, who in the main are very rich people and, in some cases, control the whole village; in the plains area they own large and superior complexes and are able to manipulate the market, through the introduction of zoning laws for different land use. I do not mean that they do this individually but, rather, as groups operating on the same basis even though they may not be in collusion. I think that that destroys free trade. Many times I have argued that the zoning laws destroy free trade. A lot of free traders want zoning laws, because the rich are able to buy big complexes, manipulate the entrepreneurial skills of others and the consumer by the rents that they charge and the conditions they lay down for the operation of the shop—

The Hon. Frank Blevins: It's called capitalism.

Mr S.G. EVANS: It is a form of capitalism—I will agree with that. It is similar to so-called socialist laws introduced by Governments which stop people using their entrepreneurial skills. That is just as bad. The Minister is trying to say in the Bill that, if you want to open on Saturday afternoon, you will have to pay more for the labour. That is the socialism part of it that I do not support. The Bill is not plain sailing. I am speaking to the amendment.

Why has the member for Mitcham mentioned a specific number of shops? Why do we not just provide an amendment prohibiting all these leases? We could make them illegal from, say, 30 June next year, with people opening when they wished, and these complex owners could please themselves. I will not get much joy in my electorate: people will tell me what they think of me, but I will have to deal with that situation.

Mr S.J. BAKER: The current legislation does not give any owner the right to impose opening and closing times on any complex with fewer than six shops, so the current legislation takes account of the under six category, and that is why we have mentioned 'six and above'. This is part of a package deal, which means that we are trying to get to a situation where we free up the market right across the whole week. This is the first step in that direction. I have moved this amendment because under the current leasing arrangements a person is required to open. Perhaps nobody wants to open in a particular centre, but the owner may decide to open it so, under the existing arrangements, the owner has total control.

Under this amendment we say that Saturday afternoon trading has to be on a voluntary basis but, if the premises are to open, it should be an all in or all out basis, except for those people who do not depend on lockups and who want to operate on the fringe. We are going to a halfway house situation, because we are developing a proposition (and I hope that that proposition can be put in the Upper House) which allows far greater freedom and it covers the whole week. I started off with the simple proposition of voluntary opening, as the member for Elizabeth started—

The Hon. Frank Blevins interjecting:

Mr S.J. BAKER: I have certainly had some discussions with BOMA. Obviously that organisation is not too happy with an open situation, just as a number of other owners will not be very happy if they should find that their centre is not being supported properly. If one wants to be naive, one can say, 'Look, that's fine; we can have free trade', but it is protection also for the people involved, because they know that, when lease renewal time arrives, if they have not played the game, their leases will not be renewed, so there is a protection there for the people who lease the premises.

These rules are provided for Saturday afternoons. Proprietors may not want to open on any Saturdays in the wet months, or there may be a major sporting event on a Saturday. Perhaps they would not want to open on grand final day, because they may think that it would be a waste of time. Let them have that right. If the majority of tenants want the centre to open, that has to be an advance on the situation now where everyone has to open and nobody has any say.

This amendment will lead to a more sophisticated arrangement than the voluntary arrangement which had a few problems, but in the process I intend (and I hope that every member also intends) to allow people to trade at times when the customers are there. I support some of the comments made in this regard by building owners. If you are going to open up a centre, you want people to support that centre, and we have to consider the owners' requirement for them to be there during stipulated trading hours; that is what we are working on at the moment.

The Hon. FRANK BLEVINS: Since this Bill was drafted, I have been waiting to see who would move such an amendment: there has been quite a bit of speculation as to who would move an amendment similar to this one. I speculated that the Liberal Party would want to appear to be the champion of small business and that it would put such an amendment so that it could go back to its small business constituents and say, 'We've done this for you.' However, when the Liberal Party floated that proposition, it then had discussions with the Building Owners and Managers Association.

It said, 'Hang on. If there is any contest for the soul of the Liberal Party, then we are in the contest, too, because we believe we own you, and we are totally opposed to this type of amendment.' The argument of BOMA has some legitimacy. I do not say that I agree with it, but it has some legitimacy. Members opposite say, 'You are interfering with an owner's right to use his property in any way that he wishes within the law.' They say that if an owner of a shopping centre, the same as the owner of a house, wants to let under certain conditions to whoever the owner chooses, he or she ought to be allowed to do that. They say, 'You are interfering with property rights.'

On this side we have no such inhibitions and we are quite happy to interfere with property rights where we feel it is in the interests of the community. We have no inhibitions about that. We have a strong commitment to doing that but members of the Liberal Party want to defend property rights to the hilt. I am sure that that is the argument that BOMA puts, but at the end of the day, when it is talking to the Liberal Party, it says, 'You are interfering with our property rights and you ought not to do that, particularly when you profess to be a free enterprise Party, a Party of capitalism and a Party that defends the right of property owners to do as they wish.'

So, we have the Opposition in the very difficult position where it wants to please everyone; it wants to please consumers by voting against it but by saying that it supports extended trading hours. The Liberal Party wants to support small shopkeepers by saying that it is opposed to their having to open when the landlord says so, but the Liberal Party wants the support of that constituency and it wants the support of the owners of major shopping centres who want property rights and members opposite are trying to

juggle these three conflicting interests. It must be quite an interesting exercise.

The amendment is worthless and does nothing. It is a sop to small business to enable the Opposition to say, 'We are supporting you.' However, any small business person with half an ounce of intelligence will see that, laugh and say that the amendment is a joke. The amendment of the member for Elizabeth has much more integrity, but I will come to that in a moment. The whole question of leases is complex. It is one where right does not exist on only one side. There are rights that landlords quite properly have in our society; there are rights that tenants have, and the proper vehicle for defining those rights is not this Bill. It is the Commercial Tenancies Act and the Landlord and Tenant Act, and not this Bill. I agree that there is an argument, but there are points on both sides of the argument.

I am totally opposed to this Bill being used as a vehicle, in the case of the member for Elizabeth, to settle that debate and, in the case of the Liberal Party, to try to sit on a star dropper, trying to straddle three sides at once. Members can see by the way that the Opposition is squirming that it is not a comfortable position at all. This provision will not be accepted by the Government, not because we do not have some sympathy with the argument, but because it is inappropriate to put it in this Bill. I have some doubts that the Department of Labour inspectors will be able to police it anyway. I am trying to get some advice on that quickly but, in their usual way, the Opposition and the member for Elizabeth drop these amendments in at the last minute, giving us no time whatever to get advice on them—particularly legal advice—and it is arguable whether we could enforce it.

It may be that the Commercial Tenancies Tribunal would have to enforce it and I do not know its view on that. I have no idea, because of the total lack of notice of the amendment given by the Opposition. This is not a new issue, because it has been dealt with previously. It was dealt with during the period of the previous Liberal Government of which a number of members opposite were members, including the members for Heysen and Chaffey, and there are also several former Government supporters here. The matter was previously dealt with extensively. The Hon. J.C. Burdett, MLC, as Minister of Consumer Affairs, established a Working Party on Shopping Centre Leases. The report is in the Parliamentary Library for anyone to peruse and makes interesting reading. It addresses the point specifically by stating at page 30, paragraph 8:

> Requirements concerning trading hours:
>
> The majority of tenants mentioned that their leases require that they be open during all legal trading hours, not more and no less. However, only three submissions included actual complaints about this provision. One retailer was concerned at having to remain open on Friday night against his wishes, while the other two complained that the hours are too restricted.

The inquiry received only one actual complaint, and that is what I stated earlier, that the evidence available to the Government is mixed. Certainly, in the Iron Triangle the owners of those shopping complexes do not enforce any clause in their leases requiring shops to open at particular times: they do not do that. All the small shops close in the complex and only the supermarkets open. The report is quite extensive and I will not read all of it. However, I will not quote from it selectively (and anyone can get the report from the library), but a few quotes are interesting, including the following summary:

> . . . there are sound reasons for having a minimum trading hours requirement and the working party considers that such an inclusion in leases is entirely reasonable.

This was the working party established by the Hon. John Burdett, MLC, when he was Minister of Consumer Affairs. In saying that the matter is entirely reasonable, the report continues:

> If a potential or existing tenant decides that he cannot accept such a provision and is unable to negotiate successfully otherwise, then it is up to that individual to adapt as he thinks appropriate.

In other words, he can get lost.

Mr Groom interjecting:

The Hon. FRANK BLEVINS: Just hang on. At page 31 the report goes on:

> Enclosed shopping malls have specific security requirements, and have to be air-conditioned and illuminated no matter how few tenants are open for trading, and there is no reason why the owner, or tenants who keep to normal trading hours, should bear the additional costs of providing such services for tenants who wish to trade for extended hours. In some instances tenants are given the option to extend their period of trading provided that they bear the additional centre costs involved. However, even where a tenant or group of tenants is quite happy to pay these additional costs, there seems no compelling reason why management should allow extended trading if it does not feel so inclined. This should be left to the discretion of the landlord. Once again, then, it is up to the prospective tenant to negotiate with centre management, and if his needs cannot be met then he must adapt accordingly.

In other words, if he does not like it, he can lump it. It is recommended that the Government take no action on the matter of lease requirements concerning trading hours. The Hon. Mr Burdett complied with that recommendation and took no action. Where were members of the then Government, if it was such a dreadful proposition? The member for Elizabeth has already told us that he was a member of that working party, but there is no dissenting report from the member for Elizabeth. At that time the member for Elizabeth was the senior administrative officer for the Minister of Industrial Affairs. He was a true public servant, serving whoever paid him to the best of his ability in the true tradition of the Public Service. He served his master—Liberal or Labor—and gave his undying devotion.

The Hon. D.C. Wotton interjecting:

The Hon. FRANK BLEVINS: I am merely stating what is a fact. The member for Elizabeth did not bring in his personal views—he served whoever paid him. It was quite an extensive inquiry. I am sure that it was thorough and picked over to the nth degree by the member for Elizabeth who decided, along with the other members of the working party, that no action should be taken. If it was clearly an issue at that time, why did not the member for Elizabeth and members opposite take some action? They took no action because it is a complex issue and there are rights on both sides.

I believe that the Attorney-General will be contacting the various parties to have either full or partial revision of the Commercial Tenancies Act. If extended trading hours are introduced—and that will occur in one way or another—it is time to look at these provisions. However, that is not a matter for me as Minister of Labour; it is a matter for the Attorney-General. I know that the Attorney is concerned about clauses of this type. A great deal of credit for the Commercial Tenancies Act must go to the member for Hartley who introduced the first piece of legislation of this type in Australia. The member for Elizabeth said that everything was fine, that we should leave it to the market and not interfere with the property right of a landlord to impose caveats on leases. I reject the amendment of the member for Mitcham, and I foreshadow that I will reject the amendment of the member for Elizabeth, although not because I disagree with him. I think that the member for Mitcham's amendment has no merit whatsoever—it is an attempt to keep everyone happy but, when you do that, no-one is happy. That is the Opposition's problem, and that is reflected

in the polls. Long may the Opposition continue with that behaviour.

The member for Elizabeth's amendment has some integrity and some validity, but this is the wrong Bill. It would be done in isolation from the remainder of the Commercial Tenancies Act. That legislation should be examined, not just in this area but also in other areas that may be affected by this Bill in relation to the extension of trading hours. It has been a pleasure to watch the Opposition squirming during this debate, but this issue is too serious to play games with. To a great extent, the amendment interferes with property rights. That should not occur in a half-hearted manner, and it should not be done in this legislation. If it is done at all, it should be done when that is the specific proposition before Parliament so that we can debate all the ramifications involved in interfering with property rights. I am not saying that that is not necessary, but that should be the substantial debate and it should not be part of the debate on extended trading hours. For those reasons I oppose the member for Mitcham's amendment and foreshadow that I will oppose the member for Elizabeth's proposed amendment.

Mr S.J. BAKER: The Minister has spent some time entertaining the Committee by giving us some background information, and I will do that, too. The Minister said, 'We will introduce this new measure to extend trading hours on a Saturday and it will be voluntary for employers and employees.' However, the Minister has given nothing in terms of relieving the burden if people are required to open when they do not want to open. As the Minister pointed out, it is a complex situation involving the rights of landlords and the rights of tenants. That is why there is strength in my amendment—it does not try to please everyone. I am sure that all members can think of situations where conforming with majority opinion brings a few benefits, but sometimes not conforming with the majority means that you cannot get through a gate that is closed, because a shopping centre is not open for business. If we do not go down this track, people will not have an opportunity to take at least a few hours breathing space during the day.

Indeed, the proposition of core hours is quite compelling. If we grow, I am sure that eventually the total proposition of a trader being able to trade when he likes may eventuate but, of course, that is not possible at the moment because certain contracts do exist. We are not in the process of riding over the top of contracts in one fell swoop. Instead, it is a matter of understanding the marketplace today and moving with it. We are moving with it in such a way that shopkeepers appreciate what we are doing. In fact, BOMA now believes that it is not as bad as it first thought and many people now think that it is a step in the right direction.

I have discussed it with my own traders in the Mitcham area and they have said, 'If we are going to have it, we would at least like to be able to make up our own minds'. So they believe that it is a little better than the situation that they now face whereby a landlord decides whether or not a shopping centre will open, irrespective of whether or not there will be any trading and irrespective of whether some people trade and others do not. That is the situation at the moment. The Minister is quite happy for that situation to prevail until the Attorney-General is ready, but he seems to have rushed through his own legal Bills but is fairly intransigent on a number of other reforms. We must await the Attorney's pleasure, which is what the Minister of Labour has said.

I have already told the Committee that this is part of a Liberal Party undertaking to rationalise shop trading in the State. We are trying to take a constructive step. It would have been quite easy to say, 'We will allow optional trading after 12.30 p.m.'. I am sure that BOMA and other groups would not have become too excited about that proposition because they know that the Government would not allow it. So the Minister cannot regale Parliament with stories that the Opposition supports the BOMA line. The Opposition believes that it is a step in the right direction because it is the only way that people will be able to trade when there is trade around rather than this crazy situation whereby a trader opens between 9 a.m. and 5.30 p.m. irrespective of what business you are in—you open up your store because there is some magic in those trading hours, and there might be a competitor down the road who will take away one-quarter of your business if you do not open up. We are trying to get over that syndrome. The amendment is a positive step in the right direction and I commend it to the Committee.

The Minister spent a lot of time talking about our three corner difficulty, but I assure him that we have no three corner difficulty. We have developed this proposition, and it will be further developed. In fact, discussions are proceeding right now with a number of people who have an interest in these matters, including tenants, about how we can come up with a workable solution. We think it has a place in here, because it could be two or three years down the track before the Attorney-General gets off his backside and does something about it. In the meantime, instead of 50 hours we have 55 hours of trading, and those costs cannot be borne. For those people with restrictive leases this is a viable proposition, and it does have a lot of support out there.

The Hon. FRANK BLEVINS (Minister of Labour): I move:

That the time for moving the adjournment of the House be extended beyond 5 p.m.

Motion carried.

Mr M.J. EVANS: It was not my intention to speak again in this debate, but the Minister by his tactics—

An honourable member interjecting:

Mr M.J. EVANS: Yes, it virtually amounts to a personal explanation, but it is a contribution to the debate. The Minister will note that I referred to my membership of that committee obliquely—

An honourable member interjecting:

Mr M.J. EVANS: No, he just happened to find it in his papers accidentally the moment I referred to it. The Minister was also good enough to point out that at the time I was a public servant of this State. Public servants who enter this Parliament have a difficulty: they have a great deal of knowledge of past Governments of both political colours, which knowledge could be an embarrassment to any Government in the future if it were used under parliamentary privilege. Such members of course really have an obligation, I believe, to retain confidentially those instructions and discussions which they had as public servants, and not to abuse the forms of this House by subsequently revealing them.

An honourable member interjecting:

Mr M.J. EVANS: I am not saying anything in that context, because I believe that is automatic. Besides, Dean Brown, as Minister of Industrial Affairs as he was then, had the right to his own opinion, as the Minister now has. At that time he was the elected Minister of the State and he had every right to whatever opinion he might have held then and, as his public servant, as an officer of one of his departments, I would have been under a complete obligation to carry out any such instructions.

The Hon. Frank Blevins: Absolutely. And you did it well.

Mr M.J. EVANS: Indeed I did.

The Hon. Frank Blevins: That's what they said at Nuremberg.

The ACTING CHAIRPERSON (Ms Lenehan): Order! The honourable Minister will cease interjecting.

Mr M.J. EVANS: I served both Governments well and I served both of them in accordance with the law, and for the Minister to imply that my conduct is in any way comparable with those who breached the standards of human dignity in the Second World War in the service of the Germans is quite contrary to good taste, and, I would have thought, Madam Acting Chairperson, to the standards of this House. As a public servant I am sure that the Minister would not want any of his current public servants to in any way breach his confidence, and I believe that the same is true of those in the past. The fact is, of course, that conditions in those days were quite different from what we are considering now. My amendment, in particular, relates to times after 12.30 p.m. on Saturday whereas, in the context of that report, we were considering commercial leases as they then existed under the shop trading hours then existing, and part of the basis of that report was that shop trading hours were as they were, and we were not in contemplation of an amendment.

The Minister well knows that the then Liberal Government had certain views in relation to extended shopping hours which were reflected in legislation, and it was part of the brief of that working party to examine commercial leases in that context. I have no intention of departing from that, nor have I any intention of not exercising now, seven years later, my discretion as the member for Elizabeth, as I now am, and not as a public servant of a former Government, as I then was, to do what I consider is best by this State, and I intend to continue to do that. No references to Nuremberg or other historical documents will shake me from my oath and task in that respect.

The Hon. Frank Blevins: You brought a tear to my eye.

Mr M.J. EVANS: Good.

The ACTING CHAIRPERSON: Order! The member for Davenport has the call.

Mr S.G. EVANS: When the Minister started to express his view on this amendment, he made the point about BOMA making the claim that it believed it had the right to say how its properties were used. In talking to this amendment, I think it is important that I clear this up as far as my interpretation is concerned, so that the Minister might understand it, in case he takes the view that, because I did not return a comment, I accepted his view. I believe the property owner has the right to have leases stating how their property is used in the way of damage, the type of merchandise sold (because they do not want a conflict of trade with other shops in the centre), the care and management of the shop or building and fire precaution—all of those things. But I believe that even in the capitalist theory, once they prepare to enter into an agreement to lease a property to another person to conduct a business then the capitalist part of it falls into the hands of the entrepreneur. It is the entrepreneurial skill, which is a form of capitalism, which will be used from that point on in running that shop.

The owner of the building should be concerned then only with the rental, that he receives the full tote odds for the rental of the property, and that it is properly maintained and cared for. The owner should not say to the person with entrepreneurial skills 'Don't you open seven days a week, 24 hours a day, because that will help support the other people in the block with entrepreneurial skills', and that is really what they were talking about—

The Hon. Frank Blevins interjecting:

Mr S.G. EVANS: I will answer the Minister on that also, because he has invited me.

The ACTING CHAIRPERSON: Order! Interjections are out of order.

Mr S.G. EVANS: Yes, but I do not think my response is, is it?

The ACTING CHAIRPERSON: Yes, the response is also out of order.

Mr S.G. EVANS: I will not respond to the Minister, but I will express the view I held and that I may hold at different times. When one is in government, as you would know, Madam Acting Chairperson, as you are in the present Government, one does not come into the Parliament and express their views on subjects when they disagree with their Party; they do that inside the Party room or Caucus, and that is an accepted practice. If every Government member who disagreed with the Government made that disagreement public in the Parliament, there would be a real shemozzle—and I think the Minister understands that.

I have respect for BOMA's views, but at the point where people start to lease the property, as long as they are guaranteed their rent and the proper care and management of the building, they should not then have the right to tell a person that he cannot shut for lunch or that he has to open Saturday afternoons or Sundays because the other shops open. I do not believe that is on. Capitalism means that people own the building and expect a certain return from it, and the proper care and management of it by those who use it. That, in my view, is where it finishes, and I think we can say that that is a fair assessment.

In relation to other areas in the capitalist field, with money lending, for example, we have laws to ensure that people are provided with contracts that are at least conscionable. That is done for money lending, and it is no different in relation to the use of buildings. It is done for hire purchase agreements and things like that. So, I think there is an argument to go to BOMA and to say to them that we understand their concern that this involves the loss of a right that it has previously exercised but that with longer trading hours, as proposed, it has come to the point now where it must have respect for the small business operator and for people with various entrepreneurial skills who want to make a go of it on their own and that they ought to be given a reasonable chance. If the owners want to make the rents so high that people in this field find that they cannot take it, so be it—that is the shopowners' decision, as long as they do not make the rent cheap for the first year and then rip off their tenants on the second, third and subsequent years.

Amendment negatived.

Mr M.J. EVANS: I move:

Page 1—
Line 22—Leave out 'and'.
After line 25—Insert new word and paragraph as follows:
and
(d) by inserting after subsection (14) the following subsection:
(15) A shopkeeper whose shop is within a shopping district cannot be required under the terms of a lease or other agreement to keep the shop open or closed after 12.30 p.m. on a Saturday.

I believe that this matter has been adequately canvassed. I will not go through it again, except to say that, should it be rejected here, I will take the Minister's advice and move to insert an additional subsection in the Landlord and Tenant Act when we are considering that Bill.

The Hon. FRANK BLEVINS: I oppose the amendment. I stress that it is not necessarily because there is anything wrong with it. However, I believe that the area is so sensitive

that the rights of people on both sides of the argument have to be very carefully considered. With respect, I do not believe the member for Elizabeth has done that. I do not believe that time has permitted him to do that. It is not that he is not capable of doing that—under anyone's instructions.

On this occasion I do not believe that he has had the opportunity to fully consider the issue. The Government certainly has not. I make clear that there are points in the member for Elizabeth's amendment with which the Government completely agrees. However, until the Attorney-General has consulted with the various players, and untii the appropriate Act is amended—which in my view is the Commercial Tenancies Act—the Government will oppose such an amendment. However, if the landlords in these shopping centres do what some people fear they will do, that will, of course, hasten the day when their rights, at present unfettered, in this area will be restricted.

I stress that my personal experience with landlords in this area has been quite contrary to what other members have suggested. The shopping centre in Whyalla is owned by the biggest company in Australia (if one uses the criteria of receipts), namely, Coles-Myer, and it does not insist that the small shopkeepers in that centre remain open until 12.30 p.m. on Saturdays while keeping the store that it runs open on Saturdays and Sundays. It remains open at those times when every one of the other shops is closed. So, the evidence is mixed. I prefer not to legislate in an area until it has been thoroughly examined or unless there is a real problem to be addressed. If a problem does arise, and if the proprietors of shopping centres choose to make it a problem, then I warn them that the Government will consider that matter very quickly indeed.

Amendment negatived.

Mr S.J. BAKER: The Minister made a number of interesting statements during his rather convoluted response to the debate. On the one hand, he said that the Government would not support any wage increase that is outside the national wage guidelines while, on the other hand, he said that it is up to the commission to decide whether the shop assistants' claim is within those guidelines.

The Hon. Frank Blevins: What has this to do with this clause?

Mr S.J. BAKER: It has a great deal to do with this clause. It has already been made clear in the debate—

The Hon. Frank Blevins interjecting:

The ACTING CHAIRPERSON: Order!

Mr S.J. BAKER: The Minister keeps interjecting, Madam Acting Chair—

The ACTING CHAIRPERSON: I have called for order. The member for Mitcham has the floor, and I ask the rest of the Committee to respect the member who has the call.

Mr S.J. BAKER: On the other hand, the Minister said that the commission will have to decide whether or not a claim comes within the guidelines. There is conflict here, and even the Minister cannot deny that he has made two conflicting statements to the House. It is a very important issue. Has the Minister sought advice as to whether the Government's proposition, which involves unprecedented intrusion into the matters covered by the Industrial Commission, is outside the wage guidelines? The Minister said that it should be all right, but the commission will have to decide whether or not it is within the guidelines. But the point is that the Minister is supporting a wage claim which could well be outside the national wage guidelines. This happens to be a very important issue, because the Minister is supporting not only a national wage increase—

The Hon. Frank Blevins interjecting:

Mr S.J. BAKER: Well, the Minister has not responded.

Members interjecting:

Mr S.J. BAKER: Just to respond to those interjections—

The ACTING CHAIRPERSON: I would be grateful if the member for Mitcham did not respond to those interjections and would keep his comments relevant to the clause currently before the Committee.

Mr S.J. BAKER: Everyone knows that the Government has said to the world at large that it supports the shop assistants' wage claims because of the change in the shopping hours as proposed in this Bill. That has been a clear statement. Due to changes in the conditions that will apply to shop assistants the Government has said that they are deserving of some considerable increase in money. It has not been a separate wage claim. The transcript of proceedings indicates that the Government actually linked it into the conference of the tribunal on the basis that it thought that it was in the public interest to do so.

So, the two matters happen to be inextricably linked. Nowhere has the Government or the SDA separated those two items. Therefore, in principle, we are determining by this Bill whether indeed the Government has sold the public of South Australia down the drain. In supporting these wage claims is the Minister quite content that they should succeed, even if people do not open on Saturday afternoons? If indeed the costs involved become too prohibitive and no-one wishes to open, would the Minister still support the wage claim? Does the Minister indeed support this full extension (because of a nexus with a number of other awards that exist) into all country areas? I know that, for example, shopkeepers in the electorate that the member for Flinders represents would be affected by this. Those shopkeepers would probably not trade any differently from the way in which they trade today, not even one hour differently, and yet they will suddenly face an extra bill of $25 a week for every employee, plus 3 per cent for superannuation. Those employees will not work any differently and yet because people elsewhere will be working on Saturday afternoons the shopkeepers in the electorate of Flinders, say, will have to pay the price. This involves a pretty strange sort of reasoning, if I may say so.

The Bill is inextricably tied with the wage claims, but there is nothing to say that the people who will receive the benefit of the $25 or the 3 per cent superannuation will open on Saturday afternoons. What difference will it make to the operation of those who now open on Saturday afternoons? They will certainly not change their trading position. The difference it will make is that they will incur an extra cost of $25 per week, plus 3 per cent for superannuation. Does the Minister not see that there is a conflict between the way in which he and the Premier have handled themselves in this situation and the advice that should have been given to him in the first place? Is he quite content that the people who will be unaffected by such changes will also have to pay the price?

The Hon. FRANK BLEVINS: The member for Mitcham asked all these questions during the second reading debate. Even in terms of the second reading, there could have been an argument that the comments were out of order. However, traditionally, some latitude is given in the second reading debate, and we have separate stages of legislation before the Parliament so that those broader issues can be canvassed, questions can be asked and responses can be given by the Minister when he responds to the second reading debate. I gave those responses very clearly to those precise questions. I would argue that it is quite wrong to have them asked again during the Committee stage.

However, as the questions have been allowed, I will answer them. As regards the guidelines, the Government believes that the claims of the shop assistants union have sufficient merit to go before the commission and to be supported in the public interest by the South Australian Government. It is purely the decision of the commission as to whether those claims are within the guidelines and, if they are, it will decide the quantum of those claims. It is not the role of this Parliament or the Government to determine that matter. I am quite sure that there will be contrary argument before the Industrial Commission. That happens in every case before the commission—almost all cases are contested and the commission makes a decision. I have made that fact perfectly clear in the second reading debate and I make it perfectly clear again. I ask again why it was necessary to repeat the questions and compel me to waste the time of the Committee in restating the answers.

The Hon. TED CHAPMAN: I have a question of the Minister.

The ACTING CHAIRPERSON: The member must resume his seat.

The Hon. TED CHAPMAN: I thought you called me.

The ACTING CHAIRPERSON: No, I am sorry, the member must resume his seat. He must ask his question from his seat.

The Hon. TED CHAPMAN: I am on duty today and have been rostered to be so.

The ACTING CHAIRPERSON: I am sorry, I have been informed that that is not acceptable. I will wait for the honourable member to resume his seat. I am not being unreasonable. I am trying to conduct the proceedings according to the Standing Orders, and—

Members interjecting:

The ACTING CHAIRPERSON: —I do not need interjections from Opposition members.

Mr S.J. BAKER: I will ask a question.

The ACTING CHAIRPERSON: No, I have indicated to the member for Alexandra that I will wait for him to resume his seat. The honourable member for Alexandra has the call.

The Hon. TED CHAPMAN: It is too late in the day and too late in the week for me to make an issue of this, but it is clearly on the record that the Speaker of the House gave me permission to speak out of my seat and that includes those positions to which I am rostered. However, that is history and I do not want to press it.

After having had time to consider his remarks made during the second reading debate, does the Minister now recall having said during the debate that he had received repeated requests from the Victor Harbor shopping community to alter the legislation? I refer to requests apart from those isolated cases for red meat sales. At this stage, will he clarify the position for the record? I understand that he has now recognised that that district is not in the shop trading hours area of the State.

The Hon. FRANK BLEVINS: I was referring to red meat at Victor Harbor.

The Hon. Ted Chapman: Only?

The Hon. FRANK BLEVINS: Yes.

The ACTING CHAIRPERSON: The honourable member for Mitcham.

Mr S.J. BAKER: I am very pleased—

Mr D.S. Baker interjecting:

The ACTING CHAIRPERSON: Order! The member for Victoria will come to order. The member for Mitcham has the call from the Chair.

Mr S.J. BAKER: I am very pleased that the Minister has admitted that he probably has breached the wage guidelines. I am pleased that at last he has clarified that matter for the Committee.

The Hon. Frank Blevins: You stupid fool.

Mr S.J. BAKER: Don't you call me a stupid fool.

The ACTING CHAIRPERSON: Order! The Minister will come to order.

The Hon. Frank Blevins interjecting:

The ACTING CHAIRPERSON: Order!

The Hon. Frank Blevins interjecting:

The ACTING CHAIRPERSON: Order! The Minister will come to order.

The Hon. E.R. Goldsworthy: Name him!

The ACTING CHAIRPERSON: I do not need the assistance of the Deputy Leader, thank you. The member for Mitcham will address his remarks to clause 3. I would ask him not to be provocative and to address his questions to clause 3. The member for Mitcham.

Mr S.J. BAKER: Thank you, Madam Acting Chairperson. I was simply clarifying the issue before the Committee and I am very pleased with the result: the Minister has actually answered it.

The Hon. Frank Blevins interjecting:

Mr S.J. BAKER: Well, if the Minister really wants to go through the argument again and to revise his answer, I would be quite happy if he does so, but the fact remains that he has not sought proper advice, because he has already said that it could well be that the commission, of its own volition, may decide that it is outside the wage guidelines. Therefore, *per se*, the Minister has not done his homework. He is quite happy if he is starting a whole new range of wage demands being forced on the community.

The ACTING CHAIRPERSON: Order! The member for Mitcham will come to order. The comments do not relate directly to clause 3 and again I ask the member to relate his comments to clause 3 of the Bill.

Mr S.J. BAKER: Yes, Madam Acting Chairperson. Now that the Minister has had time and the resources to actually cost the full implementation of this scheme as proposed by the Government, can he please inform the Committee (and I am sure that he has had his officers working very diligently on this) what the consumers will pay for the little wage deal that he has promoted? The reason I say that is—

The ACTING CHAIRPERSON: Order! Before the honourable member continues, I would ask the member for Alexandra to please pay some respect to the Chair in terms of sitting down and conducting his conversation in a less audible manner. The honourable member for Mitcham.

Mr S.J. BAKER: I ask that because it is a serious matter. That matter was canvassed very strenuously during the second reading debate. At that stage the Minister did not respond, just as he did not respond originally when we asked questions in this place. I believe it is a serious matter. I have already pointed out to the Minister that over a three year period effectively we have lost $340 million of retail trade in this State compared with our relative position in 1983-84. Has the Minister done any costings? Has he asked the Prices Commissioner to produce some figures on the possible effects of this, so that the Parliament is fully aware of exactly what we are passing today because of the linkages which the Government itself has declared to the world at large?

The Hon. FRANK BLEVINS: I object in the strongest possible terms to going through the second reading debate again during the Committee stage.

The ACTING CHAIRPERSON: Is the honourable Minister taking a point of order?

The Hon. FRANK BLEVINS: No, I am not taking a point of order. It is not necessary for me to take a point of order for the Committee to conduct the debate under Standing Orders.

The ACTING CHAIRPERSON: Would the honourable Minister resume his seat. The debate is being conducted

under Standing Orders. While the member for Mitcham related his remarks to the extended opening hours to 5 p.m. on Saturday, then his remarks were in order and I would not want to think that there was any reflection on the Chair.

The Hon. FRANK BLEVINS: There is no reflection whatsoever on the Chair. If that is your interpretation, then I am quite happy to accept that and we will have the second reading debate again.

The ACTING CHAIRPERSON: No, we will not.

The Hon. FRANK BLEVINS: Yes, we will have the second reading debate again. The member for Mitcham has asked another series of—

The Hon. E.R. Goldsworthy interjecting:

The ACTING CHAIRPERSON: Order! Would the Deputy Leader of the Opposition cease interjecting and come to order?

The Hon. E.R. GOLDSWORTHY: On a point of order, Madam Acting Chairperson, will you clarify whether it is appropriate for the Minister, during the Committee stage of the Bill, to repeat the second reading debate, which he suggests he is about to do?

The ACTING CHAIRPERSON: Will you resume your seat? There is no point of order. The Minister is not resuming the debate on the second reading. The Minister was referring to the questions that were asked by the member for Mitcham. I seek the cooperation of the Committee, and I call on the Minister to respond to the questions.

The Hon. FRANK BLEVINS: There were a whole series of questions to which I am happy to respond. There were a whole series of questions which were asked in the second reading debate and which were answered in my response to that debate, but apparently it is permissible for the member for Mitcham to re-ask the questions and for me to reanswer them and, in effect, we will go through the second reading debate again.

The member for Mitcham shows his total ignorance when he suggests that I have breached the wage fixation guidelines. If the member for Mitcham took seriously his responsibilities as the shadow Minister, he would understand that, unless I pay someone money outside the wage fixing guidelines, I cannot breach those guidelines. If I am granted the right to intervene in the commission, I can put a point of view about whether a particular claim is or is not within the commission's guidelines. I can express a point of view, and on this occasion my view is very strong: I believe that the claim by the SDA is within the guidelines.

However, I have lost cases in the commission before. The commission has disagreed with the Government's view. I could argue with the decisions that the commission has given. However, I do not do that, because I believe that the commission is the umpire and, once the umpire has given his decision, even though it is against the view I express, I accept that. Likewise, if the commission supports my view, as I hope it does in the SDA case, it supports it because it is making a decision that the SDA claim is within the guidelines. I cannot make that decision; only the Industrial Commission can make that decision. Therefore, for the member for Mitcham to restate in Committee, as he claimed in the second reading debate, that I had breached the commission's decision is nonsense.

It is seen to be nonsense by anyone who has even a small understanding of the Industrial Commission. I do not make the decision and, therefore, I cannot breach the guidelines. I could breach the guidelines only if I paid money to someone outside an award of the commission—that is the only way. So, for the member for Mitcham to keep stating that I have breached the guidelines is quite wrong.

We then came to the question of costs. The member for Mitcham invited me to go through the same debate that we went through in the second reading on the question of costs. I do not want to do that but, as the questions were permitted and the member for Mitcham demanded answers, obviously it is within Standing Orders for him to ask these questions in the second reading debate. I have to respond to those legitimate questions, and I will do so.

The ACTING CHAIRMAN: The Minister has indicated that he must respond. In fact, the Minister does not have to respond. He can refer the member to the second reading speech.

The Hon. FRANK BLEVINS: Common courtesy demands that I do.

The ACTING CHAIRPERSON: I am pointing out to the Minister that under Standing Orders he does not have to do so.

The Hon. FRANK BLEVINS: Thank you, Madam Acting Chair, I appreciate your advice, which is sound as always. Common courtesy compels me to go through the debate again on the question of cost increases. There can be no measurement of cost increases because nothing has been awarded by the Industrial Commission. Also, there are too many variables in the whole complex issue of shopping hours, changing patterns and changing market share to get any sensible costing on it. The proof of the pudding, as they say, will be in the eating.

In my response to the second reading debate I read extensively from press reports of opinions of some proprietors of retail establishments and probably the largest wholesaler in this State. I gave full responses in the second reading debate, as was quite proper. I can only urge the member for Mitcham to read the second reading debate. He is obviously incapable of either listening or understanding; that is probably because he prefers to always be talking. However, that is his problem and a problem for the Opposition. I repeat, as I responded to the second reading debate, that it is impossible to quantify any additional costs until something has been awarded and then someone makes an assessment of all the variables that will have an impact, if any, on the final cost to the consumer.

Clause passed.

Clause 4 and title passed.

The Hon. FRANK BLEVINS (Minister of Labour): I move:

That this Bill be now read a third time.

The House divided on the third reading:

Ayes (25)—Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Blevins (teller), Crafter, De Laine, Duigan, M.J. Evans, and Ferguson, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Payne, Peterson, Plunkett, Rann, Robertson, Slater, and Tyler.

Noes (15)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker (teller), Becker, Blacker, Eastick, S.G. Evans, Goldsworthy, Gunn, Lewis, Meier, Olsen, Oswald, and Wotton.

Pairs—Ayes—Messrs Abbott, Hopgood, and Keneally. Noes—Ms Cashmore, Messrs Chapman and Ingerson.

Majority of 10 for the Ayes.

Third reading thus carried.

REPRODUCTIVE TECHNOLOGY BILL

Received from the Legislative Council and read a first time.

ADJOURNMENT

At 5.38 p.m. the House adjourned until Tuesday 1 December at 2 p.m.