HOUSE OF ASSEMBLY

Thursday 7 April 1988

The DEPUTY SPEAKER (Mr Ferguson) took the Chair at 11 a.m. and read prayers.

VEGETATION CLEARANCE

Ms GAYLER (Newland): I move:

> That this House supports the principles of the Native Vegetation Management Act and the endeavours by members of the authority to uphold those principles and preserve important stands of remaining native vegetation and wildlife habitat.

During the debate of the Supply Bill a number of members opposite chose to criticise the Government's off-park native vegetation management program. In an attempt to achieve some short-term political mileage, members tried to encourage land-holders' anxiety by beating up statistics in isolated cases to promote the program in a negative light. There was even an inference from one honourable member that he would not think it unreasonable for a land-holder to break the law if the Government did not amend the program. I refer to a speech made by the member for Flinders when he stated:

> The distrust of the Government and, more particularly the Native Vegetation Management Authority, is growing to the extent that somebody will do something rash. I hope that that will not happen but . . . unless commonsense prevails on its side, it can hardly expect it to prevail on the other side.

Such rhetoric can only serve to polarise views on the issue. Perhaps members opposite should be reminded that the main features of the legislation were developed by the United Farmers and Stockowners of South Australia and the Department of Environment and Planning. An all-Party Legislative Council select committee reviewed the vegetation clearance issue and supported the proposals of the UF&S and the Department of Environment and Planning. As a result of these moves, when the Bill amending the Native Vegetation Management Act 1985 was introduced into Parliament it received bipartisan support.

Perhaps members opposite should be reminded further that throughout the debate it was accepted that controls on the clearance of native vegetation were necessary. There are a number of reasons why that is so. First, over 80 per cent of the State's agricultural regions had been cleared of its original native vegetation cover and, in some regions, less than 5 per cent of that native vegetation cover remained. Secondly, in excess of 11½ per cent of the plants native to South Australia's agricultural regions are considered rare and endangered, and a further 3 per cent have been rated uncommon, while 1 per cent are regarded as extinct.

Thirdly, of the State's plant associations, 24 per cent are not conserved, 13 per cent are poorly conserved and only 4 per cent have excellent conservation status. Fourthly, over 20 per cent of the State's pre-European mammal species are now locally extinct, while a further 39 per cent are regarded as rare or endangered. A total of 36 per cent of the bird species of the agricultural regions are considered inadequately conserved.

The absence of natural regeneration is resulting in the loss of valuable shade and shelter trees as trees die and are not replaced. Finally, excessive clearance in some areas has led to localised problems of erosion and soil salinisation, such as the loss of 1 000 tonnes a year from an extensively cultivated valley in the Adelaide Hills, a rate some 15 times that of nearby vegetated catchments. With such a grim record, it is not surprising that there has been bipartisan political support to prevent further degradation.

The main features of the Native Vegetation Management Act as agreed to by the United Farmers and Stockowners, the select committee and this Parliament are as follows: the provision of a payment to landowners relating to the loss in market value of land resulting from a clearance decision conditional on the landowner entering into a heritage agreement to manage and retain the area for conservation purposes, with the landowner retaining 12½ per cent of the property without compensation. Consideration was also given to providing the land-holder with further funds if, for example, capital expenditure has been incurred and is made either redundant or cannot be utilised because of the clearance controls.

Other features include the release of heritage agreement areas from the payment of rates and taxes, and I see no reason why the same need not apply to the proposed dingo levy as suggested by the member for Flinders; thirdly, the fencing of heritage agreement areas and possibly other management costs such as rabbit control to be borne by the Government; fourthly, the establishment of the five member Native Vegetation Authority to act as a decision-making body on all clearance applications with two farmer representatives, two conservation representatives and an independent chair-person.

Finally, the authority was obliged not to make a decision on an application that was substantially at variance with the principles on vegetation clearance contained in the State's development plan. These principles required the authority to refuse clearance approval for a number of biological and land management reasons, such as: if the vegetation contained rare or endangered wildlife species; if it acted as a wildlife corridor; or if clearance was likely to contribute to land degradation. These were the main features of the legislation that Parliament, the Legislative Council select committee, the UF&S and the Government agreed to. However, it was acknowledged that as a number of provisions of the Act were novel, a review of the first 12 months should take place.

The review team comprised senior UF&S and Government officials from the Department of Agriculture and the Department of Environment and Planning. In addition, the Valuer-General sat in on most meetings. The Government has accepted the recommendations of the review team, and will bring legislative amendments before Parliament soon. However, the most significant changes have already been made administratively.

These include, first, a waiving of the 12.5 per cent reduction factor contained in the original formula for financial assistance to apply in those cases where clearance is refused solely on biological grounds or where land-holders are suffering extreme economic hardship as a result of the controls; secondly, purchase of holdings made non-viable as a result of the clearance restrictions; and thirdly, the establishment of a panel of independent advisers to provide a conciliation process on any aspect of a land-holder's application to clear. The Government has shown that it will continually review aspects of the legislation and has exhibited a flexibility in making discretionary payments to land-holders with unusual circumstances.

Contrary to suggestions made by the four members opposite, the Government has committed considerable funding to this program. In the first year, 1985, financial assistance payments were $564 300 and in 1986-87, $1 443 499. In the current financial year expenditure has already exceeded $2 million. Recently the Government increased this year's funding from $1.31 million to $3.26 million; that figure does not include the purchase of properties. To date, the

Government has therefore paid $4.1 million in financial assistance.

Of the 190 800 hectares in relation to which clearance approval was refused, the Valuer-General has made estimates on payments for some two-thirds of that area comprising 130 700 hectares relating to 190 land-holders. Of these claims by 190 land-holders, some two-thirds have been completed or there are negotiations on payments, that is, the number of instalments to be made, claims for discretionary payments and also cases of over-capitalisation. There are 51 land-holders who have received payments in relation to 44 000 hectares. So far the Government has paid or committed $6.2 million for financial assistance payments under the Native Vegetation Management Act. In addition, the Government has purchased four properties and a further three are being considered by Crown Law for settlement at a total cost of $2.2 million. The Government, and those parties that are continuing to assist in the development of the native vegetation management legislation—particularly the UF&S—should be complimented on their flexibility and not criticised by Opposition members.

I will now turn briefly to some of the criticisms raised by members opposite in the debate on the Supply Bill (1988). First, I refer to a claim made by the member for Flinders and I quote:

The amount of money paid out has been absolutely—

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

The DEPUTY SPEAKER: The member for Davenport.

Mr S.G. EVANS: Is it within Standing Orders for members to refer to statements made by other members in a previous debate during the same session of Parliament?

The DEPUTY SPEAKER: The honourable member's point is taken, that is, that a member may not refer to debate in the same session, and I uphold that point of order. The honourable member for Newland.

Ms GAYLER: Thank you, Mr Deputy Speaker. I will now deal with criticisms raised about the operation of the native vegetation management program. First, I refer to a claim that the amount of money paid out has been absolutely infinitesimal. That claim is manifestly untrue. As I have just pointed out, a total of $6.2 million has in fact been committed. Secondly, I refer to a claim that a very small percentage of land-holders are being compensated. Absolutely no-one has been denied an entitlement to compensation as specified in the Act. I point out that this is an automatic entitlement provided that a heritage agreement is entered into.

In fact, the Government, on the recommendation of the authority, has made generous payments over and above the entitlements in the Act by the use of discretionary payments and by its efforts to be as helpful and sympathetic as possible to the farmers who are affected. About 30 per cent of payments have been discretionary payments, that is, over and above the strict requirements for compensation on the signing of heritage agreements. One can only conclude, therefore, that if some land-owners who have been refused clearance have not received compensation it must be because, for their own reasons, they have chosen not to avail themselves of it—for example, they might not be prepared to enter into heritage agreements.

Thirdly, claims have been made of delays in decisions made by the Native Vegetation Authority. I am advised that the only delays are due to an attempt to accommodate land-owners and that, in fact, the real delays occur after a decision has been made by the Native Vegetation Authority, and those delays are in the hands of the land-owners. Fourthly, a claim has been made that rare plants seem to have appeared from nowhere. This overlooks the fact that scientific reports are prepared in each instance, following inspection by the department's Native Vegetation Management Branch. In other words, the authority bases its decision on facts, scientific reports and the informed opinion of members of the authority. It does not make decisions based on imaginary rare plants that appear from nowhere.

Next, the attacks by members opposite on two committee members and that by the United Farmers and Stockowners President and General Secretary in various statements published in the journals of the United Farmers and Stockowners have, I believe, been very unfair. I want to deal very briefly with the credentials of those members who have been attacked. Dr Bob Lange is a botanist, a University of Adelaide lecturer in botany, and he has a doctorate from the Western Australia Institute of Agriculture. He has never been a member of any conservation organisation—which is interesting in the light of the criticisms made by certain members opposite and by people in the press. His family has been farming for five generations and he was born and raised in the bush.

Dr Andrew Black is currently President of the South Australian Ornithological Society, he is a past President of the Nature Conservation Society, and he is a respected expert in ornithology. He sits on the authority, along with a representative of the United Farmers and Stockowners, a representative from the Department of Agriculture and the Chairman. As with the other three members of the Native Vegetation Authority, Drs Lange and Black have to apply the provisions of the Act and the principles applying under the development plan.

Each member is required individually—and I stress that it is on an individual basis and not as a representative of any organisation which might have nominated them—to come to a decision on each individual application on its merits, applying the criteria laid down in the Act and in the plan. That was Parliament's intention in the legislation. Drs Lange and Black have consistently and persistently done so. Each felt that in the controversial Gaden case, in applying the tests in the Act and the principles, only one conclusion could be reached, and in their view that conclusion was that the application ought to be refused. In their view any other decision would have been at complete variance with the requirements of the Act.

It is worth mentioning a number of points in relation to the Gaden case. First, approval to clear was refused two years earlier, and that applied to all the land subsequently dealt with in the 1987 application. Two years ago the department recommendation was for refusal. The applicant then accepted advance payments of $120 000 subject to a heritage agreement being entered into. He failed to enter into a heritage agreement and applied again, without having paid back the money granted. As I understand it, in the subsequent application the department had even stronger grounds for refusing approval and recommended accordingly. The decision of the two members of the authority to leave the meeting on this controversial issue has been the subject of some comment in the media. The *Advertiser* of 2 February 1988, the day after the decision, reported that:

Two leading conservationists have refused to continue serving on the South Australian Native Vegetation Authority.

It is worth recording that the *Advertiser* apologised to Dr Lange on 6 February 1988. In fact, Dr Black withdrew from the meeting to consult the Nature Conservation Society, which was his nominator to the authority. Dr Lange withdrew to consult the Minister, his nominator to the authority, on what he saw as a decision at complete variance with the Act. Each did so in defence of the Act of Parliament and felt bound to do so, so that the attacks made on those two

members in this place—with no opportunity on their part to reply—were, in my view, quite unfair.

I would like to conclude by returning to the purpose of the Native Vegetation Management Act. The Act is designed to retain and conserve native vegetation where appropriate, and to pay fair compensation to farmers, so that all taxpayers share the cost of retention and management, provided that the land-owner enters into a long-term heritage agreement in exchange for taxpayers' compensation payments. The purpose is to retain vegetation and habitat, to conserve soil and to retain species diversity in this country.

In conclusion, I hope that the bipartisan support for this legislation, which was a feature of its original passage in 1985, will be restored and that the scheme for retention and management will regain the support of members on both sides of this House.

Mr GUNN (Eyre): We have just listened to the member for Newland read from a prepared script in an attempt to misinform this House and to completely create a situation where the public at large believes that those unfortunate land-holders who still have large areas of native vegetation which they wish to develop have been fairly treated. Nothing could be further from the truth. If ever there was a group of people in South Australia who have been disadvantaged by a decision of the Government to take away their development rights, it is those people who are now suffering under the Native Vegetation Authority.

All members who were in the House when the Bill was passed believed that commonsense would apply; that people would be fairly treated; that adequate compensation would be available; and that the matters would be dealt with fairly, effectively and quickly. Nothing could be further from the truth. Let me make it very clear to this House: for various reasons, all of us on this side of the House want to see reasonable amounts of native vegetation left. All of us are fair people and want to see commonsense apply. However, we cannot stand idly by and see people's economic situation destroyed, where they are being financially disadvantaged by a set of circumstances that are completely outside their control.

These people only want a fair go. They have not received it, and the speech which was prepared by someone and which the honourable member read to the House was, unfortunately, lacking in credibility and fact and was a deliberate attempt to mislead the innocent public of South Australia.

I have a considerable amount to say on this subject because, contrary to what members opposite may say, some of us on this side of the House have had long experience in the development of native vegetation. We know at first hand of our unfortunate constituents across the State who have been affected. A number of things have taken place which have helped the situation. First, the Director-General of the Department of Environment and Planning is a competent, reasonable and very fair person. I have no complaint in that regard. The Chairman has endeavoured to be, and of recent times has been, cooperative and realises that there is a problem. With all due respect to Dr Lange and Dr Black, I believe that Dr Black should have been dismissed the day he walked out of the authority. A person who is appointed to an authority must accept its decisions. In view of the importance of this subject and the amount of information that needs to be conveyed to the House, I seek leave to continue my remarks later.

Leave granted; debate adjourned.

MINISTER OF LABOUR

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

That this House condemns the Minister of Labour for the damage he has caused to—

(a) the submarine project by his support for the participation of the Federated Ship Painters and Dockers and the Building Trades Unions in the engineering works;

(b) South Australian employees and employers by his careless implementation of the WorkCover scheme;

(c) the building industry by his failure to take action against militant union elements;

(d) industrial relations by his indifference to union manipulation of safety issues aimed at increased industrial power;

(e) the South Australian economy by his anti-employment legislation and anti-employer attitudes; and

(f) the poorer people in our community by his support for increased prices of consumer goods via wage cost pressures;

and demands that the Premier remove him from the Labour portfolio in the forthcoming Cabinet reshuffle.

I will make just a brief contribution on this matter, because although it is a very serious matter, the evidence stands out. Daily the newspapers give weight to my motion. There is a serious crisis of confidence in the Government and, indeed, the Minister of Labour. The employers of this State are heartily sick and tired of the Minister of Labour and the way in which he operates his portfolio. They are incensed about the way in which they are treated by him and his department on a number of fronts.

The serious nature of the motion is reflected in the fact that no longer can we claim to have a marvellous industrial relations record. Rather than being the foremost State in that respect, South Australia is slipping rapidly. Importantly, there are problems with the submarine project and in the building industry which I lay directly at the feet of the Minister of Labour. I said that my contribution would be brief because, over the period that the Minister has been in office, the media has repeatedly shown to the people of this State what an inadequate job he is doing.

Part of the difficulty that the State faces is a result of the powerful influence of the United Trades and Labor Council. Two major forces are at work, trying to gain positions of power. Unfortunately, the submarine project just happens to be the mechanism for exerting that influence. I was going to be quite forthcoming on this issue but, given the sensitivity of the negotiations at this stage, I will be somewhat more circumspect in my comments.

Two years ago I asked for action to be taken against the Ship Painters and Dockers Union as a result of the findings of the Costigan report. The Minister and other people have said that there is really nothing wrong with the Ship Painters and Dockers Union—it has never committed any offence. I will read a reply given to the House on this very subject:

In this regard the report of Commissioner Costigan has been fully examined by the Crown Prosecutor, in conjunction with the Commissioner of Police. My advice is that although *prima facie* offences under section 160 of the Criminal Law Consolidation Act are disclosed in some of the instances cited in the Costigan Royal Commission Report, most of the examples cited are now some four to five years old. As such, the Crown Prosecutor is of the view that documentary evidence is likely to have been destroyed and witnesses' memories would undoubtedly be impaired. The passing of time may also mean that witnesses are unable to identify the person who actually made the demands. Furthermore, I am advised that proof of the charges may necessitate calling overseas witnesses who, because of their involvement in the shipping industry, may well be unavailable.

Quite clearly the offences occurred, but the Government took no action. The reason the Government took no action is that the Ship Painters and Dockers Union is part of the lunatic left within the UTLC, along with the BWIU, the BLF, the Storeman and Packers Union and a number of

other smaller unions. Those unions are causing damage to the State and happen to be friends of the Minister of Labour. Indeed, they are the unions to which he owes his allegiance, including the Seamen's Union. It is the lack of action that we have seen with the Ship Painters and Dockers Union that has led to the dilemma in which this State finds itself.

I refer also to my motion No. 49 on the Notice Paper. That has not seen the light of day since it was first moved because we have so much business on the agenda. In it I identified some real difficulties that the building industry is going through. No action has been taken on that motion, nor will it be taken whilst the Minister is in his portfolio. The areas I have outlined include blackmail and intimidation, long term costs to the building industry and investment in this State, restrictive work practices and illegal restriction of entry of subcontractors, growing cartel arrangements and tax evasion. They are all very serious matters and deserving of a judicial inquiry, but it will not happen because the Minister owes an allegiance to those unions.

The WorkCover scheme was more than adequately covered last night in debate and all members on this and the other side of the House will be well aware of the problems facing WorkCover because of the lack of will of the Minister to implement it in a thoroughly professional way. The growing problem of use of safety within the workplace has not been addressed by the Minister. Enormous problems exist with the tripartite commission on occupational safety, health and welfare because of the stance being taken by certain elements. Only recently we had the continuing debacle occurring on many building sites in this State where safety is being used as an industrial issue. If workers pull out on a safety issue they will be paid for the day. If they are fair dinkum and go on strike they lose their pay. Safety is used as a means of getting paid holidays. Only recently a worker on an office block site threw down a piece of wood and then claimed that there was falling timber. The whole site was pulled out. We know of many other examples where safety is being misused and abused by members of a union. The Minister is well aware of such abuses but takes no action whatsoever.

This motion refers to the anti-employment legislation and anti-employer attitudes. We have had the anti-employer attitudes displayed in this House on a number of occasions. During the shop trading hours debate the Minister said, 'I have never seen a poor shopkeeper.' It was fairly evident just where he stood on this whole issue, despite the fact that there are many shopkeepers lining up in the bankruptcy court and losing their business, their home and sometimes their family as a result of financial pressures. That is the Minister's attitude.

As to his anti-employment legislation, he does not want to make WorkCover work; he does not want to make occupational safety work; and he does not want to make the Industrial Conciliation and Arbitration Act work. In referring to unfair dismissals, the Minister should talk to some of the people in the Industrial Commission about some of the problems that he has created. Last on the list is the impact that the Minister wanted to have on the poorer people of our community. He fell over himself in saying, 'We want to grant all these wage increases so the poor can pay higher prices.' The House heard what the Minister had to say on this issue: he could not contain himself. He said, 'They have to pay the bills; it is bad luck.' It is not bad luck; it is important that members of Parliament are responsible and try to do the best job possible for all sectors of the community and, for the Minister to blatantly say, 'I am quite happy to support wage rises which will cause greater problems for the poorer elements of our community' is quite astonishing.

As I said at the beginning, I would not spend a long time on the debate mainly because there is not much time available given the enormous number of items on the agenda and because daily and weekly we see the results of the Minister's action or lack of action on all the fronts that I have mentioned, whether it be the submarine dispute where the Minister supports his lunatic left mates, whether it be the building industry where he is effectively stopping investment in this State and causing enormous cost runs, or whether it be in the area of industrial safety or in just the simple facts of life of supporting employment in this State and supporting the employer element.

I do not move this motion with a great deal of pleasure. It is a serious motion because it asks for the Minister to be removed. It is not on just one count: on a large number of counts the Minister has failed this State.

The Hon. FRANK BLEVINS (Minister of Labour): Since first I saw this motion I have been trying to take it seriously. On paper it is a serious motion. However, after listening to the member for Mitcham, obviously the Opposition does not take it seriously and I wonder whether perhaps I was mistaken in attempting to do so. Obviously, the member for Mitcham had done absolutely no homework. His speech, if it can be dignified with that title, was bereft of almost anything other than reading through his motion.

I suppose that in the five or ten minutes that I will take to demolish this motion and move an amendment that I have to the motion that I believe will make it much more acceptable to the House, I will do the same as the member for Mitcham and treat the matter in the cursory way that the member for Mitcham has done. It is a pity. I would have welcomed a debate on some of these important issues, but I am not keen on one-sided debates, and I will tick off the items as the member for Mitcham has done.

The member for Mitcham, in his usual schoolboy style, tried to inject a little animation into his delivery. He found it difficult. Obviously he was not inspired by his material, and that is understandable. When one looks at half a dozen or so of the serious items that are listed in his motion it is obvious that they did require much more homework and required to be treated much more seriously than the member for Mitcham is capable of doing.

Let us take them one by one. The motion states that I be condemned for the damage caused to the submarine project by my support for the participation of the Federated Ship Painters and Dockers Union and the building trades unions in the engineering works. I would have expected someone making such a claim to have some evidence to substantiate it. Of course, the member for Mitcham did not give any evidence because there is no evidence available—because I have not supported the ship painters and dockers, the building trades unions, or any other union in relation to this project. All I have said about this project is that the unions that work on the submarine site will, when agreement is fixed, abide by that agreement. That is the strength of the South Australian industrial system, the cornerstone of our system. When the trade union movement gives its word and puts its signature on a document, that agreement is abided by.

It seems to me, whether it be three, 13 or 30 unions, whether it be the submarine or any other project, that what matters in industrial relations is the quality of the agreement and the way that the various parties involved adhere to it. That is the Government's view on the submarine project as it is on every other project in this State. That is the way

in which we operate. We say, 'Make your agreement. When you have made it, stick to it.'

Of course, that is not quite so colorful as the statements of the member for Mitcham against the ship painters and dockers. I was somewhat amused by the outcome of the Costigan Royal Commission into the ship painters and dockers' activities because, as far as I am aware, no member of that union was found to have so much as a parking ticket. However, members and mates of the Liberal Party were found to be involved in all kinds of bottom of the harbor schemes and goodness knows what else, some quite significant gaol sentences were handed out. The ship painters and dockers seem to have come out of it pretty well unscathed, but certain sections of the business community closely allied to the Liberal Party did not come out of it too well at all. So I am not quite sure what the member for Mitcham is complaining about.

Reference was also made to WorkCover, which I agree was debated extensively last night. I do not think a great deal of light was shed on that matter, because of the practice of the member for Mitcham rambling on in a second reading debate in a totally unconstructive way. He says the same thing over and over again, endlessly, rather than, in this case, contributing to a very serious debate on WorkCover and the whole issue of workers compensation.

What WorkCover has done is give very significant reductions to the productive sections of the economy—actually to the sections of the economy more closely allied with the Liberal Party, such as the farming community, the manufacturing industry, the building industry, and so on. It has also given a much better workers compensation system for sick and injured workers: there is no question about that. It is much more appropriate and it will be cheaper to operate. It involves rehabilitation to a greater extent than we have ever seen operating in this State before. I would be very happy to have WorkCover as my monument when I eventually finish in this Parliament.

The member for Mitcham commented on the building industry, saying that I had failed to take action against militant unions. The results of this apparent failure have been, according to the member for Mitcham, that the State is overrun by industrial thuggery, blackmail and all other such nonsense. He made that statement under parliamentary privilege, and I do not see him requesting a meeting with the Building Trades Federation to go down to Trades Hall and argue out with the building unions some of the practices that he alleges occur. What I say to the member for Mitcham whenever he raises these kinds of matter is, 'Where is your evidence?' Of course, no evidence is ever forthcoming.

The headline is there but no evidence is forthcoming. If you believed for one moment some of the nonsense coming from the member for Mitcham—and no-one in this House does—you would think that we are in the middle of a building drought and that no bricks are being laid in South Australia. However, almost every day when I pick up the newspapers I see the announcement of yet another project, particularly in the central business district where there has never been so much building activity, so much wealth created and such large profits made by builders. I am not complaining about that—I state it merely as a fact.

We are reaching a position in South Australia where in certain trades the labour market is very tight indeed because of the Government's overwhelming success in creating an industrial and financial climate which has encouraged developers to move into this State in a very big way, and also for our local developers to invest here because they have confidence in this Government and in the industrial relations climate that we have created.

I did not quite understand what the member for Mitcham was getting at when he asked the House to condemn me for my 'indifference to union manipulation of safety issues aimed at increased industrial power'. The problem in this State is that employers inadvertently or negligently kill, on average, 30 workers a year; and they injure and maim another 13 000 a year. That is a problem. There was no indication from the member for Mitcham that he saw that as a problem and as something that must be dealt with—not at all.

Again, the member for Mitcham made some quite unsubstantiated allegations that some unions were taking occupational health, safety and welfare seriously and were insisting, for example, that building sites should be cleaned up so that people would not be killed or injured. If employees on building sites or on any work site are taking more seriously their responsibility to themselves and to their fellow workers by adopting a more aggressive attitude to occupational health and safety in the work force, I applaud that, and I think that every member should applaud it.

I think for far too long in this area workers have been their own worst enemy. They have always had a common law right not to do work which they considered to be dangerous. At the Government's behest and my behest this Parliament has given workers some legislative backing to enforce that common law right. I want them to use that legislative backing. I want them to take control of their own work environment so that death and injury in our workplaces will be significantly reduced.

As a modest person I do not want too many monuments to my memory after I decide to vacate this place, but I would certainly be pleased to have the Occupational Health and Safety Commission as part of the twin monument that I expect, the other being WorkCover, as I have indicated. I will be absolutely delighted with that. I am quite sure that in the years to come this Government will be more than appreciated for the work that it has done in this area and the lives that will be saved and the workers who will not be maimed or injured, even though we will never know who they are. In the motion I am not quite sure what the member for Mitcham means when he says:

> *(e)* the South Australian economy by his anti-employment legislation and anti-employer attitudes;

I am not quite sure what legislation, for which he feels I am responsible, is anti-employment. As I said when talking about the building industry and investment in this State, our industrial relations climate is one of which I am very proud to have had the stewardship for two years and, because of that, we have been able to attract significant investment in this State. Without exception employers have recognised that that is what this Government does, and it does it very well.

The member for Mitcham also suggested that I had increased the burden on the poorer people in our community by my supporting increased prices of consumer goods via wage cost pressures. I can only assume that he was referring to the Government's supporting a claim in the Industrial Commission by the Shop Distributive and Allied Employees Association. I am very proud to have been part of that decision by the Government to support that union in its claim for wage increases for shop assistants, who are probably the poorest sector of our work force. In the main, they comprise female and young people. They are particularly vulnerable to rather unscrupulous employers. I do not suggest that all employers in the retail industry are unscrupulous, but some do not behave properly towards their shop

assistants. Again, it is cowardly to attack shop assistants who, in the main, are young and female. I am very proud to say that I support wage increases for shop assistants and that the Government agrees with that stand.

Whilst the member for Mitcham and other members seem to feel that we ought to be condemned for supporting wage increases for shop assistants, they are very vociferous and vigorous in urging the Government to support wage increases for members of Parliament. I make no apologies for saying that I believe that members of Parliament deserve a pay rise, but it is the height of hypocrisy for the member of Mitcham or any other member of the Opposition to condemn this Government for supporting wage increases for shop assistants while they themselves badger members of the Government every day about wage increases for members of Parliament.

The Hon. D.C. Wotton: Where is your proof?

The Hon. FRANK BLEVINS: I can give you all the proof that you need. I agree with wage increases for members of Parliament.

Members interjecting:

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

The Hon. FRANK BLEVINS: Members of Parliament receive wages, salaries, and other remuneration about which shop assistants can only dream. It is absolute hypocrisy to attempt to condemn a Government for supporting wage increases for shop assistants while at the same time constantly badgering the Government to support wage increases for members of Parliament.

Members interjecting:

The Hon. FRANK BLEVINS: I am putting my position quite clearly on the record. I believe that members of Parliament are significantly underpaid and that all members of Parliament are entitled to a wage increase.

Mr D.S. Baker interjecting:

The Hon. FRANK BLEVINS: I have gone further; I have said it publicly on radio when I had a debate with the member for Mitcham. I went further than the member for Mitcham. Mine is an open position.

Ms Lenehan interjecting:

The DEPUTY SPEAKER: Order!

The Hon. FRANK BLEVINS: There is no hypocrisy involved in my stand. One aspect of the shop trading hours debate which I do not think has received the discussion it deserves is the question of prices. Without wanting to traverse the whole debate about shop trading hours again, it really centres around grocery sales. Most other areas are pretty well deregulated. At the moment in this State on Saturday afternoon and Sunday there is a near monopoly on grocery sales. People who have to shop and buy their groceries, their basic items, on Saturday afternoon and Sunday, pay a very heavy price because of that present monopoly. It is extraordinarily expensive—

Members interjecting:

The Hon. FRANK BLEVINS: Yes, it is extraordinarily expensive to have to do your shopping—

Members interjecting:

The DEPUTY SPEAKER: Order! I cannot quite connect the Minister's debate with the proposition in front of us. I would ask him to—

Members interjecting:

The DEPUTY SPEAKER: Order! I would ask the Minister if he would return to the proposition that is in front of us.

The Hon. FRANK BLEVINS: The proposition before us is increased prices of consumer goods by wage cost pressures.

Members interjecting:

The DEPUTY SPEAKER: Order!

Members interjecting:

The DEPUTY SPEAKER: I ask the honourable Minister to resume his seat.

The Hon. D.C. Wotton interjecting:

The DEPUTY SPEAKER: Order! I call the member to order. This debate will be run in an orderly fashion. If any other members wish to join the debate, they are at liberty to do so, but I will not have members shouting at each other across the Chamber while somebody is standing and delivering a speech. The honourable the Minister.

The Hon. D.C. WOTTON: On a point of order Sir. I just make the point that the member for Mawson and the member for Newland are making assumptions that gentlemen never do the shopping.

The DEPUTY SPEAKER: There is no point of order. The honourable Minister.

The Hon. FRANK BLEVINS: I was merely making the point that the actions of this Government in trying to free up shop trading hours is of direct benefit to the poorer people of this State.

Members interjecting:

The DEPUTY SPEAKER: Order! I ask the honourable Minister to resume his seat. I have already given the House a warning. From now on I shall start warning members and naming them. This is a very important debate, and I consider private members' time to be the most important part of the parliamentary process. I would ask members of the House to respect that. I intend to make sure that the debate is carried out in a proper fashion. The honourable Minister.

The Hon. FRANK BLEVINS: Thank you, Mr Deputy Speaker. I was just concluding on that point, that in an attempt to introduce some competition into weekend trading, what in effect we would have been doing was reducing prices to consumers. The evidence for that, which the member for Bragg was looking for, is very clear. If you go into the deregulated areas of the State where there is competition throughout the seven days, you find that a basket of groceries that is used as a standard measure throughout the State is far cheaper in those areas.

Mr Ingerson interjecting:

The Hon. FRANK BLEVINS: No, actually cheaper. Just far cheaper.

Mr Ingerson interjecting:

The DEPUTY SPEAKER: Order! I would ask the honourable Minister to address the Chair, and I ask members to cease interjecting.

The Hon. FRANK BLEVINS: It is just a simple fact. If the member for Bragg chooses not to face that fact, that is something he has to deal with. In conclusion, as I stated, I would have preferred this debate to have been a serious debate. I actually enjoy debating some of these issues: they are very serious issues, but it is difficult to get a serious debate with the member for Mitcham. Serious debates do require work: they require people to do their homework. They require people to address the subject seriously. It is not just a question of standing up and pouring out for hours on end a heap of abuse, particularly abuse on workers. It is quite clear that throughout the career—certainly the parliamentary career and probably before that—of the member for Mitcham, he has had this hatred of workers. Anybody who is prepared to stand up and say that they support workers, that they support the people of this State who produce all the wealth of this State, is condemned by the member for Mitcham.

But I am happy to stand up in this Parliament and defend workers—and not in an uncritical way. From time to time

I am very critical of them and they, in turn, are critical of me. So, it is not just blind support. But it is the blind hatred of workers that emanates from the other side that disturbs me. I am very happy to stand shoulder to shoulder with workers and to defend them and their rights, and I will continue to do so. I think that members opposite should consider who creates the wealth in this State and at least have some respect for workers rather than constantly abusing them.

This motion moved by the member for Mitcham, coupled with the way in which he has treated the motion in a very light manner, I think is indicative of the way that he accepts his responsibilities in the shadow portfolio, which is a not unimportant area, an area where statements that he makes are widely reported. In the main, those statements do enormous damage to the industrial relations framework of this State. It has been a little bit of an eye-opener to me—and it is something that the member for Mitcham should contemplate—that everyone involved in the industrial relations sphere in this State treats anything that the member for Mitcham says with disdain. He does not hold any respect from any party whatsoever involved in industrial relations in this State. I think that is a pity. Some of his predecessors—for example, a former member for Torrens and, I concede, a former member for Davenport—did gain some respect amongst some sections of the industrial relations scene in South Australia. I think that the member for Mitcham should take note of the way in which some of his predecessors behaved. Perhaps he would then bring more credit to his Party than by the way he behaves at the moment.

In view of those remarks I feel that this motion by the member for Mitcham has raised some interesting queries. In an attempt to treat the matter seriously and make it more acceptable to the House, I wish to move an amendment to the motion as follows:

Leave out all words after 'House' and insert:

Congratulates the Minister of Labour for his excellent achievements in maintaining South Australia's unsurpassed industrial relations record and for his positive work for industry and the workers of this State, in particular in the following areas:

(a) The massive savings, both in financial and human terms to South Australia achieved through his determination to introduce the WorkCover scheme.

(b) Through the introduction of the Occupational Health, Safety and Welfare Act which gives every worker in South Australia the right to a safe workplace.

(c) Through his policy of consultation and negotiation, rather than draconian confrontation, he has fostered continued development of the South Australian building industry.

(d) Through his support for tripartitism he has established a mechanism to help overcome many potential areas of industrial conflict resulting in huge savings to the South Australian economy.

(e) Through his support for business and the consumers of South Australia by deregulating Government restrictions on petrol retailing, bread baking hours and some areas of shop trading hours.

Further that this House strongly condemns the member for Mitcham for the many inaccurate and misleading statements he has made over the past two years and his inability to check the simplest facts which have resulted in enormous damage to the reputation of South Australia.

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

TROTTING CONTROL BOARD

Mr INGERSON (Bragg): I move:

That both the Minister of Recreation and Sport and the Acting Minister of Recreation and Sport at the time in July 1986 be condemned for their acceptance of negligent actions by the then Trotting Control Board during the 'Batik Print' affair.

First, I refer to the Minister's comments in his ministerial statement to this House yesterday. In that statement the Minister selectively quoted from the report of the appeal committee of 25 May 1988; he selectively dry-cleaned that report so that the areas in support of the actions of the Trotting Control Board—and, of course, his actions in particular—were again covered up. I want to refer to a couple of areas, in particular to matters on page 3 in relation to the police recommendations. I note that in the ministerial reply given yesterday the Minister said that in reply to question No. 610 to me he had set out clearly the police recommendations that were made as a response to the 'Batik Print' inquiry. I want to read into the record the third last paragraph, as follows:

It must be acknowledged that not all of these changes have resulted directly from either the 'Batik Print' case or from the report of the police inquiry into allegations made about the trotting industry. Some of the changes mentioned would certainly have resulted from the normal progression of factors within the industry.

Again, in his response yesterday the Minister has used this report to not quite tell really what he had said. There is no question that the changes that the board has put into action at this stage are welcome. They are changes that we were concerned about at the time. We congratulate the board on making those changes. But the Minister cannot come along here and say that he has put all the police administrative changes before this House when he has not done that at all. Further on in the report he said:

While finding no substantial fault with the Trotting Control Board, it did identify some of the weaknesses.

He goes on to talk about the legal requirements and also the fact that the minutes were not recorded to an appropriate standard. Again, I support those remarks, but it is very clear that again the Minister has left out some of the very important comments that were made by that appeal committee.

As to the comments made at the end, where he said, '... both the police investigation into the trotting industry and the legal proceedings in relation to the Trotting Control Board ... will dispel the cloud that has been hanging over the trotting industry since the allegations about its operation were first raised,' that is what I intend to have a look at this morning in the time available to me. From all the parliamentary questions and debate, there is no doubt that both the Acting Minister of Recreation and Sport (Mr Payne) and the Minister of Recreation and Sport (Mr Mayes) were familiar with the minutes of the committee meeting of 1 July 1986 and the corresponding minutes of the board meeting of 7 July. To back up that statement, I refer to comments made by the Acting Minister on 11 March 1987 (*Hansard*, page 3330) in response to a question asked by the Hon. Mr Goldsworthy, at which time he admitted that both he and the Chairman and the Secretary on more than one occasion had sat down to discuss the issue.

On 11 March, in answer to a question from the member for Mitcham, the Minister of Recreation and Sport (Hon. Kym Mayes) said that when he returned from overseas a report from the office on the issue of minutes was before him. So, they were well and truly before the Minister and he had all this knowledge before him. Because I am unable to table the minutes, I will read them into *Hansard*, because I believe that the public needs to know what was said in those minutes. They are headed 'Minutes of the meeting of the Trotting Control Board held in the boardroom on 7 July 1986', and read as follows:

The Chairman referred to the letter from the Chairman of Stewards and his arrangement for the board to hear the Chairman

and the Deputy Chairman of Stewards at 10 a.m. Mr Rehn referred to his not being advised of the meeting of members of the board on 1 July 1986 and Mr Rehn indicated that he was not happy at not having the courtesy of being advised or invited. The Chairman reported—

and this is very important—

that he had ruled that the meeting on 1 July was not a board meeting, after being advised of the position of Mr Rehn not being informed or advised or an attempt to do so. The Chairman said he had said the meeting was to consider an urgent matter which had arisen. Mr Jones had requested the General Manager set the meeting up. The Chairman said the board's procedures for calling meetings must be strictly adhered to.

The Chairman and Deputy Chairman of Stewards joined the meeting. The Chairman advised Messrs Broadfoot and Styles that the matter may not conclude this morning owing to stewards being required for today's Globe Derby Park meeting, and in this event a further discussion would be held with the stewards as to any decision or attitude the board may take. Mr Broadfoot indicated that after being told of the actions of the board the stewards had been met and had agreed to ask the board to reconsider and in fact rescind the decision. He stated the authority of the stewards had been undermined: Mr Broadfoot asked why the stewards had not been consulted and what evidence had been used to arrive at the decision. Mr Broadfoot also indicated that he had been lied to on two occasions by the General Manager and that he had all the correspondence relating to the cases.

Mr Styles indicated that at the meeting of stewards it was apparent that they were very alarmed that there had been no consultation and that they could not believe what had happened. He remarked that he believed it is essential that more must come out than a one paragraph statement. Mr Broadfoot queried whether the board had the right to intervene. General discussion took place, and it was agreed that the General Manager should, that night, prepare a statement . . . a further meeting with Messrs Broadfoot and Styles was arranged . . . the board received the relevant report by the General Manager on the above topic and confirmed the resolutions (1) to (5).

It is interesting that resolutions 1 to 5 are on these minutes of 1 July but that they have never appeared before Parliament. Neither the Trotting Control Board nor the Minister was prepared to table this document when asked, because it was not in fact a board meeting. That is clarified by the Chairman. The fact that these minutes were known to the two Ministers and that both agreed that it had only been an error of judgment by the board suggests to me that there had been a cover-up to avoid public and parliamentary scrutiny of these decisions. For what other reason would one not publicise the documents recently named which damn the action of the board, when one is steadfastly defending it publicly? I say that there was negligence by the board, both administratively or during its decision making process. To support this negligence comment, let me now turn to the decision of the appeal committee dated 25 March 1988.

In summary, the decision of the appeal committee has shown up a number of matters of concern: first, the reliance on scant evidence at the unscheduled board meeting of 1 July; secondly, the failure to obtain expert forensic advice; thirdly, the interference by the board in the stewards inquiry and then the failure to consult with the stewards to obtain their opinion or report on the state of their investigations and inquiry; fourthly, that potential litigation consequences were wrongly taken into account; and, fifthly, the question of conducting meetings and their procedures. Both Ministers were aware of these problems.

I want to further expand on these comments. I refer, first, to the reliance on scant evidence from Mr Jones at the unscheduled board meeting of 1 July. I quote from that appeal committee reference, as follows:

On the evidence, we find that Mr Jones, in relation to the existing situation of the 'Batik Print' matter, was by far the most significant contributor to the discussion at the board meeting. We find that he reported those series of events involving his reading of the newspaper article concerning 'Keystone Adios', his conversation with 'Columbia Wealth's' trainer, his verification of the accuracy of the 'Keystone Adios' newspaper article, and the telephone conversation with IDT conducted through the agency of the General Manager on the preceding day, at the board's office.

We find that, in the context of his addressing this particular meeting, he firmly asserted his view that the prospect of the second sample relating to 'Batik Print' being returned positive was quite remote. We further find that, in the course of his address to his fellow board members, he advanced a theory which found favour with his Chairman that there was likely to be some breaking down or dissipation of the second sample. Other than some vague comment arising out of the telephone conversation, above detailed, there was no veterinary, forensic, or other expert evidence to support that theory.

The second point is the failure to obtain expert forensic advice before calling off the final testing of the second 'Batik Print' swab test. I read from the reference relating to the evidence of Mr Krantz at that meeting, as follows:

On Mr Krantz's own evidence, however, he played a fairly passive role in the 'Batik Print' matter. In his capacity as Chairman of the meeting held on 1 July 1986 he was persuaded that the matters which Mr Jones advanced were matters of merit. He made one judgment which we ourselves would not have made.

It is very clear that the appeal committee would not have made the judgment that the board made. Members must bear in mind that the Minister was aware of all this. The report continues:

He said that he had no difficulty in accepting that, because of the considerable time delay between the analysis of the first sample taken from 'Batik Print' and the proposed date of the analysing of the second sample from 'Batik Print', it was highly likely that there would be some chemical breakdown in the sample. In other words, he assumed that there would be some decomposition of the second sample. He said in evidence that he had no difficulty in reaching that conclusion because in discussions with medical people he had learned that pathological samples taken from human beings could break down if not subjected to scrutiny on a prompt basis.

I quote further from the references relating to Mr Jones' evidence, as follows:

Mr Jones, too, was pressed as to why he did not agitate for the testing of the second sample, given that upon his own theory it was almost inevitable that the second sample would produce a result contradicting the first sample. It was put to him that, by agitating for the elimination of the testing of the second sample, he was 'on a hiding to nothing'. Mr Jones' answer was that it was inevitable that there would be an opposite result produced by the second sample. He placed his prediction in that regard at a level of absolute certainty. Whilst Mr Jones obviously has a superior understanding of the activities of breeders, owners, and trainers of trotting horses, including an understanding of how they race, we do not understand that those qualifications extend to veterinary expertise, and nothing was said in evidence to persuade us that the judgment of inevitability or certainty concerning the second swab sample was a valid judgment.

In other words, Mr Jones had also made a decision with no professional backup. The report continues:

Mr Frayne was quite right to criticise the lack of veterinary or other expert evidence in the decision making process... the decision of 1 July was one to abandon the testing of the second swab sample taken from 'Batik Print'. This committee is troubled by that decision.

I wonder why. It goes on to say:

There were some factors in existence to support the earlier decision, but not of sufficient weight to have persuaded us, had we been members of the board, to have acted as the board in fact acted.

That is further justification of the fact that it did not have the expertise to make that decision, and the Minister was aware of all this.

My third point concerns the interference by the board into the stewards inquiry and the failure of the board to consult with the stewards to obtain their opinion or report on their stated opinion. I quote from the report, as follows:

The Chairman of Stewards was annoyed at the board's direction that the stewards should not proceed with the 'Batik Print' inquiry. There was a meeting on 2 July 1986 between the board and the stewards, but we do not find that aspect of the matter one which need concern us.

I find that quite staggering, because the stewards were the only people who knew what the decision was and what had actually been taken out. The question whether the board had the power to stop the inquiry was agreed to, but the question whether it was an incorrect use of that power was not fully pursued. The decision of the board to drop the positive swab was an incorrect use of that power. It was an incorrect decision.

My fourth point is that the board wrongly took into account potential litigation consequences from 1 July. I support the Minister on this because it is one area that he has not dry-cleaned. The report states:

> The other factor in Mr Jones' conclusion which we cannot support is his judgment of embarrassment (or a worse fate), being occasioned to the board by virtue of possible defamation proceedings at the hand of a trainer who might have been wronged by being asked to appear at the stewards' inquiry having regard to the fact that a horse under his care, 'Batik Print', had returned a positive swab on its first testing.
>
> This respondent board has access to legal advice and if that was a serious factor in the deliberations of the board, then the proper course was for the board to seek legal opinion.

It did not do that. The Minister was also aware in general debate in this House of that situation. In commenting on Mr Frayne's point (the QC for the appellant), the committee stated:

> He was quite right to criticise the lack of veterinary or other expert evidence from the decision making process. Equally, in our view he was right in saying that this board wrongly took into account potential litigation consequences about which it had no real undertaking.

My fifth point refers to the conduct of board meetings and particularly the taking of minutes. In an interview with Mr Leaker, the committee states:

> We recommend that he join with his Chairman to ensure that the statutory requirements imposed upon this board for the taking of proper minutes is more literally observed.

It is saying that the board was not even looking at upholding its statutory requirements, yet the Minister said in this place that he was quite happy with the way the board was acting.

I conclude that the appeal committee has found there was no impropriety, but it has been negligent in making its decision, particularly for failing to obtain any expert advice, relying upon hearsay evidence and failing to consult with the stewards. In fact, it stopped the stewards inquiry. The Minister was fully aware of these matters and covered them up from this Parliament. The appeal committee has suggested that a suitable lawyer be appointed to the board. I thoroughly endorse that and note that the Minister also supports it. Guidelines should be laid down to ensure all statutory boards comply with basic procedural requirements. I support that and believe that several fundamental things ought to be done. I believe that in the case of racing boards the independence of the stewards must be maintained. The boards should have no jurisdiction to intervene with a stewards inquiry. The stewards must be allowed to complete their inquiry. Once the inquiry is complete, no reason exists for the board having to accept the evidence; but, to interfere with the stewards inquiry is like this Parliament interfering with the police.

In summary, the Minister and Acting Minister were involved in a cover-up of information that showed that the TCB acted negligently in dropping the 'Batik Print' swab on 1 July 1986. The Minister and Acting Minister covered up by saying that the Acting Minister was satisfied and that the Minister himself said 'an error of judgment', when in fact the decision to drop the positive swab of 'Batik Print' was made at a meeting of the board on 1 July that one of the board members was not advised or invited; that is, a committee of the board made the decision that was probably not in their power. At the next board meeting of 7 July the Chairman ruled that the meeting of 1 July was not a board meeting and thus needed to confirm the previous decision. The stewards (including Mr Broadfoot, the chief, and Mr Styles, the deputy) met after being told of the decision and agreed to ask the board to reconsider and in fact rescind the decision re 'Batik Print' and 'Columbia Wealth'.

That was ignored. The stewards believed that their authority had been undermined; they were alarmed that they had not been consulted and questioned what evidence had been used to arrive at the decision, particularly as the chief steward—and not the board—had all the correspondence relating to the cases. The chief steward said that the General Manager had lied to him on two occasions. This statement appears in the minutes but has not been denied. I find that quite strange. The collecting and evaluating of evidence by the board itself hastily instead of allowing the stewards to complete their inquiry I find quite unusual and unacceptable. Lack of evidence and questionable conclusions before the board on 1 July included poor administration and procedures by board and staff, particularly the lack of use of legal advisers.

Finally, the point is made in relation to not being prepared to publicly expand all the police recommendations on this particular administration. I condemn the Ministers initially involved, and that includes the acting Minister, but I place the main responsibility with the Minister of Recreation and Sport.

The Hon. M.K. MAYES (Minister of Recreation and Sport): I can make one clear comment to the House. If there is an opportunity to replace one of the Trotting Control Board members with a person with a legal background it will not be the member for Bragg. His analysis of the decision and his submission today if it was before any court would have the court in uproar or in mass hysteria. It was the most pathetic argument that I have ever heard put before the House. As one of my colleagues said, 'Why doesn't he quit while he is behind?' If we go back to all of the submissions that have been put forward by the member for Bragg on this issue, we can look at his attempts not only to impugn individuals and their reputations in the industry—

Mr Ingerson interjecting:

The Hon. M.K. MAYES: Madam Acting Speaker, I listened with great interest in silence to the member for Bragg and I ask him to do the same. The arguments put forward in relation to those attacks back in March 1987 were very personal and deliberate and of course had very serious consequences on the individuals involved. Those individuals will probably have to live with them. The honourable member knows this, we know it and his reputation is that he attacks individuals. The member for Albert Park can swear to that because Mr Ingerson once was a Liberal candidate against him. The same influence of attack on the individual came through. We have seen this constant approach from the member for Bragg and it is highlighted again in this whole sorry affair and in the way in which he has handled it. Again, we saw the attack on the then Acting Minister (the Minister of Mines and Energy) and myself in regard to a cover-up.

I can assure the House that there was no cover-up and that there never would be any cover-up. This matter has been dealt with appropriately and it has now been through a process that the member for Bragg finds hard to deal with, that is, an independent appeal committee. Yesterday the honourable member said to me, 'You have not read the decision.' I said, 'You obviously have not read it.' He may have read it, but he certainly has not taken it in. His has been the most disjointed consumption of a decision that I

have ever heard and the way in which he has presented the argument to the House today concerning the whole issue has been in a jaundiced and coloured manner. We have this submission. I have to say that we are pleased that he is not a defence lawyer because, if a person was up for a serious crime, one would not want the member for Bragg to be the defence counsel because one would hang every time. Clearly, the issue—

The Hon. D.C. Wotton: Keep to the subject and stay away from personalities.

The Hon. M.K. MAYES: The member for Heysen says, 'Keep to the subject.' I am. Unfortunately, the member for Bragg stooped into the issue of individuals and attacked two prominent members of the community and their involvement in the trotting industry.

Members interjecting:

The ACTING SPEAKER (Ms Gayler): Order! I ask the Minister to resume his seat. The member for Bragg was heard in such silence that the Chair did not have to call for order at any stage, and the Chair expects the same courtesy to the Minister from the member for Bragg.

The Hon. M.K. MAYES: The issue before us is one where the member for Bragg is trying to dig himself out of a hole that he has consistently and persistently put himself into through his attacks on individuals, his attacks on the industry as a whole and his attacks on the Trotting Control Board in particular. I know that his colleagues are somewhat embarrassed about it. Certainly, those members on the other side who have an interest in the racing industry are embarrassed because they have expressed that to me. They are embarrassed about being associated with this issue.

Mr Oswald: Prove it.

The Hon. M.K. MAYES: I can. I will not bother the House with those issues. It is true, because the honourable member's obvious lack of attendance at trotting functions is so obvious that it is overpowering. We know that his involvement in this whole affair has been an embarrassment to the Opposition. The member for Bragg has made in this place unsubstantiated allegations that he is not prepared to go outside and repeat—and that would be the true test: to step outside and say what he has said about those people. We have no apology, but we know from past history that he is not a man to apologise. He is not prepared to stand by what he has said or to apologise for his unsubstantiated comments. We have all seen his performance, and today has seen another attempt. He casts his net wide enough to include the Minister of Mines and Energy, who is one of the most senior members of this House, and he reflects on the Minister's reputation. I think that that is a serious matter.

We should look carefully at the statements he has made over time. It is a popular myth in the community that the member for Bragg initiated the so-called inquiries into the activities of the trotting industry. That is not true. The inquiries were initiated independently and quite properly raised by the Police Department in December 1985 as part of its normal investigation process. I put that on the record so that it is quite clear. The Police Department followed that without any hindrance or involvement by anyone in the Government, contrary to what has been alleged by members opposite that there were attempts by me or other members of the Government to interfere in the process.

Members interjecting:

The Hon. M.K. MAYES: The honourable member makes an indication that we have. That is absolute rubbish, and is totally denied by the Minister of Emergency Services and me. The Police Department, as has the National Crime Authority, proceeded as it saw fit, totally free from instruction, as is their brief and right. I repeat what I said at the outset: if anyone had or has evidence that would be of interest to the police, the NCA, the stewards or the Trotting Control Board, then they should bring it forward. I would welcome that. That is what this Government is about: we invite them to do so. People with evidence should go through the proper judicial channels. The police and the committee of inquiry have indicated that no evidence of substance has been brought forward to suggest that there has been malpractice on the part of any individual or the board.

Mr Oswald interjecting:

The Hon. M.K. MAYES: The member for Morphett is an expert on the industry so we will allow him to make his own comments.

Mr Oswald interjecting:

The ACTING SPEAKER (Ms Gayler): Order! I call the member for Morphett to order and ask the Minister to address his comments through the Chair.

Mr Oswald interjecting:

The ACTING SPEAKER: Order! The honourable Minister.

The Hon. M.K. MAYES: Obviously I touched on a sore point. In relation to the overall issue, we go back to *Hansard* of March 1987 and—

Mr Ingerson interjecting:

The Hon. M.K. MAYES: The honourable member can be assured that I will deal with all the issues. On 10 March 1987 the member for Bragg moved this motion:

> That this House at its rising adjourn until 1 p.m. tomorrow, for the purpose of discussing a matter of urgency, namely:
>
> That, in view of continuing widespread concern about and further evidence of serious malpractice by the Trotting Control Board in South Australia—

and I emphasise 'serious malpractice'—

> the Government must immediately appoint a judicial inquiry into trotting administration by the board and, pending the completion of such an inquiry, all members of the Trotting Control Board should stand aside . . . clearly demonstrates that the Trotting Control Board was, at best, incompetent, at worst, crook, in dealing with a positive swab.

They were a bunch of crooks! That is what he believed about Trotting Control Board members. That is his level of attack. The Leader of the Opposition went on with the same approach. On the same day he said:

> It is well recognised in the industry that there is a select group of punters who benefit from blatant race rigging. In at least one case, the board has failed to take positive action and has been negligent, if not dishonest, in dealing with a positive swab.

Let us deal with what has come forward. Of course, we have statements from the police in regard to their investigation, and I think it is worth putting that information on the record. I refer to a letter to the Commissioner of the South Australian Police Department from the Trotting Control Board and signed by the Chairman, Mr Krantz. The Chairman wrote to the Commissioner of Police about allegations against the South Australian Trotting Control Board. Under the Trotting Control Board letterhead, Mr Krantz said:

> The Chairman of Stewards of the South Australian Trotting Control Board, Mr T.T. Styles, yesterday received a letter from a member of the South Australian Police Department, Detective Chief Inspector D.G. Edmonds. The content of this letter gives a clear impression that investigations by your department have not revealed evidence of malpractice within the harness racing industry.

The statements by the Deputy Premier and the advice given to me reinforce and restate those very points.

Mr Ingerson: What is the date of the letter?

The Hon. M.K. MAYES: The date of the letter, for the information of the House, is 25 March 1987. It is clear that the so-called overwhelming evidence to be presented to the

community by the member for Bragg and others who have been involved and who see malpractice and race rigging by board members cannot be substantiated. If there is evidence, I again request that these people go through the appropriate channels and place it before the apppropriate judicial authorities so that it can be dealt with in a proper manner.

I turn now to the issue of the minutes of the meeting, which has been referred to as being crucial to the allegation that the Minister of Mines and Energy and I have been involved in some scurrilous activity to cover up. At page 16 of the decision of the appeal committee, following its investigation, there is a very clear statement. I point out that the committee is comprised of barristers who were appointed independently to investigate the allegation that the Trotting Control Board is comprised of a bunch of crooks and is incompetent and inefficient. These individuals have their reputations at risk and have been attacked in this place with no opportunity to defend themselves. At page 16 of its decision the committee states:

> In relation to express submissions made to us we offer the following conclusions:
>
> *(a)* The meeting of the respondent board held on 1 July 1986 was a duly convened extraordinary meeting of that board.

I rest my case. I think the member for Bragg should read that decision carefully and absorb what that independent committee of appropriate legally based individuals had to say.

The appeal committee found that it was a 'duly convened extraordinary meeting'. So I think we have really answered the main thrust of the member for Bragg's charge in relation to that issue. I repeat the overall statement made by the committee of investigation in relation to the activities of various individuals cited by the member for Bragg in his remarks today, as follows:

> The decision of the respondent board was made utterly free of any intention to confer any improper or unwarranted benefit on any party.... The decision was not in our judgment a manoeuvre involving cover-up procedures to protect the name of the industry or any person within it.... The board in good faith and with earnest consideration of all factors available to it acted within the bounds of its broadly defined functions.

I could go on for some time and defend very carefully and with a clear conscience the activities of both the Acting Minister and me, because I believe that we have acted totally properly, and we have relied on judicial authorities to act. They have acted within their brief and charter. There has been no attempt to cover up by anyone in the Government. We have dealt with it openly and honestly, and we will continue to do so.

I fear that the member for Bragg is endeavouring to bring up this issue continually in an attempt to bail himself out of the situation in which he now finds himself. Sadly, that reflects on the industry and the individuals involved. It is his decision, but I fear that his constant carping and criticism do nothing to assist the industry. If there are problems out there that must be dealt with administratively, we will deal with them. We have dealt with them on the basis of the arguments put forward by the appeal committee and by those indentified prior to the appeal committee's decision.

We will continue to deal with the matter in a very efficient and careful manner so that the industry prospers and can demonstrate that it is above reproach, and so that any issues of malpractice can be dealt with in a very clear and judicious way, with evidence being properly presented. I absolutely deny the allegations made, and I think the facts support me. Our case is very clear. If we have to be tested on this issue, I am certain that the House will support the position of the acting Minister and me in relation to our handling of this matter.

Mr OSWALD secured the adjournment of the debate.

REMUNERATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 22 October. Page 1493.)

Mr S.G. EVANS (Davenport): Because of the shortage of time, I will not say all I intended to say. I realise that another honourable member has stepped aside so that this matter could be debated. I am disappointed that Parliament will not pass this Bill and that no other member of Parliament has spoken on this topic. I propose that parliamentary salaries should be gradually increased in stages by $1 000 above the CPI until 1990, when our salary would be $1 000 below that of Federal Parliamentarians, and still less than that of some other State members of Parliament.

Obviously, I discussed this issue with people involved in the parliamentary system and in various strata of parliamentary operations. I am extremely disappointed that, in recent times, the Minister (Hon. Frank Blevins) has made accusations about people on this side of the House and has said that we sought parliamentary increases as if we were the main instigators for an increase. I will not name any other honourable member with whom I may have had a discussion because, once the tradition of not repeating private conversations is broken, that person can never be trusted again. That situation arose once before when a Speaker of the Parliament disclosed private conversations, and I believe that the situation occurred in recent times in the other place. When that happens nobody can discuss such things with confidence and the trust is destroyed forever.

I can understand how some members of the Liberal Party, the National Party and other people who believed that Parliamentarians were not being paid enough can now say, 'Whatever is suggested in the future in relation to increases, we will oppose it and play the political point to the end,' because somebody sought to do that today.

That is a sad state of affairs. I know that my Bill will be defeated. I know that the vast majority of South Australians believe that politicians generally are overpaid but, when you talk to those people individually, they believe that we are underpaid. I know that the reason why members did not want to discuss my Bill was that in the main they were fearful of the press, of businesses that are struggling in some cases, of unions which are seeking increases and have not been able to achieve them, and of the repercussions for Party financial members, particularly pensioners, in the branches, regardless of any political philosophy.

It is foolish to think that we can go on as we are. Even though I will lose the vote on this Bill, I will seek later on today to move a resolution that this matter now go before the tribunal. I hope that somebody in the Parliament next Thursday will have the intestinal fortitude, the strength of character, to stand up and say publicly what they believe in their heart. If ever there was an opportunity for us to do that, it is now. I know the fear of the press. I do not have a lot of respect for the way it builds up an attitude that we should be hated and not trusted, and that we are overpaid. Many members of the press are paid far more than we are, and if they had to give the donations and contributions asked of us, as well as attending the functions that Parliamentarians are expected to attend, many of the press could

not lead the sort of lifestyle that they enjoy now, especially those on talkback programs who receive anything up to five times more than a parliamentary salary. I am not saying that they are incapable: they are very capable people, but so are many Parliamentarians, and we have a deep responsibility.

Our parliamentary allowances will be increased very soon. I ask members to think about this during the next week and say to the press, 'You can knock us even though you are getting more than we are, but we will take the knocks.' However, we can let the Parliamentary Salaries Tribunal look at it, knowing that this Parliament on 15 October last year agreed that our salaries should be tied in some way to Federal parliamentary salaries. If the tribunal comes down with a decision, we should accept it with good grace. The press should also have a look at what is happening around them in other sections of society, including the Public Service, and see if those people make the contributions, donations and the handouts that are expected of us, or if they give at least some recognition to the financial load that MPs have to carry.

I say again that I do not need the increase as much as others because all members of my family have grown up: they are all adults, all earning a living. However, there are members here with young families, and some are female members or members in whose families both parents may be working. They have child-care, baby-sitting and other expenses that did not prevail in times when this place consisted wholly or mainly of men. So, I put the proposition. I will not divide on it because I know that that is hopeless, but at least we will get rid of the proposition involving the Act on this occasion with a view to putting a motion before the House next Thursday.

Second reading negatived.

CRIMES (CONFISCATION OF PROFITS) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 11 February. Page 2692.)

Mr KLUNDER (Todd): The amending Bill proposed by the member for Elizabeth seeks to clarify an existing situation on the basis that there may be a hiatus in the application. The member bases a need for these amendments on the situation where members of the judiciary may halt before sentencing on the basis that confiscatory proceedings are pending.

From this the member draws the implication that the severity of sentencing may be varied according to the success or otherwise of the confiscatory proceedings. I do not share that hypothetical extension that the member has made, but like him I can see no reason why the Act cannot be put beyond doubt. The courts should sentence without any regard to what happens to the profits from the crime. After all, if the person is found guilty the profits of the crime should not stay with that person; if the person is declared innocent the question of confiscation does not arise. The sentence of the court should reflect the circumstances of the offence and the offender, and any confiscation of the offender's property is not a relevant consideration. Confiscation is designed to take from the offender his ill-gotten gains and, in my view, the proceedings are akin to a civil action and not a penalty for an offence. I therefore see no problem with that amendment.

The second amendment substitutes 'must' for 'may' in section 5 of the principal Act and takes away the discretion from the court as to whether or not the property should be forfeited after a certain number of conditions have been met. On the surface that looks to be a perfectly reasonable amendment, and yet I find that I have some difficulty with it. There may be a possibility that discretion should be exercised in order to see that justice is done. While I cannot conceive of such a situation—and there is a degree of difficulty in even thinking about a convicted offender profiting from the crime—there may be some difficulties that we have not foreseen.

Discretion is at least partly given to the courts in order to cope with circumstances which cannot be foreseen by the framers of the legislation and I am therefore in considerable doubt about this proposed amendment. Clearly, if discretion were ever to be seen to be misapplied, I would foresee no problems in taking this amendment rapidly through the Parliament, but I cannot believe that the courts would invoke their discretionary powers under the present clause 5 for any but the most excellent reasons in a quite extraordinary set of circumstances. I therefore foreshadow that this amendment is likely to come under much more critical scrutiny during the Committee stage or in another place. With that proviso, I am happy to support the Bill through to the second reading.

Mr LEWIS (Murray-Mallee): I support the amendment that the member for Elizabeth has put before the Chamber. I believe that it is appropriate to the existing law.

Mr S.J. BAKER (Mitcham): I agree with the sentiment of the Bill and the comments that have been made.

Mr M.J. EVANS (Elizabeth): I thank members for their support in principle of the Bill. I have taken note of the concerns that have been raised about clause 3 and I am sure that that will be discussed in more detail in Committee.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Forfeiture orders.'

Mr M.J. EVANS: In view of the concerns that have been raised about this clause, both in this place and outside of it, by expert bodies, I no longer wish to proceed with this clause and I invite the Committee to oppose it.

Clause negatived.

Title passed.

Bill read a third time and passed.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 24 March. Page 3519.)

Mr D.S. BAKER (Victoria): I was disappointed with the response from the Government spokesman on this matter, the member for Price, who said that, although the Government was aware of and understood the concerns that prompted the introduction of this Bill, it could not support the second reading. The reasons that he gave were, to my mind, quite spurious and, in fact, they are rejected by the majority of councils in South Australia. I have had considerable correspondence from councils that do support this Bill. They have had experiences of the problems of the bottoms-up counting system with preferential voting, and are most concerned about the matter. It has produced anomalies in the past, and they want to have the option for two

systems, namely, preferential voting and optional and proportional representation, but, of course, they are prevented from doing so by the Government.

If it was proposed to use the bottoms-up counting system in the Labor Caucus when it elects the three new Ministers, on the retirement of the Ministers due to retire, it would be thrown out and there would be revolt in Caucus. The system that they use, of course, is exhaustive ballot, and that is exactly what I want introduced. The exhaustive ballot continues, and when one candidate is elected you start again. That is what preferential voting is all about, when the next preferred candidate is taken into consideration. I commend the Bill to the House and I ask for the support of members.

The House divided on the second reading:

Ayes (14)—Messrs Allison, P.B. Arnold, D.S. Baker (teller), S.J. Baker, Blacker, Chapman, Eastick, S.G. Evans, Goldsworthy, Lewis, Meier, Olsen, Oswald, and Wotton.

Noes (22)—Mrs Appleby, Messrs. L.M.F. Arnold, Bannon, Crafter, De Laine (teller), Duigan, and M.J. Evans, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Mayes, Peterson, Plunkett, Rann, and Tyler.

Majority of 8 for the Noes.

Second reading thus negatived.

[Sitting suspended from 1.3 to 2 p.m.]

DEATH OF HON. F.A. HALLEDAY

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

That this House expresses its regret at the recent death of the Hon. F.A. Halleday, former member of the Legislative Council, places on record its appreciation of his meritorious service and, as a mark of respect to his memory, the sitting of the House be suspended until the ringing of the bells.

Frank Andrew Halleday died on 5 April 1988 at the age of 88 years. He was born on 8 October 1899 at Bridgewater. His service in another place was not extensive. In fact, he was a member of the Legislative Council for the Southern District from March 1938 until July 1943, but his involvement in political activity was far more extensive than those few years that he spent in the Legislative Council. The son of a gardener, he was educated at the Hayward School and Muirden College, leaving at an early age to work on a dairy farm. He had a number of occupations as a boy but in 1919, aged 20, he settled on his own farm at Aldgate, concentrating on dairying and later potato and vegetable growing and stud stock breeding.

He was married in 1922, and he and his wife Minnie raised seven children, four of whom have survived their father. He was an active member of his local community throughout his working life and involved with school councils, the Fruit Growers and Market Gardeners Association, the Christian Fellowship Association, the Church of Christ, the Morialta Children's Home and the Bushfire Relief Committees in the 1939 and 1948 bushfires.

His active involvement in the community was an extension of his political interests. Following his term as a Legislative Councillor, he continued to contest elections at both the State and Federal level. Some seven such contests in all have been identified, including both Houses of the Federal Parliament and the Legislative Council and the House of Assembly in South Australia. The most recent of such contests was for the seat of Alexandra in 1962. I regret to say that, in all of those instances, the Hon. Mr Halleday was not successful, so although maintaining a very active involvement in politics, his one term of office was in the period from 1938 to 1943.

More recently, he was confined to the Horsham Wimmera Base Hospital for some years, and I am told that during that time he maintained his membership of the Commonwealth Parliamentary Association and annually wrote a letter renewing his subscription and, in doing so, asking a series of questions about affairs of state and events in South Australia. In other words, he kept a continuing and ongoing interest in events in the South Australian Parliament and its deliberations until the time of his death. To the four of his children who survive the Hon. Mr Halleday, their families, and to his other relatives, I extend our condolences.

Mr OLSEN (Leader of the Opposition): I rise to support the motion moved by the Premier to express our regret at the passing of the Hon. Frank Halleday. As the Premier indicated, he had a long association with politics in South Australia during his lifetime. Having left home at the age of 13 to work on a dairy farm for five shillings a week, he later served in the South Australian Railways and the merchant marine, marrying in 1922. Mr Halleday was elected to the Legislative Council for six years in 1938 and during his time in that place he was part of a decisive period in Australia's history as we experienced the turmoil brought about by the Second World War. Mr Halleday took a keen interest in the welfare of the people who lived and worked on the land. It was just after his election that disastrous bushfires raged through many parts of the State, and he worked tirelessly to assist those whose properties had been damaged by fires or who were made homeless.

Although he had a relatively short parliamentary career, it did not curtail his interest in and enthusiasm for politics as he sought election to both State and Federal seats on a number of occasions subsequent to leaving the Legislative Council. He also took a keen interest in his community and served as a justice of the peace, as Chairman of local schools in the Oakbank area, as Chairman of the South Australian Fruit Growers and Market Gardeners Association and founder of the South Australian Christian Fellowship Association. The list goes on. I ask that the condolences of the Liberal Party be passed on to Mr Halleday's family.

Mr S.G. EVANS (Davenport): I agree with the comments of the Premier and the Leader and I wish to pass on my condolences to Mr Halleday's family. As has been stated, Mr Halleday was born in Aldgate and was one of nine children born into a market gardening family. At school he carred the name 'Chingi'. My father and his generation were close friends, and that included the Hon. Frank Walsh, who was in the field at a similar time. Mr Halleday was a great community man. He chose to run as an Independent in 1938 and in 1943 he chose not to finish his term in the Legislative Council and sought to win the Federal seat of Barker.

He lost, but he had the courage of his convictions to write to the President at that time and ask that writs not be issued to replace him in the Upper House from the time he resigned in July 1943, which was on my thirteenth birthday. He then ran as an Independent in 1944 but was unsuccessful, with Mr Jude and Mr Densley winning the two Legislative Council Southern seat vacancies. As has been stated, he did run many other times, including seeking endorsement for the Liberal Party against 14 other candidates in 1956, when Dr Forbes became the member for Barker.

It should be recognised that Mr Halleday always respected the people who worked for him and, in an effort to keep

them working in the winter months, he started a bone factory in the Adelaide Hills, where the bones were crushed for fertiliser. For that he carried the respect of the community in not putting people off in wet weather by trying to keep them employed. Mr Halleday was a self-trained vet and was respected throughout the community for the services that he gave to many of the property holders in that area and, in particular, when the 1939 and 1948 fires came—the 1948 fire was limited to Bridgewater—he not only gave money but gave his time in supervising, working and helping rebuild people's homes, fences and sheds—a big effort, not just a little effort. Like many other old-timers, he gave that without expecting any reward.

Mr Halleday was the first politician, to my knowledge, to use a public address system on a vehicle. He drove through the streets saying, 'Vote for me.' I do not think it would work today, because there would be complaints about noise pollution. Mr Halleday travelled the Hills in an old vehicle doing that in the 1940s. As a member of a family close to his family, particularly to him, 'Chingi' Halleday, I want to say that we respect the effort he put into our community, whether in the church, in time of disaster, or as an MP. He was a man of strong conviction who argued that proportional representation was the only democratic way for a Parliament to operate. He stated in his 1943 speech that we would then have strong people and not strong Parties running the State. For that we all have to respect him. I just record that that was one of his strong convictions and I convey my greatest sympathy to his family at their sad loss.

The DEPUTY SPEAKER: I will make sure that the condolences of the House are passed to Mr Halleday's family. I ask members to show their support of the motion by standing in their places.

Motion carried by members standing in their places in silence.

[Sitting suspended from 2.5 to 2.10 p.m.]

PETITIONS: CHILD ABUSE

Petitions signed by 163 residents of South Australia praying that the House urge the Government to review practices and increase penalties in the prosecution of child abuse cases were presented by Mr Abbott, Ms Cashmore, Messrs De Laine, M.J. Evans, Hemmings, and Wotton.

Petitions received.

PETITION: TOBACCO TAXES

A petition signed by 1 432 residents of South Australia praying that the House urge the Government not to increase taxes on tobacco products in order to fund anti-smoking campaigns was presented by Mr Ingerson.

Petition received.

QUESTIONS

The DEPUTY SPEAKER: I direct that the following answer to a question without notice be distributed and printed in *Hansard.*

EAST MURRAY AREA SCHOOL

In reply to **Mr LEWIS** (2 December).

The Hon. G.J. CRAFTER: The Commissioner of Stamps has issued the East Murray Area School with exemption certificates which will facilitate a refund of the financial institutions duty.

The DEPUTY SPEAKER: Before calling for questions, I inform the House that the Deputy Premier will answer questions that would normally be directed to the Minister of Marine.

MINISTERIAL STATEMENT: ROAD SAFETY

The Hon. G.F. KENEALLY (Minister of Transport): I seek leave to make a statement.

Leave granted.

The Hon. G.F. KENEALLY: I am sure that members will have noted with pleasure that for the first time in many years there were no fatal road accidents over the four days of the recent Easter holiday period. Members will I am sure also recall that in 1987 the number of fatalities fell to 255, some 33 less than in the previous year.

Whilst these are very pleasing figures, fatalities are not the most suitable indicators of levels of road trauma. The numbers are relatively small and, especially over short periods, fluctuate greatly. A much better indicator is the number of casualty accidents in which people are either killed or suffer an injury which requires treatment at a hospital or by a doctor. There is good data also in relation to this statistic.

Over the period 1981 to 1985 the numbers of these accidents were increasing at about 6.5 per cent per year and reached 9 500 in 1985. In 1986 the trend was reversed and casualty accident numbers fell by 3 per cent. A preliminary analysis of casualty accidents for 1987 carried out by the Road Safety Division reveals a further reduction by 3.7 per cent to 8 900.

Over the past two years, a trend of increasing accident numbers has been reversed and a reduction of nearly 7 per cent achieved. Over this period, of course, the State's population, number of licensed drivers and number of registered vehicles have continued to increase. All these factors tend to increase the likelihood of road trauma by virtue of the additional vehicle kilometres travelled.

A more detailed analysis of the types of accident and of the ages and categories of the road users killed or injured is being undertaken to help develop future strategies. It is already apparent that there have been, over the past two years, significant reductions in the numbers of motorcycle riders and pillion passengers injured.

The social and economic costs of reduced road trauma to the community are great. Based on estimates produced by the Bureau of Transport and Communication Economics last year, reduction in death and injury from 1986 to 1987 has an economic value of some $33 million to the total South Australian community. I provide all these figures, which indicate considerable improvements, with satisfaction but with no sense of complacency. Unless the efforts of government and the public continue, it will be easy for this trend to reverse.

However the Government has no intention of relaxing its efforts. Over the past few years, we have systematically planned and implemented a range of road safety activities. The most significant have related to: drink driving penalties; random breath testing; motorcycle rider training; seat belt and child restraint use; infant restraint legislation and loan scheme; cycle safety and helmet use; education material development; and greater cooperation with local government on traffic management. Our efforts will continue.

All the Government agencies involved with road safety have recently cooperated to prepare proposals on what

activities should be given emphasis over the next few years. The Road Safety Committee of Cabinet, which I chair, will examine these proposals over coming weeks.

QUESTION TIME

URANIUM

Mr OLSEN: Following the Premier's statement to the House on 17 February that the Roxby Downs joint venturers were 'in an advanced stage of negotiation' for the sale of uranium to Japan, will he be having talks with Government officials or representatives of power utilities during his visit to Japan this month to further these negotiations, and when is it expected that they will be finalised?

The Hon. J.C. BANNON: My detailed itinerary for the visit to Japan has not yet been completely finalised, but it is certainly my intention to make contact with the power utilities. Members may recall that on a very short visit to Japan in, I think, 1984, I met a number of people from the utilities there. At that stage they were evincing no great interest in Roxby Downs contracts, and I was requested by those involved to put the case for Roxby Downs in the context of its importance to South Australian development, which I was pleased to do. Of course, the contracts have to be negotiated as between the utilities and the management, and that will be done. If I can assist that process, I will be very happy to do so.

ENTRY TICKETS

Mr GREGORY: My question is directed to the Minister of Education, representing the Attorney-General. Will the Minister ask the Attorney-General to investigate the practice that promoters have of including conditions on entry tickets to events in South Australia? Those conditions are intended to absolve the promoter from any legal action that may be undertaken by the purchaser of the ticket.

It has been put to me that the conditions are only read after the ticket has been purchased and that they are oppressive. Two conditions on a ticket of entry to a drag racing national open event at the International Raceway purport to absolve any employee or the promoter from any breach of neglect of duty or statutory requirement and any other matter; and, in respect of persons under the age of 18, the person taking that under 18-year-old person into the International Raceway agrees to indemnify the promoter from any action that may be instituted by the child or people acting on its behalf.

The Hon. G.J. CRAFTER: I will refer this issue to my colleague in another place for investigation and subsequent report.

ROXBY DOWNS

The Hon. E.R. GOLDSWORTHY: In the Premier's negotiations in Japan in relation to the Roxby Downs project, will he give an assurance that, in his additional capacity as National President of the ALP, he will not be compromised by the view of the left wing of his Party that he should not involve himself in such negotiations?

Members interjecting:

The Hon. E.R. GOLDSWORTHY: I am glad that members appreciate the question.

An honourable member: You ought to congratulate the Premier.

The Hon. E.R. GOLDSWORTHY: I think I ought to commiserate with him presiding over that bun fight. I refer to the last occasion on which the Premier went to Japan to involve himself in uranium negotiations. The move created uproar within the left wing of the Labor Party. In a statement in the *Advertiser* of 23 July 1985 the South Australian MHR, Mr John Scott, said that the Premier's involvement was contrary to the Labor Party platform policy. As I understand that the Premier's election to the national presidency today was opposed by the left wing, he will need to give an assurance that he will put the interests of South Australia before any bid to placate the left wing in these vital uranium negotiations.

The Hon. J.C. BANNON: First, I thank the Deputy Leader of the Opposition for his implied congratulations on my taking office and for his recognition of the advantages which I hope South Australia can draw from it. Incidentally, it may be worth stating in that context that, first, it does not mean that I shall be stepping down as Premier of South Australia either now or in the future; secondly, I shall not be moving to Canberra to carry out this task; and thirdly, I am not being paid for the job. They are just a few of the furphies that are around.

However, to return to the substance of the question, I am not involved in negotiating sales of uranium. I think that I have explained clearly the role that I have. Secondly, in the context of sales of Roxby Downs products, that is totally in accord with the Party's national policy, which was thrashed out at least twice in a debate in which I took a prominent part in the interests of South Australia and was successful in doing that. To describe the objections of one or two individuals as 'uproar in the Party' is absolute nonesense. What I have done I have done in accord with the policy.

STOLEN VEHICLES

Ms LENEHAN: Will the Minister of Education ask his colleague the Attorney-General to investigate whether it is practicable to amend current legislation to provide adequate protection for purchasers at auction of vehicles that are subsequently proved to be stolen? I have had a constituent referred to me by a Federal colleague, the member for Hawker (Elizabeth Harvey). My constituent encountered the following situation. Almost two years ago he purchased a vehicle at auction for $5 600 and four weeks later the vehicle was taken from him by the police as it was discovered that it had been stolen from New South Wales. The vehicle had been registered in South Australia prior to the auction and had been passed by the vehicle inspection station at Regency Park, even though my constituent was subsequently informed by police officers in charge of the investigation that a changed compliance plate on the vehicle should have been obvious to anyone familiar with vehicle inspections.

My constituent has subsequently purchased his vehicle for a second time at a cost of $3 500 from the insurance company in New South Wales. This has required legal proceedings costing about $880 and he was without the vehicle for over two years. My constituent, who is a pensioner, has no opportunity to recover his substantial losses as the registered owners of the vehicle at the time of the auction apparently have no assets and are presently serving a term in prison for the theft of this vehicle and other vehicles. My constituent has put to me that some car auction firms accept liability for the vehicles they sell while—

Members interjecting:

Ms LENEHAN: My constituent has put this to me.

The DEPUTY SPEAKER: Order! I ask the honourable member to address the chair.

Ms LENEHAN: Thank you, Mr Deputy Speaker. Other auction houses claim they act only as agents and do not accept liability. My constituent has therefore asked that the Attorney-General ensure that all auction houses be made legally liable for the vehicles that they sell.

The Hon. G.J. CRAFTER: The honourable member has related to the House a very unfortunate set of circumstances. It appears that this matter should be referred to two authorities: my colleague the Minister of Transport for due investigation with respect to the inspection process and what liabilities and responsibilities vest in that inspection authority; and my colleague the Attorney-General for his consideration of the application of the law in this area, whether law reform is required and whether this is an exception to the general rule that a *bona fide* purchaser for value takes a good title to a purchase of this type.

MR T.G. CAMERON

Mr S.J. BAKER: Will the Premier ask the Attorney-General to investigate whether the present State Secretary of the Australian Labor Party (Mr T.G. Cameron) has been involved in improper practices in the building industry? One of the key objectives of the Builders Licensing Act is to protect home builders and the building industry from exploitation by unqualified people. I have in my possession some documents which allege that Mr Cameron was involved in questionable practices and, in some cases, improper practices. They include a statutory declaration signed on 15 May 1987 by the State Secretary of the Building Workers Industrial Union (Mr Ben Carslake). It details action Mr Carslake took on behalf of building contractors to have them paid for work. Quoting one contractor who had a problem, Mr Carslake declared:

> He stated the bills were paid by a Mr T. Cameron and gave me a number to ring. The number was to my surprise the AWU office.

According to the declaration, Mr Cameron told a contractor seeking payment that 'he could sue him for the money but he wouldn't win because he had the best solicitors in the country and had some very influential friends'. In one instance at least, however, this did not work because Carslake reveals that 'another bricklayer who took legal action through Duncan, Groom and Carabelas after refusal by Cameron to pay was given judgment against Cameron and paid $1 200 which was outstanding'. Carslake also reveals (again quoting from his declaration):

> During this period I received a call from Cameron where he intimated that if I cooperated with him that he knew the delegates in the brickyards and that his influence could help myself in the housing industry—I declined the invitation.

I have another statutory declaration signed by Mr Hans Egtberts, who states that he built about 40 houses financed by Mr Cameron. He complains:

> I constantly had problems in that T. Cameron failed to hold up his side of the agreement in that he continually failed to make payments for materials and money to various subcontractors and suppliers.

He further claims (continuing to quote from his declaration):

> T. Cameron advised me not to use the Cordell Construction report as this would automatically bring the job to the notice of the building unions. He also advised I should not employ certain people because they were members of a union.

Further information provided by another contractor, Ark Electrical Pty Ltd, confirms the difficulties in obtaining payment for work financed by Mr Cameron, and I also have a lawyer's letter addressed to Mr Cameron alleging faulty workmanship in one house that he financed. It reveals that a complaint had been made to the Builders Licensing Board but no remedial work had been completed.

The matters set out in these documents raise questions about whether Mr Cameron was properly licensed to be involved in this work in the first place, and whether Mr Cameron used his previous position as a trade union official to improperly benefit himself financially.

The Hon. J.C. BANNON: It is interesting that last week's scandal and 'shock horror' has been dropped apparently in favour of a new one, and so we will get a couple of days of this.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.C. BANNON: Then we will find another one. I notice that it has been passed down the line. The Deputy Leader has modestly bowed out of this one, and the member for Bragg, who is usually happy enough to read out various types of allegations—true or false—and then just tough it out afterwards when he is made a fool of has obviously knocked this one back, and so the hapless member for Mitcham enters the fray, which I guess is par for the course. I am not aware of any of the circumstances alleged. I am not even aware whether this is a question of public interest or a matter for the Parliament to be dealing with. Obviously, I will have to look at the question.

PUBLIC DEBT

Mr DUIGAN: Can the Premier advise the House on the true position of South Australia's public debt? Yesterday in this House the Leader of the Opposition claimed that the Grants Commission had shown that South Australia's debt charges were 43 per cent above the average of the other States.

The Hon. J.C. BANNON: I was certainly puzzled by the comments made yesterday in his explanation and question by the Leader of the Opposition in relation to our indebtedness. That prompted a close look at the documents provided by the Grants Commission to try to ascertain how he had cobbled up this sort of information. I must confess that, having done so, I am still at a loss to understand how the Leader of the Opposition did his sums. I guess it is yet another example of a total inability to read and interpret correctly data of this kind which has been demonstrated again and again by the Opposition. Let me explain—

Mr D.S. Baker interjecting:

The Hon. J.C. BANNON: Yes, the member for Victoria, who I am told has some business experience, could do well to instruct his Leader in it, and perhaps we will see him sitting down there—

Mr D.S. Baker interjecting:

The DEPUTY SPEAKER: Order! I call the member for Victoria to order. The honourable Premier.

The Hon. J.C. BANNON: The member for Victoria is suitably modest about his abilities and my praise. The sooner we see him on the front bench, perhaps the sooner it will be interesting. Let me explain.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.C. BANNON: Let me explain why I made that statement; I think that this will satisfy the member for Victoria as well. The commission uses a methodology which

breaks each State's expenditure into what are called needs classifications. The category I presume that the Leader of the Opposition has used was needs classification 5530 which is debt charges NEI. Incidentally, I think that the term NEI which the Leader of the Opposition failed to understand is quite relevant, and I will come back to it in a minute.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.C. BANNON: If we look at table A.105, which deals with net debt charges, we see that there is no reference to South Australia's debt being $133 per capita; nowhere can I find any figure that indicates a debt for the five States of $93 per capita, which would be necessary if the comments made by the Leader of the Opposition were true. In fact, I believe that the Leader of the Opposition has used the figures in this table which are referred to as the standardised expenditures. These figures are meant to measure the need for a State to make expenditure.

Simply put, the commission has said that South Australia would need to expend 43 per cent more than the average of the six States based on that criteria—a very different proposition indeed. What is even more surprising is that, if the Leader of the Opposition wanted to paint the blackest picture with misleading data, he missed the way to do it. If he had used the table showing South Australia's actual debt charges at $199 per capita compared with $95 for the average of the States, he would have been able to declare a State debt of 109 per cent above the average, and that would have given him an even better headline, perhaps.

I come back to that expression NEI: it means 'not elsewhere included'. It indicates some sort of qualification in the data that ought to be looked at further. If we turn to the needs classification 321A, called 'interest earnings', we see that the picture becomes a little clearer, because we can see the other side of the balance sheet that is not referred to in the table that was originally quoted.

South Australia's interest earnings net were $125 per capita compared with a six State average of $32.29. That indicates that South Australia's performance was 290 per cent above that of the States generally, and that is the balancing figure against this net figure. If you balance those two, then you can get a much clearer picture of our finance, but even that then requires a further qualification, because these figures do not include business undertakings. If you add to the equation, if you look at the debt of bodies such as ETSA in comparison with the comparable authorities in other States, you see that a very good picture emerges—not one of course that the Opposition is keen on doing.

We have had yet another example of the Opposition putting the worst possible complexion by misreading data. Indeed, it could have made it worse, as I have already explained, if it had misread it a little differently. For the benefit of everyone, let me again quote an independent assessment of South Australia's debt situation that was undertaken as recently as November last year by Moodys Bond Services based in New York in which it said that the maturity profile of the debt is relatively smooth into the next century; that SAFA as the coordinator and manager of the State's total debt position should have no difficulty in rolling over maturing debt; and, finally, that in real terms net debt has hardly changed since 1980 and has actually declined on a per capita basis since that year.

Mr T.G. CAMERON

Mr INGERSON: Does the Minister of Labour intend to take any action against the State secretary of the Labor Party, Mr Cameron, for his attempts to undermine the Government's compulsory unionism policy.

Members interjecting:

The DEPUTY SPEAKER: Order! I ask the honourable member to resume his seat. I ask that the House come to order. As I heard the question, I believe that it is very serious, and I would ask that the House treat it as such and that the questioner have the opportunity to put his case. The member for Bragg.

Mr INGERSON: Thank you, Mr Deputy Speaker. The application of the Government's policy to force workers, particularly in the building industry, to join a union, is well documented. Most recently, it has been exposed in the area of Government construction contracts, where punitive action has been threatened against contractors unwilling to employ union members.

However, the evidence in the statutory declarations quoted in the previous Opposition question is that the State Secretary of the Labor Party, Mr Cameron, has actively sought to undermine this policy. I refer in particular to the evidence that Mr Cameron told one contractor that he should not, and I quote, 'employ certain people because they were members of a union'.

The Hon. FRANK BLEVINS: The alarming thing about this question is the lack of judgment on the part of the Premier in assuming that the member for Bragg would not be in the mire along with the member for Mitcham. That worries me more than anybody else, but I am sure that the Premier will never again make the mistake of giving the member for Bragg the benefit of the doubt for doing the decent thing. I know nothing at all about this issue, about Mr Cameron, other than that he is the Secretary of the ALP.

If there is any evidence that he has done anything against the law, anything that I as Minister of Labour ought to have regard to concerning regulations or anything at all—any Acts at all that are under my authority—certainly if the member for Bragg or any other member chooses to bring that information to me, I will treat Mr Cameron exactly the same as I would treat anybody else and have the matter investigated. However, I have no expectation whatsoever that the member for Bragg or the member for Mitcham will come up with any evidence that either I or any other member of the Government can act on or will have any involvement in whatsoever. Members opposite never do.

OAKLANDS RAILWAY CROSSING

Mrs APPLEBY: Will the Minister of Transport undertake a detailed investigation into alleviating delays experienced by traffic travelling south and north across the Oaklands railway crossing on Diagonal Road? With the increase in the number of vehicles utilising this crossing, bank-ups and delays are causing increased frustration and expressions of decreased safety because of over-lengthening lines of traffic coming into conflict with local commuters, and the increased vehicle flow to and from the Westfield Shopping Centre is adding to the delay.

The train signalling system at the Oaklands crossing is said to cater for the fastest train using the crossing. On the downtrack from Adelaide, the triggering device is located before the Oaklands station. If an express train passes through, there is a minimum delay of 30 seconds at the crossing, allowing time for the signal to operate, the traffic to stop and the train to pass through. If the train stops at Oaklands, the delay is increased to maybe 50 seconds or one minute. On the uptrack towards Adelaide, the problem does not occur as the signal triggering device is located after

the Warradale station. Additional delays can occur especially during off-peak hours with two trains crossing at Oaklands. The signal can then be activated twice in succession causing delays of approximately 1½ minutes. My constituents seek to have the option that may be appropriate addressed by action.

The Hon. G.F. KENEALLY: I thank the honourable member for her question. I certainly acknowledge the committed way in which she as the local member has tried to assist to alleviate traffic delays at the Oaklands railway crossing. Dealing with traffic at level crossings, whether it be at Oaklands or elsewhere in the metropolitan area, is a difficult and complex matter.

I think we would all agree that the ultimate resolution of this conflict would be to move to greater separation, but overpasses are fiendishly expensive and, quite frankly, we do not have the resources to contemplate building an overpass at Oaklands, at Hove (which is another level crossing of great concern to the honourable member) or at a number of other level crossings throughout the metropolitan area. We must deal with this conflict between rail and road traffic as effectively as we can, and there is nowhere in the metropolitan area that this problem is more acute than at Oaklands.

The honourable member has referred to the signalling system used by the STA at that crossing for up and down traffic. I will have to ask the Highways Department and the State Transport Authority to once again look at how this level crossing is operating and examine the delays occurring there to see whether or not they can devise a system that will provide the appropriate level of safety, at the same time meeting the needs of not only the honourable member's constituents but those commuters who traverse the Oaklands Crossing. If a reasonable approach is made to me I am always happy to have these matters investigated because I believe that there is always the possibility that difficult situations can be improved but they will not be if Ministers are not prepared to look at them.

SUBMARINE PROJECT

The Hon. H. ALLISON: Does the Premier support the ACTU endorsed three union agreement for the assembly of the Royal Navy's submarines at Port Adelaide—'Yes' or 'No'?

The Hon. J.C. BANNON: I have already dealt with this question. It is not appropriate for me to give a 'Yes' or 'No' answer. I support a negotiated settlement between the parties, and the Government stands ready to assist in that process. In fact, in that context it is worth reporting that, as I understand the present situation, negotiations are going very well indeed. Obviously they have not been concluded, but the outlook for the future of the project is much better. More importantly, work is continuing as was stated and as it always has been.

I refer members to the letter that the Executive Director of the Australian Submarine Corporation was forced to write to the *Australian* newspaper, which was published on Monday, setting those facts straight. It is not my role as Premier of South Australia—I am not a member of a party directly affected—to dictate to those parties one way or the other what the outcome should be. It is my role, however, together with my Minister of Labour, to offer the services of the Government in any way that it can assist. As recently as yesterday a communication was received which confirmed what the Government has been saying throughout: that it is not the wish of the parties—either those on the union side or those on the employers' side—that the State Government intervene or be involved. Indeed, in one communication the Secretary of the United Trades and Labor Council said:

> Both the Australian Submarine Corporation and council [UTLC] have agreed that no advantage will be achieved with the involvement or intervention of the State Government in the present discussions currently being undertaken.

That is a clear signal and illustrates why the Government has been taking its particular stand. I repeat: if it becomes necessary for the Government to intervene, or if the Government is requested to intervene, it will, but the nature of that intervention—

Members interjecting:

The Hon. J.C. BANNON: If reference is being made to a statement made by Mr O'Callaghan, I suggest that that statement did not fully reflect the views of his clients in that matter and perhaps members opposite should take it up with him.

HOME OWNERSHIP

Mr RANN: Can the Minister of Housing and Construction say how many households have been assisted into home ownership in South Australia under the South Australian Government Home Ownership Made Easier (HOME) program? On winning office in late 1982, the Government announced that it made a priority to introduce an effective and equitable home ownership assistance program for low income households. The HOME program was quickly developed and introduced in October 1983. A number of my constituents have benefited from this program, and the effects of the program across the State must be substantial in economic terms as well as in social terms.

The Hon. T.H. HEMMINGS: I thank the honourable member for his question regarding what I believe has been seen by the community as one of our most successful housing initiatives. Up to the present, more than 12 000 low income households have received concessional loans under the HOME program to buy their own homes. This includes more than 1 000 households purchasing their homes through the rental purchase option provided under HOME. During the past five financial years (1983-84 to 1987-88) the State Government has contributed more than $150 million to the program. This compares with less than $32 million provided by the State to the concessional loans program during the previous Tonkin Liberal Administration. In the current financial year, 2 500 households will be assisted to buy their own homes under HOME. We have also helped many low income households to stay in their homes. Mortgage relief has now helped 2 048 households. Currently, 288 households are receiving relief because of financial hardship.

SUBMARINE PROJECT

Mr BECKER: In view of his evasive answer to the question asked by the member for Mount Gambier, does the Premier believe that the Painters and Dockers Union should have access to work on the assembly of the submarines?

The Hon. J.C. BANNON: I did not evade the question asked by the honourable member, nor did I evade the questions asked last week. I put clearly on the record the Government's attitude to the negotiations taking place on the submarine site.

STURT COLLEGE SWIMMING POOL

Mr TYLER: My question is directed to the Minister of Employment and Further Education.

Members interjecting:

The DEPUTY SPEAKER: Order! I ask the honourable member to sit down and I ask the House to come to order. Even with the microphone on, I cannot hear the question that is being asked. I ask the House to come to order so that everyone can hear it. The honourable member for Fisher.

Mr TYLER: Can the Minister of Employment and Further Education say whether the swimming pool at the Sturt College of Advanced Education will remain operational and will access be allowed to its present user groups? I have been approached by many of my constituents in the Bellevue Heights/Eden Hills area who are users or have children who use this swimming pool. I understand from those constituents that the college has been negotiating with the Mitcham council regarding the future operation of the pool. My constituents would appreciate the Minister's clarifying the college's intention and guaranteeing that this swimming pool will remain open to its existing users. My constituents correctly point out that there are very few swimming pools near the Sturt College of Advanced Education that allow access to the public.

The Hon. LYNN ARNOLD: I note the ongoing interest of the honourable member in this matter in terms of community access being maintained for a facility that, in the final analysis, is paid for by the taxpayer. What must be noted is that the recurrent costs of running the pools in the South Australian College of Advanced Education are quite considerable and the actual needs of the college for those pools with respect to its teaching programs is only a very small proportion of the actual cost of maintaining the pools for the extensive usage that is available to the community at the moment. The question can legitimately be asked by the college as to the extent to which it should use the funds that are allocated to it to provide educational services in the situation where there is unmet demand in providing swimming pools for community use. It is a legitimate concern on the college's part, and I have indicated that previously.

It was in that context that I wrote to local councils to ask to what extent they would be prepared to contribute some money towards the recurrent costs of maintaining the swimming pools as community access points. The responses were not very fast in coming. Indeed, the most recent was from the city of Mitcham, which indicated that it was prepared for some further discussions to take place on this matter. It indicated that it would be interested in being involved in the pool but that it is not prepared to be the sole contributor in meeting the net maintenance and running costs, and that is a reasonable stance.

Mr S.J. Baker interjecting:

The Hon. LYNN ARNOLD: I note that the member for Mitcham says that the council would contribute half. I am interested in that comment. The city of Mitcham did not indicate that in its letter to me but, if that is the offer that it is making, it is very significant, and I will certainly pursue the matter, and the generosity of the member for Mitcham on behalf of the city of Mitcham is noted. Nevertheless, in its letter the city of Mitcham indicated that it wishes to pursue the matter further, and I congratulate the council on that positive stand. It wants to convene a meeting with the college and with other users of the pool. They amount to the general community, for which the city of Mitcham has some responsibility as the local authority; the college, which uses the pools for its study programs; and the Education Department and the Department of Recreation and Sport, which have specific uses. I understand that they want to be involved in any meeting with the college and local government representatives.

Other responses from local government have not been very rapid. I received one from the city of Campbelltown which indicated that it believed that it already contributes enough to the college for the use of its facilities. As I recall, it has made available $1 000, but that is not an adequate amount for access to a significant set of facilities that could and should be available for community use.

I end up defending the position of the college. It must attract other funds from other sources if these facilities are to be open for community use. Not to require the provision of other funds means that it would have to reallocate its educational funding away from educational programs to these other uses, and that would not fulfil its charter or the expectations of the community that it offers as many educational places as possible. When I have further information on whether a meeting can take place, I will keep the member for Fisher and other members informed.

POLICE TRANSFERS

The Hon. B.C. EASTICK: My question is directed to the Minister of Emergency Services. Following his statement to the House on 24 February that he had no doubt that the Police Commissioner would be reporting to him on proposals to transfer up to half of the 35 members of the Major Crime, Special Crime and Armed Hold-up squads to other duties, has he received that report and has he been made aware of concerns within the force that these transfers will dramatically weaken the crime-fighting abilities of these key squads, particularly in view of the statement allegedly made by Assistant Commissioner Watkins to a meeting of members of the Major Crime Squad on 12 February that each of those to be transferred would be replaced by 'some wet behind the ears kid'?

The Hon. D.J. HOPGOOD: I am not prepared to comment on the last matter. I find a statement such as that by a senior officer rather extraordinary, to say the least. Turning to the substance of the honourable member's question, I have not yet had the opportunity to have a detailed discussion with the Commissioner about this matter. The appointment that he had with me yesterday had to be cancelled because of business in the Chamber, and I imagine that it will be some time before we finalise this particular matter.

There is more to the matter than the seniority of the people who may be transferred to these positions. The honourable member would be well aware that young, able and intelligent members of the force can benefit the force by movement into positions such as this, despite the fact that in some cases they may lack the experience of people who have been around the place longer. People must get experience in some way and other qualities and gifts are brought to these positions by younger people. All I can really do is give an assurance to members, and particularly to the honourable member who asked the question, that my concern and that of the Commissioner should be that the capacity of the force should not be affected in any way by structural adjustments such as this and we will ensure that we are able to adhere to that aim.

EARTH LEAKAGE CIRCUIT BREAKERS

Mr HAMILTON: Can the Minister of Mines and Energy say whether the Electricity Trust supports the installation

of earth leakage circuit breakers as a means of improving the safety of electrical installations and reducing the risk of electrocution in domestic and industrial situations?

The Hon. R.G. PAYNE: The initial answer to the honourable member's question is 'Yes'. However, as with most things, the support is not unqualified. The question of earth leakage circuit breakers was again reviewed last year by the Electricity Supply Association of Australia, of which ETSA is a member, and was the subject of a major statement issued in May 1987. The association examined statistics of fatal electrical accidents over a 10 year period and concluded a significant number of the fatalities associated with flexible cords and consumer fixed wiring and appliances could have been avoided if correctly installed and maintained ELCBs had been in place. As a result, it resolved that electricity authorities should upgrade their promotional programs on the installation of ELCBs, with particular attention being paid to the provision of technical advice to licensed electricians involved in their installation.

The association also resolved that its Regulatory Authorities Approvals Committee should monitor the penetration of ELCBs into all sectors of electricity sales; quite importantly, the reliability of ELCBs; problems associated with the use of ELCBs in old installations; and public reaction and any other relevant factors with a view to considering whether and in what circumstances the installation of ELCBs should be mandatory.

In the May statement to which I have referred, the association stressed that ELCBs simply provide an additional safeguard against electrical hazards. The point is that they are not a substitute for conventional fuses and overload circuit breakers. The association went on to say that electricity users should understand that the installation of such devices does not give immunity from electrical shocks, and regular test operation of ELCBs by the user is essential to ensure that the device is still working correctly. For example, if a person were to contact both active and neutral wires without touching earth, there would be no earth leakage and there could be a fatality.

The association also drew attention to the problem of nuisance tripping of ELCBs in certain situations and said that it was important that installation be carried out by a licensed electrician; more importantly, an electrician equipped to measure the degree of earth leakage which actually existed where it is proposed to install the ELCB. The electrician would be able to identify at that time any substandard wiring or equipment before installing the earth leakage circuit breaker.

HORTICULTURE CERTIFICATE

Mr GUNN: Will the Minister of Employment and Further Education immediately review the requirement that students wishing to enrol for the Certificate in Horticulture at Brookway Park TAFE must first enter into an indenture of apprenticeship? I have received representations from the landscaping and nursery industry about this requirement, which has been imposed by the Industrial and Commercial Training Commission. In one particular instance, a prospective student was prevented from beginning his studies for three weeks until he agreed to enter an indenture as a gardener/greenkeeper, even though neither his current employer nor the nursery industry generally employ gardeners or greenkeepers. The requirement to sign an indenture which is totally irrelevant to the industry concerned or to the present and future employment aspirations of students has promoted demands from the industry for an immediate review of the situation.

The Hon. LYNN ARNOLD: I refer the honourable member to pages 3362 and 3363 of *Hansard* of 22 March 1988 when I answered a question from the member for Mawson on precisely this matter and indicating that the matter had been resolved.

CRUDE OIL

Mr ROBERTSON: I direct a question to the Minister of Mines and Energy. Given that the deregulation of Australia's marketing arrangements for crude oil are now in place, what effects, if any, has this had or may have on the operations of the Port Stanvac Refinery?

Members interjecting:

The Hon. R.G. PAYNE: I thank the honourable member for his advance notice of the question. I have been able to assemble information which I am sure will be of interest to all members, not only the honourable member who was interjecting. Before coming to a decision that a free market should be introduced, the Commonwealth Government sought the views of consumers, producers, refiners, trade unions, shippers and State Governments—almost everyone with an interest in the matter.

During the process, the Government sought and obtained certain assurances relating to the small producers, and from all the refiners—that is the important point I think the honourable member was looking for—that, in the prevailing and foreseeable market circumstances, there would be no closure of Australian refineries as a result of the deregulation proposed. As the member for Bright has acknowledged, deregulation is now in place: it began on 1 January this year. I think most members will know that the Port Stanvac Refinery is a complex consisting of two refineries—one a fuel refinery which is operated by PRA and the lubricating oil refinery which is wholly owned by Mobil.

Last financial year, the refinery produced about 3 000 megalitres of product, of which 1 000 megalitres was motor spirit, satisfying about 70 per cent of the State's demand. As feedstock, the refinery uses both light crude oil and condensate, the majority of which comes from the Cooper Basin.

The refinery is currently going through an expansion and upgrading phase, which I think is good news to all South Australians. In 1990, it is expected that an additional petrol storage tank, an isomerisation unit and a fourth reformer reactor will be commissioned at a cost approaching $25 million. This expenditure is expected to be approved in mid-year and, when the work is completed, the capacity of the refinery for motor spirit is expected to then approach the State's demand and not the 70 per cent that it currently reaches. In view of this proposed investment, I think we can assume that the companies involved at Port Stanvac view deregulation in a favourable light.

In addition, and as further evidence, during 1987 Mobil and Esso signed long-term contracts with the Cooper Basin producers for the supply of condensate, a step which reinforces the view of the long-term viability of the refinery. I point out that the price of the condensate which forms a major portion of the refinery feedstock has never been regulated even prior to the deregulation of the industry.

In summary, the current policy of the operators is for the continued operation of the Port Stanvac Refinery, demonstrated by the current expansion and upgrading program which I have just outlined to the House.

POLICE REINSTATEMENT

Mr LEWIS: Can the Minister of Emergency Services say whether an Assistant Commissioner of Police, Mr Kevin Harvey, has applied to be reinstated following his suspension last Octoer and, if so, what decision has been made in the matter?

The Hon. D.J. HOPGOOD: I am not sure whether the correct term is 'applied for reinstatement'. Certainly, Mr Harvey has expressed through his solicitors a desire to return to work and it was understood at one stage that he was intending to present himself for duty a week or so ago. This was of course following the decision in the court in relation to one of the set of charges that he was facing. The honourable member would be aware of the fact that there are other charges pending in the Eastern States.

The matter has proceeded by way of discussion through legal representation and the last advice that I had on this matter was that the matter was yet to be resolved and that the Commissioner would be giving me definite advice on the matter within the next couple of days if there was no further resolution. My advice is that Mr Harvey has not returned to duty, nor am I aware that there have been direct discussions between Mr Harvey and the Commissioner. My understanding is that all discussions have taken place through his legal representatives.

ONKAPARINGA RIVER

Ms LENEHAN: Will the Minister of Water Resources investigatge whether fencing recently erected by the E&WS Department around the sludge lagoons on the northern bank of the Onkaparinga River, off River Road, Port Noarlunga, is unnecessarily restricting public access to a 500 metre section of waterfront walking trail along the Onkaparinga River?

Recently, I have been approached by two constituents who walk along the Onkaparinga riverfront. They were concerned to see the erection of two kilometres of fencing, 1.8 metres high, 500 metres of which approached River Road. On contacting the E&WS Department, my office was told that the department has erected this fence to restrict access to the lagoon area as a matter of public safety. However, my constituents believe that the department should not be running fencing into the river therefore restricting public access to sections of the Onkaparinga River. Therefore, I ask the Minister to investigate the matter.

The Hon. D.J. HOPGOOD: I shall be happy to investigate that matter. The Onkaparinga estuary is a prime recreation source not only for my constituents but also for constituents of the honourable member and the member for Heysen and in fact for people from the wider metropolitan area. Only about a week ago I had the interesting honour of casting the first line in a fishing competition down there which attracted a large number of people. It indicated not only the potential of the area for recreation but also my complete lack of potential as any sort of angler. I will take up this matter with the E&WS Department to ensure that people's access to that recreation resource is not impeded in any way.

LICENCE TEST DELAYS

Mr OSWALD: Will the Minister of Transport explain to the House why the Motor Vehicles Department at Marion is experiencing an eight week delay in appointments to test drivers required for community buses operated by local councils? What is the Government doing to reduce the delay? The City of Glenelg operates a community bus service which relies on volunteer drivers who naturally require a licence to operate the buses. I am advised that when the council made bookings earlier in the year the delay was up to six weeks but, since the closure of the Lockleys office, the delay for testing has blown out to eight weeks. The Glenelg community bus facility provides an essential service for residents of Glenelg and relies on this pool of volunteer drivers to keep the vehicle on the road.

I have also been advised that very lengthy delays are also being experienced by other classes of licenceholders requiring testing and that this has resulted in many drivers seeking testing at other departmental offices, impacting on the services provided by those offices. In view of this, what assurances can the Government give the House that these blowouts in waiting times will be arrested and that Glenelg council and other users of the Marion office will not have to wait for eight weeks for a driving test?

The Hon. G.F. KENEALLY: I thank the honourable member for drawing this matter to my attention, and I will certainly have it investigated. I am not aware of the delays that the honourable member alleges are taking place within the Marion office of the Motor Registration Division. In his explanation he drew attention to the fact that the Lockleys office had been closed. I point out to members opposite, because this fact seems to escape their notice when they are calling continually for a reduction in Government expenditure, that a reduction in Government expenditure, tighter budgets, means a reduction in the level of service. That is clear, and that is what members opposite are continually urging the Government to do.

When we, because of the reduction in resources available to us, have to make some difficult decisions that impact on levels of service, we are criticised by the Opposition for doing the very thing it encouraged us to do in the first place. I think that what members opposite ought to do is get their story straight: they should either go out into the community and support a higher level of services and resources being available to the Government to do that or stop their carping criticism—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. G.F. KENEALLY: —and acknowledge the reality of life. If the member for Mitcham is prepared to be patient (his interjections are only noise, we don't know what he is saying and I think that that is just as well, because it would not do him any good if we could understand him) I will repeat what I said at the start: I am not aware of the delays that the honourable member alleges, and I will have that matter investigated. Until I have had it investigated and am aware of any problem that may or may not exist, I am not in a position to give him or anyone else any suggestions as to what the Government may or may not do.

There may not be a problem. My experience since I have been a Minister is that questions that are directed to me by the Opposition need very careful consideration before a Minister commits himself or herself to anything, because the Opposition tends to get it all wrong.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. G.F. KENEALLY: I was directing those comments to the member for Morphett. I have had a very long and good relationship with the Glenelg council and with most other councils during my previous portfolio as Minister of Local Government. So, I am not the slightest bit

fazed at the possibility of anyone referring to any local government authority in South Australia anything I have said—or to anyone else—because I am always prepared to stand behind my comments either in this House or elsewhere. I always have been. I do not know of the problem that the member alleges exists. I will have the matter investigated and, if any action needs to be taken, it will be taken and I will advise him accordingly.

UNEMPLOYMENT

Ms GAYLER: Can the Minister of Employment and Further Education give any details of the dramatic and pleasing drop in unemployment in South Australia last month which fell from 9.2 per cent to 8.5 per cent? Today's Australian Bureau of Statistics figures show that more than 10 000 people joined the State's work force in March, at a time when most other States experienced an increase in unemployment. I am sure that members will be interested to know which areas of the work force are experiencing the most growth in employment.

The Hon. LYNN ARNOLD: We must take into account that the figures for any one month need to taken in the context of trend lines over a series of months, and dramatic improvements or slumps in one month may not give an accurate picture of an ongoing trend. However, it is clear that the figures that have been released for the month of March indicate some strong resurgence in employment growth and the quarterly comparisons show a stronger employment situation. The figures that have been revealed by the ABS show that in seasonally adjusted terms employment in the State grew by 10 700 in March, an increase of 1.8 per cent. This is three times the national employment growth rate of .6 per cent. The number of unemployed also fell by 4 200, with the State's unemployment rate declining, as was indicated by the honourable member, from 9.2 per cent in February to 8.5 per cent, in seasonally adjusted terms. The national figure remained constant at 7.4 per cent.

The South Australian figure also needs to be considered against the backdrop of an increase in the participation rate in South Australia of .6 per cent. These figures indicate some positive signs. They show that the large fall in the unemployment rate was brought about by very strong growth in employment—the strongest monthly employment growth for some six years. On a quarterly basis, the March quarter produced our best employment growth since the June quarter of 1986. The unemployment rate was also the lowest for seven months.

I repeat the point that one month's figures need to be taken into account against a trend line, and we always watch with great interest what is happening each month. Dramatic variations may be countered in subsequent months by counterveiling effects. For the information of the House, I seek leave to insert in *Hansard* statistical tables relating, first, to the unemployment rate by State both in original terms and in seasonally adjusted terms, which shows the South Australian comparison with other States and, secondly, South Australia's seasonally adjusted employment and unemployment figures for the March, December, January, February and March 1987-88 quarters.

The DEPUTY SPEAKER: Can the Minister assure me that the information is purely statistical?

The Hon. LYNN ARNOLD: Yes.

Leave granted.

UNEMPLOYMENT RATE BY STATE (Original)		Seasonally adjusted
	(%)	%
Northern Territory	12.0	n.a.
Tasmania	10.2	9.9
Queensland	9.8	9.0
South Australia	8.8	8.5
Western Australia	8.1	7.6
New South Wales	7.9	7.4
Victoria	6.6	6.1
Australian Capital Territory	5.4	n.a.

SOUTH AUSTRALIA—SEASONALLY ADJUSTED—PERSONS

Month	Employed	Unemployed	Labour Force	Unemployment Rate	Participation Rate
March '87	599.0	60.7	659.7	9.2	60.9
December '87	603.5	57.8	661.3	8.7	60.6
January '88	607.2	57.8	665.0	8.7	60.9
February '88	599.9	61.0	660.9	9.2	60.4
March '88	610.6	56.8	667.4	8.5	61.0

The DEPUTY SPEAKER: Call on the business of the day.

TECHNICAL AND FURTHER EDUCATION ACT AMENDMENT BILL (1988)

Returned from the Legislative Council without amendment.

ELECTRICAL PRODUCTS BILL

The Hon. R.G. PAYNE (Minister of Mines and Energy) obtained leave and introduced a Bill for an Act to provide for the labelling of certain electrical products; to provide for prohibition of the sale or use of unsafe electrical products; to repeal the Electrical Articles and Materials Act 1940; and for other purposes. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The purpose of this Bill is twofold. First, it will provide for energy labelling of electrical products sold in South Australia. Secondly, the Electrical Articles and Materials Act 1940 will be repealed and its features 'modernised' and incorporated in the new Act.

Energy labelling on certain appliances has existed in New South Wales and Victoria since December 1986. It is this Government's view that a similar scheme should be intro-

duced in South Australia to ensure that a uniform approach to this important energy conservation measure is obtained.

Initially the scheme will only cover refigerators and freezers. At a later date consideration will be given to including such appliances as air-conditioners and dishwashers.

Energy labels already appear on most Australian made refrigerators and freezers sold in South Australia as the manufacturers have no control over where each unit will be consigned for sale. As labels are required in New South Wales and Victoria the manufacturers automatically apply them to all their units. However, labels are only applied to imported units in the two States with existing legislation.

The introduction of compulsory energy labels will provide consumers with accurate advice on the electricity consumption or efficiency of all refrigerators and freezers and therefore will enable people to make an informed decision on the purchase of a new unit knowing exactly how much it will cost to operate.

The scheme will be administered by ETSA as an adjunct to their electrical materials and articles testing facility.

The Electrical Articles and Materials Act 1940 provides for ETSA to undertake tests on all electrical products and materials and to certify them safe for domestic and commercial use. It is proposed to update the provisions of this Act and incorporate them in the Electrical Products Bill. In addition two new features have been added to the legislation that will enable ETSA to force a recall or seize unsafe electrical products.

At present, the trust has power to stop the sale of electrically unsafe articles, and even to prevent the continued use of such articles. That does not protect a consumer who has bought an expensive appliance and cannot use it because it has been found to be dangerous. This Bill will give the trust powers to enforce a recall by the traders or manufacturers involved, who must correct the problem or compensate the purchaser.

In this aspect, the Bill brings South Australia into line with corresponding legislation in other States. It is therefore not expected to make any difference to the vast majority of the electrical manufacturing and retailing industry who show genuine concern for the wellbeing of their customers. Indeed, there have been instances where faults have led manufacturers to initiate recalls, even before the authorities have become aware of any problem.

At the other end of the scale, however, are those traders who are not prepared to accept their responsibilities, and put short-term gains ahead of public safety. In the past, officers of the trust have had to employ persuasion, and if that failed, have had to ask for assistance from the Department of Public and Consumer Affairs or the Trade Practices Commission. Whilst this assistance has been freely given and generally effective, every additional link in the chain delays the effective implementation of any recall and adds to the danger of injury, or even death, to the consumer who bought the product in good faith.

It must be stated that faults do occasionally occur in modern electrical equipment. The very complex nature of many items makes it difficult for a manufacturer's research department to foresee all eventualities, and equally difficult to ensure that all articles are built to the standards of perfection that ensure absolute safe operation. Even the approval testing done by the Electricity Trust is not able to guarantee that quality control will be scrupulously maintained. Nevertheless, it is unfair that the consumer should be directly penalised for the shortcomings of the manufacturer or trader, and the recall provisions in this Bill will put the financial responsibility with them for any deficiency in safety.

At present the regulations under the Electrical Articles and Materials Act empower authorised officers of the trust to enter the premises of any applicant for the purpose of inspection, or to carry away any article for test or examination. This power only extends over applicants; that is, those bodies who have applied for approval of one or more of their electrical products.

The effect of this regulation is misdirected. In the experience of the trust's officers, those bodies who are applicants for approval are almost invariably law-abiding and trying to do the right thing; whereas some of the traders who are not applicants for approval are those who give greatest cause for concern. By including the search and seizure provisions within the Bill, by broadening the scope of these provisions to include any trader, and by requiring that a court of summary jurisdiction pass judgment before seized items may be retained beyond one month, the public's safety will be enhanced, yet any misuse of the powers will be prevented.

Victoria and New South Wales both include similar provisions in their legislation. Victoria, in fact, authorise entry of any premises. This Bill would not authorise entry of a domestic residence, unless it were being used to store or carry on a business trading in electrical products suspected of being unsafe.

It is unlikely these provisions would ever have to be used against the well-established traders who have a name and reputation to uphold. The main areas of concern are the 'flea-markets', the roadside stalls, and other outlets of little or no permanency. The due processes of summons and prosecution take time, and have no effect at all if the trader in question has moved interstate and changed his name, leaving the unsuspecting purchasers of his goods in possession of non-approved or even dangerous items. Even if such traders are brought to court, they normally only admit to selling 'only a few' such items, and the scant records they usually keep make it impossible to prove otherwise. The result is an unknown number of items, possibly dangerous or even lethal, remain at large in the community.

To protect the public from this type of trader and the unsafe merchandise they have been known to sell, this Bill provides for persons who are knowledgeable in safety matters relating to electrical products to be able to do an on-the-spot preliminary assessment of the article, and, if it appears unsafe, to seize it and others like it. This will have the dual benefits of protecting the public and providing a very real deterrent for any retailer, even the 'fly-by-night' type, who tries to make quick money at the expense of the public's safety.

Clause 1 is formal.

Clause 2 provides for commencement (subject to transitional provisions) on a day to be fixed by proclamation.

Clause 3 repeals the Electrical Articles and Materials Act 1940.

Clause 4 is an interpretation provision. Subclause (1) defines various terms used in the Act. Subclause (2) empowers the Governor to make certain declarations by proclamation.

Clause 5 deals with the labelling of electrical products. Subclause (1) provides that a trader (being a person who sells electrical products in the course of a trade or business) must not sell an electrical product of a prescribed class unless it is labelled under the authority of ETSA in accordance with the regulations, or in pursuance of an authority conferred by a corresponding law, in accordance with the requirements of that law. The maximum penalty for a breach of this provision is $5 000.

A corresponding law is the law of another State or Territory declared to be law corresponding to this Act.

Subclause (2) is similar to subclause (1). It prohibits a trader from selling a domestic appliance of a prescribed class unless properly labelled to indicate its energy efficiency in accordance with the regulations or in accordance with a corresponding law. The maximum penalty fixed for a breach of this provision is also $5 000.

Subclause (3) provides that no offence is committed under subsection (1) or (2) if the sale takes place within six months after the relevant prescribed class of products or appliances is constituted or within six months after a change in requirements in relation to a label and the product or appliance is labelled in accordance with the earlier requirements.

Subclause (4) makes it an offence to affix a label to an electrical product or appliance without proper authority, or to sell an electrical appliance to which a label has been affixed without proper authority knowing that the label was affixed without that authority. The maximum penalty is $10 000.

Subclause (5) empowers ETSA to declare that a label affixed in pursuance of a corresponding law will not be recognised in this State.

Subclause (6) provides that where there is such a declaration, a label to which it applies must be disregarded when determining whether a product or appliance is labelled as required by this Act.

Subclause (7) provides that this section does not apply to the sale of second-hand goods.

Clause 6 empowers ETSA to prohibit the sale or use (or both) of an electrical product that is or is likely to become unsafe in use. Subclause (2) empowers the trust to require traders to recall unsafe products or to take specified action to make a product safe. If it is not practicable to render the product safe, or, if the trader chooses not to do so the trust can require the trader to refund the purchase price on return of the product. A contravention or failure to comply with a prohibition or requirement under this section is an offence. The maximum penalty is $10 000.

Subclause (5) empowers an authorised person who suspects on reasonable grounds that a trader has, on particular premises, stocks of an electrical product prohibited from sale under this section, to enter and search the premises and seize and remove any stocks of the electrical product found there.

Subclause (6) provides that the trust can apply to a court of summary jurisdiction for an order forfeiting to the trust products so seized for disposal by it as it thinks fit.

Subclause (7) requires the return of seized goods if an application for forfeiture is not made within one month of seizure or if the application is unsuccessful.

Clause 7 makes an offence against this Act a summary offence.

Clause 8 is the regulation-making power.

The schedule contains transitional provisions. These are self-explanatory.

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

HAIRDRESSERS BILL

Second reading.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill proposes the repeal of the Hairdressers Registration Act 1939. As such, it is a further significant part of the Government's continuing commitment to considered deregulation. The Bill does not simply wipe out 50 years of work and experience in establishing and maintaining professional standards, training systems and acceptable working conditions. It is one of the outcomes of a searching examination of the existing registration system. There has also been some re-organisation of administrative systems to relocate functions and eliminate overlapping of roles.

In close and long-lasting consultation with industry representatives, the Government has taken the best elements of what existed under the registration scheme, and re-organised them slightly. It has also discarded a cumbersome, outdated and relatively costly registration apparatus. To describe the registration scheme in this way is no reflection on those who have conscientiously contributed their efforts to the administration of the Hairdressers Registration Act over the years. They have performed a valuable service, and the new arrangements will rely on people being similarly prepared to contribute their experience, their knowledge, and their commitment to professionalism, in the future.

But it is a fact that the Hairdressers Registration Act has remained largely as it was when enacted in the late 1930s; in other areas, the administration of occupational licensing has been streamlined since then. That fact, taken alone, might only have supported an argument for modernising the registration system (which has been, in substance, a licensing system rather than mere registration since 1978); and it is a matter of record that, several years ago, a proposal was developed which would have brought hairdressers into an expanded and upgraded licensing system. But further consideration of the origins and purposes of the Hairdressers Registration Act, and of present and future needs, has led us instead down this more deregulatory path.

I expect it will be useful to members' consideration of this brief Bill if I explain something of the background, and of the proposed arrangements which are being developed in conjunction with the Bill.

When the Hairdressers Registration Act was enacted in 1939, it was designed to deal with three major areas of concern. First, it was thought necessary to establish some independent audit of people's competence with the then-new electrical equipment which was coming into use in the industry; secondly, there was concern about the potential for abuse and exploitation in some private training schemes; and, thirdly, issues of sanitation and safety in hairdressing premises were seen to need attention. These problems were addressed by establishing the registration board, which had as its most significant continuing task the conduct of practical examinations in hairdressing. The basic qualifications for registration as a hairdresser became completion of apprentice training and a pass in the board's registration examination which could be taken at or about the end of the apprenticeship.

Until 1978, registration gave only the right to call oneself a hairdresser; it was only after amendments in 1978 that registration became compulsory for all persons who performed hairdressing services for fee or reward. And it may surprise many to know that the Act has only ever applied to the metropolitan area of Adelaide, although most country hairdressers these days choose to qualify for, and take up,

registration. It was with this history in mind that the recent re-examination of the Hairdressers Registration Act proceeded. Several facts emerged. First, safety and health standards, which were among the issues leading to the original legislation, are these days comprehensively dealt with by the Industrial Safety, Health and Welfare Act and its Commercial Safety Code, by the SAA Wiring Rules, the Electrical Articles and Materials Act, and the Health Act.

Secondly, the training system these days is highly developed. Apprenticeships are supervised by the Industrial and Commercial Training Commission, and the Department of Technical and Further Education conducts extensive courses which apprentices must complete successfully as part of their training.

Thirdly, the training system has produced trainees with high level of technical competence. Complaints about injurious or otherwise damaging misuse of hairdressing treatments are very rare. When they have arisen, they have often been dealt with by officers of the Department of Public and Consumer Affairs as part of their work of dealing with problems which arise between traders and consumers. Fourthly, an industrial award exists to protect the position of qualified and trainee employees—and thereby protect the public.

In the light of these facts, the Government has concluded that the Hairdressers Registration Board is largely performing functions which are, or can be, better performed by other agencies or which are, in some cases, not necessary. The new arrangements, of which this Bill is part, will place training issues entirely with the training authorities, industrial issues within the context of the industrial relations system, and health and safety issues in the hands of health and safety authorities. In principle, all of these things could be done alongside the maintenance of a registration or licensing system, but the Government does not believe that the expense and effort of maintaining a registration system can continue to be justified in circumstances in which there are other mechanisms supporting public safety and in which there are no indications of serious problems which require further measures for the protection of the public interest.

The Government has agreed with industry representations that a final practical examination for apprentices should be retained. Arrangements are in hand to bring that examination under the auspices of the Industrial and Commercial Training Commission as of next year, and make it part of apprentice training. There will be a training advisory committee to maintain industry involvement in the same way as that involvement is provided for in the membership of the Hairdressers Registration Board. From next year, a person who gains a Certificate of Competency in Hairdressing from the Training Commission will thereby have evidence of the same level of training as is now evidenced by a Certificate of Competency and a Registration Certificate taken together.

The Bill, which is expressed to come into operation on 1 January 1989, is brief. It repeals the Hairdressers Registration Act 1939. It provides for any surplus assets of the Hairdressers Registration Board to be applied in the interests of the hairdressing profession. It requires those persons who are practising as hairdressers this year and ought to be registered to maintain their current registrations if they wish to be allowed to continue to practise in the future.

The Bill provides for other qualifications for practice to be set by regulation. The Government has given undertakings that the content of the basic qualification will be the same as is the case at present; that is, completion of the TAFE course, satisfactory completion of an apprenticeship, and a pass in the final practical exam. A provision will also be made by regulation so that anyone who is at present legally practising hairdressing but for reasons either of history or geography is not registered or does not have the formal qualifications will be able to continue to practice. Provision will also be made by regulation as it is under the existing Act to accomodate persons who bring appropriate qualifications from elsewhere to South Australia.

The Bill makes it an offence for an unqualified person to practise hairdressing. Enforcement of this requirement, which has presented the board with a problem in recent years, will be undertaken by suitably empowered officers of the Department of Public and Consumer Affairs.

The Bill also abolishes the distinction which has been made in the past between what has been called mens and ladies hairdressing. This is consistent with the organisation of the course work conducted by the Department of Technical and Further Education and, as will be well known, reflects the emerging practice of the industry. The Bill makes it possible, if necessary, to apply some restrictions to those persons whose training and experience may be narrowly based. Apart from the Bill, a wide range of transitional issues and continuing administrative requirements has been identified by a joint Government and industry working group and consultations are continuing to resolve all those matters in time for the new arrangements to begin in the new year.

Clause 1 is formal.

Clause 2 provides that the Act will come into operation on 1 January 1989.

Clause 3 repeals the Hairdressers Registration Act 1939, and provides for the vesting of outstanding assets and liabilities of the Hairdressers Registration Board in the Minister. The Minister must apply any surplus money left after discharging outstanding liabilities towards promoting the interests of the profession of hairdressing.

Clause 4 defines hairdressing in much the same way as the repealed Act, but describes modern practices. A qualified person is defined to mean a person who holds prescribed qualifications. The latter are, for a person who should be registered under the present Act on 30 June, 1988, registration as at that date. For all other persons it will be qualifications specified in the regulations.

Clause 5 creates the offences of practising hairdressing for fee or reward without holding prescribed qualifications, and of employing an unqualified person in the practice of hairdressing. First offences carry a maximum fine of $1 000, all subsequent offences carry a maximum of $4 000. It is not an offence of course to employ an apprentice.

Clause 6 makes it clear that the offences under the Act are summary offences.

Clause 7 is an evidentiary provision that obviates the necessity for the prosecution to prove that a particular person was required to be registered under the present Act as at 30 June 1988, but was not so registered.

Clause 8 is the regulation-making power. Regulations may be made prohibiting certain hairdressers from practising a particular branch of hairdressing for which they are not qualified. Offences against the regulations will carry maximum penalties of $500.

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

CREMATION ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.
I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.
Leave granted.

Explanation of Bill

The amendment was prepared because in February 1987 a new crematorium was established at Mount Gambier. Before a cremation can take place, a permit must be obtained. The District Registrar of Births, Deaths and Marriages at Mount Gambier is able to issue cremation permits for deaths that occur in his district. However, if a death occurs ouside his district then under the Cremation Act a permit must be obtained from the Principal Registrar in Adelaide. This is a lengthy process and has discouraged Victorian funeral directors and next-of-kin from using the Mount Gambier facility.

The amendment will enable the District Registrar at Mount Gambier to issue cremation permits for deaths that occur outside his district and there will be no need then to obtain a permit from the Principal Registrar in Adelaide.

A select committee of the Legislative Council prepared a report on the disposal of human remains in South Australia. One of the recommendations of the committee was the repeal of the Cremation Act. A Bill is presently being drafted, and the schedule states that the Cremation Act is to be repealed. Therefore this amendment will have only a temporary effect—until the disposal of human remains legislation is enacted.

Clause 1 is formal.

Clause 2 repeals section 1 of the Act and substitutes two sections, one provides the short title of the Act, and the other deals with the interpretation of certain words used within the Act. In particular, the definition of 'registrar' is amended to include a district registrar of births, deaths and marriages as a person who may issue a cremation permit.

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

LOCAL GOVERNMENT FINANCE AUTHORITY ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.
I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.
Leave granted.

Explanation of Bill

The Local Government Finance Authority was established to develop and implement investment and borrowing programs for the benefit of councils and prescribed local government bodies and to engage in such other activities relating to the finances of those organisations as are contemplated by the Act or approved by the Minister of Local Government. All local authorities are automatically members of the authority.

The authority is managed by a board of trustees constituted of seven members, three of whom are persons holding designated positions. Of the remaining four members, defined as the representative members, two are appointed by the annual general meeting of the authority upon the nomination of the Local Government Association and two are elected. The Act presently provides that the elected members are to be elected by the annual general meeting, that is by those representatives of each member council in attendance at the annual general meeting. The Act provides for rules for general meetings, including the election of such members, which are subject to the approval of the Minister.

At the instigation of councils, the authority resolved to adopt a postal voting system for the annual election of representative members, so that all councils would have the opportunity to vote regardless of their ability to attend the annual general meeting. This requires minor amendments to be made to the wording of the Act, prior to the lodging of amended rules, with the Minister for approval.

The necessity of amending the Act also provides the opportunity to accede to the authority's request that, in order to provide greater continuity in the management and administration of the authority, the term of office of representative members (elected and appointed) should be extended from one to two years, and thus coincide with the term for which persons are elected as councillors.

Clause 1 is formal.

Clause 2 provides for the commencement of the measure.

Clause 3 amends section 7 of the principal Act so as to enable the elected members of the board to be elected by a postal system of voting, and not at the annual general meeting of the authority.

Clause 4 amends section 8 of the principal Act to change the term of a representative member of the board from one year to two years.

Clause 5 makes a consequential amendment to section 18 of the principal Act.

Clause 6 repeals section 19 of the principal Act. Section 19 presently provides for the making of rules that govern the procedure for general meetings of the authority. The rules will now also have to make provision for the nomination and election of members of the board by a postal system of voting. It is therefore proposed that a new setion be enacted to replace section 19.

Clause 7 enacts the new section to replace section 19 of the principal Act. The new provision will require the authority to make rules that provide for the nomination and election of elected members of the board and that set out the procedures that are to apply to general meetings of the authority. The rules may also provide for other matters. The rules, and any amendments to the rules, will have no force or effect unless and until approved by the Minister.

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

SEWERAGE ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 30 March. Page 3745.)

The Hon. P.B. ARNOLD (Chaffey): I accept that the purpose of this Bill is to establish a more appropriate legal base for the continued operation of the Sanitary Plumbers Examining Board and the Plumbing Advisory Board, these two boards currently being constituted under regulations which will be incorporated in the Sewerage Act. Therefore, the Opposition sees no problem in agreeing to this proposal put forward by the Government. I have also discussed this matter with members of the Master Plumbers Association

and they see no problem with it whatsoever. So, we are quite happy for the Bill to pass through all stages.

The Hon. D.J. HOPGOOD (Minister of Water Resources): I rise not only for the formalities of thanking the member of the Opposition for supporting this measure, which is a fairly straightforward measure, but also to indicate that I do have a machinery amendment to move, the text of which does not appear to be before us. Measures are being taken right now to ensure that members will have a form of words before them. I apologise for the fact that it is not actually before us right now. I think it will be by the time I resume my seat and we move into the Committee stage of the debate. I will proceed to a detailed explanation of that matter when it comes before us. The concern has been for the legal basis of this board, and it is important that we legislate fairly soon in order to put it on a proper basis. Accordingly, I commend the second reading of the Bill to the House.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Insertion of Part IIIA.'

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

Page 2, lines 1 and 2—Leave out paragraph *(e)* and insert the following paragraph:

(e) provisions empowering the Minister to take disciplinary action against a person registered by the board and for that purpose to impose conditions on the registration or to vary, suspend or cancel the registration.

If members turn to page 2 of the Bill, new section 17b (2) *(e)*, they will see that among the powers being conferred are provisions empowering the Minister to suspend or cancel the registration of a person registered by the board. My amendment empowers the Minister to suspend, vary, cancel or place conditions upon the registration of a person registered by the board.

Briefly, the Plumbing Advisory Board, as is perfectly proper, was asked to consider the draft of this Bill. The board was of the opinion that the amendment as drafted limited the power of the Minister in that the Minister could do nothing other than cancel or suspend the registration of a person when in fact some other form of action was perhaps more appropriate in the circumstances. I understand that in the past there has been a reluctance to suspend or cancel the registration of people engaged in the plumbing trade, because in many situations such action may remove the person's livelihood, yet some disciplinary action may well be justified depending on the nature of the infringement or the frequency of its occurrence in a specific case.

Furthermore, in recent times, because of the nature of plumbers' work and the fluctuations in the work available to them through the building industry, there has been a demonstrable need to register a number of plumbing tradespersons as part-time master plumbers to permit them to obtain and legally execute work on their own account when not working for a principal plumbing contractor. Conditions must be applied to this form of registration in order that the warranty provisions attaching to the materials and workmanship involved in the execution of the plumbing task, which is covered in the regulations, can be relied upon by the consumer. For that reason, the board urged upon me that the wider powers should be conferred by way of this paragraph, and I commend the amendment to all members.

The Hon. P.B. ARNOLD: The Minister has said that this has been done at the request of the Sanitary Plumbers Examining Board. Has the Minister referred this also to the Master Plumbers Association for its consideration?

The Hon. D.J. HOPGOOD: The Master Plumbers Association has a member on the board. I assume that that member has informed his appropriate organisation.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

LOTTERY AND GAMING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 30 March. Page 3748.)

Mr INGERSON (Bragg): I rise to support this Bill in principle. We will be discussing a fairly wide range of recommendations received by the Government from a particular working party, and as those changes go much wider than this legislation. I would like to have assurances from the Minister as to how this will be handled. If those assurances are not forthcoming, it is our intention to oppose the Bill at the third reading.

I, like many members of Parliament, have been contacted by members of numerous associations, such as sporting bodies, social bodies and charity organisations, who have talked to me about problems in this small lotteries area. The most consistent problem that has come to my attention concerns printers and suppliers. The secondmost widespread problem is the concern relating to the disbursement of funds from lotteries, whether they be hotel or social club based or in the more significant and larger licensed clubs. The question of the social clubs in particular, which are principally based in hotels, is causing a lot of concern because large sums of money are being accumulated by some social clubs outside what I believe to be the original intention of the Act.

So, we are concerned not only about the registration or licensing of printers and suppliers but also about the much broader concept. This Bill deals with the licensing of printers and suppliers. A lot of areas were mentioned in the working party report of August 1987. In the past few days I was lucky enough to get a copy of this report, which I find to be an excellent document and to which I will be referring at length in the next quarter of an hour or so.

One of the things that the report highlights is the problem of printing and supplying instant lottery tickets. From the outset one of the first questions that the Minister should be asked is whether he sees any necessity for the Department of Recreation and Sport to continue to monitor this area or whether it is highly probable—and possibly being suggested—that this responsibility will be handed over to the Lotteries Commission's jurisdiction.

It has been suggested to me by several people close to the Government that this would be a possible alternative and, because the Lotteries Commission has expressed concern about the sale of these tickets (particularly in large shopping centres), that it might be interested or even requested to take over the management of this area. That is a question that the Minister may care to address in his reply.

Regarding the problem of printing, it seems that one of the problems concerns substandard tickets: not only the fact that poor paper is used for these tickets but that poor quality glue is also used. So, we have a situation where it is easy to identify from some of the tickets—and this would be a minority—the winning combinations. That is obviously a matter that the Opposition does not support and, I note, neither does the Government.

It is stated clearly in this report that the duplication of ticket numbers is a major problem and that tickets do not

show licensed numbers or the names of licensed organisations on behalf of which tickets are sold. One of the basic requirements under the Act is that it should be clearly identified who is selling these tickets and which charity is involved. The Opposition again supports strongly the need for this to occur.

What concerns me is that this is the third similar report on this matter: one was started by a former Liberal Minister, Michael Wilson, but was not acted upon; a similar report was continued by the previous Labor Minister, Mr Slater; and now there is this report which is virtually saying the same thing. However, over the five years that this Government has been in office this problem has existed and nothing has been done about it.

An honourable member interjecting:

Mr INGERSON: I have just said that it was present before, but it is a problem with which the Government has had difficulties, and I am glad to see that it is now taking action. I will go on to deal with a few more problems. There is a high degree of diversification in the overall presentation of tickets, such as fluctuations of numbers in a ticket series, the types of tickets (instant, bingo, beer, goods for value, etc.) and variation in prize payouts. There are all different types of tickets. The report comments further on something that concerns me, and that is that there has been no consultation in this area with the staff of the Department of Recreation and Sport. That highlights another question that the Opposition would like to ask the Minister—whether he has enough staff to police this area and, in terms of extra licensing, what will he do about staff and what will it cost.

Some of these suppliers are encouraging the management of ticket selling outlets to pay clubs over and above the limits under the lottery regulations as a reward for utilisation. I suppose this really involves the sale of these tickets in large shopping centres. With the massive volume of tickets going through these single outlets, I am concerned to know where all the money is going and what sort of controls the Government may have over the supplier and manager of that system. That area needs to be cleared up as far as the community is concerned. I do not believe that it can be demonstrated that there has been any malpractice in that area, but many associations have told me that they are concerned about this practice.

As I said to the member for Albert Park, it has not been demonstrated, but because it has been mentioned to me on many occasions I think that that is one of the areas that we should ask the Minister to police more vigorously and let us know as a community what is going on.

My next point relates to the ease with which suppliers set up business in the selling of instant lottery tickets. Although we seem to be frightened about that, I would have thought that in a free enterprise system we would be encouraging people to go in and out of the industry. I recognise that in this sort of industry more controls are needed, but I do not believe that we ought to make it more difficult for people to go in and out of the industry. It concerns me that that is one of the areas that has been mentioned.

Another problem is non-cooperation with the department by some of the suppliers. Again, I believe that because we are dealing with community money in principle the department must get tough with the people who are not cooperating at all. I believe that the department should have been monitoring these substandard ticketing machines and I find it disappointing that those sorts of matters have had to be brought up by this working party.

Some of the suggested remedies that are not contained in the present Bill are quite interesting. It is a curious thing that the Government has left those remedies out. The first one is that there should be the payment of a bond or provision of a bench surety before one goes into business in this area. As I said earlier, I am concerned that we do not allow the free enterprise system to work reasonably well and that we should be contemplating some sort of surety for people to establish, particularly at the sort of level suggested by the working party which is of the order of $20 000. Having started off in small business some 25 years ago, I know that I did not have $20 000. I thank the member for Briggs for coming to our pharmacy this week to keep himself alive because we need it over this side to survive. I would not have had that sort of money and I think that today any small businessman going into business would not have $20 000 security that he could put up to guarantee any sort of business.

I recognise its purpose, but that sort of figure is too high. The Government has not taken it up in the Bill, but it must be in the background and we need an answer about it. I was going to ask the Minister a question about the fee structure. The working party has suggested the figure of about $100, so perhaps the Minister in his reply will tell us whether that is the sort of ballpark figure about which he is talking.

I am concerned that the Bill gives the Minister the power to grant or refuse licences to printers or suppliers. That is a fair enough responsibility to give the Minister, but guidelines must be provided if that sort of power is to be given. The granting of that power means that we will get government by regulation, and I and other members of my Party believe that this sort of signficant change in the control of small lotteries should be debated. Indeed, the matter should be brought before Parliament as often as possible so that we can ensure the matters are well and truly debated. As we all know, whilst regulations can be disallowed by Parliament, they cannot be changed by Parliament. I believe that that is a poor method of government, especially as such a significant change of principle is involved. If only the general thrust of the Bill is being changed, the use of the regulation is obviously fair enough.

It has also been suggested that a quarterly return be submitted, but the Bill does not mention that at all. The Government should say to suppliers and printers that there must be a quarterly return, and that should be part of the Bill. We are asking the community involved in this area to make significant changes and I believe that the requirement for quarterly returns is not unreasonable, although it may have been better to provide for a monthly return which would have been much easier for large suppliers. After all, a large supplier has difficulty in completing forms every three months because many transactions take place over that period and some may inadvertently be left off the form, whereas monthly returns, such as those involved in the payment of accounts, might be the best way to go. The Government obviously needs the flexibility in that area so that the principle of quarterly returns in respect of small accounts may be accepted.

An interesting recommendation is that, if a printer or supplier should operate a ticket selling booth, he must include in his quarterly return to the department the names of clubs, organisations, proceeds, disbursement, and other relevant information. It is staggering that only people in the booths should be asked to do that, whereas I should have thought that there would be significant sales of tickets to football and social clubs. However, those recommendations are not in the Bill and I ask the Minister why, in view of the report, this is such a skinny Bill. Will these things be done by regulation? If so, it should be spelt out clearly, because many of the people involved in the working party's report

have seen the report and are concerned that this Bill deals only with the surface material and that underneath there is a hidden agenda.

Opposition members have no trouble in supporting the principle contained in the Bill: we merely wish to know what is under the surface, and surely that is fair enough. The keeping of proper and accurate records of ticket transactions should be happening at this time. Again, I find it surprising that this working party should come up with something basic and fundamental that should have been monitored by the department itself. It concerns me that for such a long time this sort of thing has not been going on.

The next area in respect of which a recommendation is made is an area that I have queried in reading the Bill. The Minister said that the purpose of the Bill was to license printers and suppliers, yet the Bill itself refers only to suppliers and not specifically to printers. Although I have been advised by counsel that on page 2 of the Bill the reference to 'suppliers' covers printers, I find that explanation unsatisfactory because the operations of the printer and the supplier are different.

No doubt, what is required by way of regulation to satisfy the printing side is totally different from what is required by way of regulation to cover the supplier. If one happens to be both, one must fill out two sections of the return, but I cannot believe that the requirements should not be different, because they are two distinct areas. It is disappointing that the Bill refers not to printers but purely and simply to suppliers.

It is understandable that the working party has recommended guidelines for the standardising of tickets in accordance with Government criteria but, again, I find it amazing that that is not the case now. If it is the case, why would that come out in a major working party's report? I find it incredible that this sort of thing is not already being monitored. Opposition members support the introduction of the identity code but, again, that should be in the Bill. Indeed, I find it staggering that the Bill does not include the new concept of the identity code that would enable all the things that this Government and the Opposition are concerned about to be clearly and properly followed through.

Concerning the packaging of tickets, the printers and suppliers will be responsible for ensuring that the purchasers of tickets are current lottery licence holders. That, too, is a change as there is no current requirement for that. Yet, it is not in the Bill. The working party has provided an excellent report, yet all these things have been left out of the Bill. What will happen to them? Will they be covered by regulation or by some other method? Printers and suppliers shall not sell tickets at major shopping centre sites on behalf of clubs without the approval from the club or organisation. That is an area in respect of which it has often been put to me that there has been questioning of this booth type operation, yet nowhere in the Bill is that sort of practice referred to.

However, as all of us know, significant concern has been expressed about booth practices and about whether tickets go through in the names of the organisations. Yet there is nothing in the Bill about that and I find that unusual and disappointing in this whole area because that is a major problem, as all members would agree. There should be a predetermined quota on the number of printers and suppliers. I am concerned about that concept. We have a free enterprise system and if people want to come in and out of the industry they should be able to do so.

The Hon. Ted Chapman interjecting:

Mr INGERSON: I have something to say! In a free enterprise society, it is dangerous to set quotas on printers and suppliers, because it creates problems with monopolies. I support the significant increase in penalties, and that has got into the Bill.

Another area of concern that is not covered by the Bill, although it deals with printing and supplying, is the interstate or overseas manufacture of tickets. The report of the working party has dealt at length with interstate tickets and how they should be controlled. It suggested that the issue should be referred to the Printing and Kindred Industries Union for consideration. I do not know what the union has to do with it, but it must be something important. It is another important recommendation of the working party, which is not contained in the Bill; so will that come into effect by regulation, or will the Government scrap it? It is important because, if we are to monitor the sale and printing of tickets and the licensing of their sale, we must look at what comes in from interstate.

It has been recommended that the associations should get together and set up their own lottery ticket and printing association. I do not have any problems with that. I believe that associations should be set up, because there is nothing worse than having a bureaucracy belting you around the ears if you do not have an association to fight back. There is no question that individuals in today's society need to get together to have their voice heard clearly by the Government of the day, whatever its composition.

The report dealt with other matters at length, and I will refer to them briefly because it concerns me that, after all this time, the Government has brought in a Bill to control this small section of the industry when four major problems have not been addressed, namely, the licensing and printing of tickets; commercial premises, such as hotels; the consolidation of large sums of money in social clubs; and the disbursement of those funds each year. All sorts of rumours go around about where the funds go, ranging from sending kids to school, to political Parties having large benefactors and to hoteliers, club operators and other individuals benefiting. None of that is included in this Bill. It is clear to me, as it is to the people who wrote the report, that it is a significant area and it should be put together as a major package. As a matter of interest, members should consider the summary of recommendations, as follows:

1. That printers and suppliers of instant lottery tickets should be licensed and subjected to strict standards in accordance with Government criteria.
2. That where it is desired to conduct instant lotteries in a hotel, the hotel licensee should be issued with the sole minor lottery licence to do so and that the licensee would assume full responsibility for the conduct of these lotteries in the hotel.
3. That consideration be given to adopt option 'A' or 'B' on the disbursement of net proceeds from instant lotteries in hotels as outlined in the working party's alternatives with emphasis on the rationalisation of such proceeds.
4. That financial returns under the minor licence category be prepared by qualified accountants or auditors should the net proceeds derived in one year exceed $2 000.

They are major recommendations, but only one of them is addressed in this Bill. The minor recommendations about which I have spoken relating to printing are connected with the second recommendation because it proposes a significant breakaway from the present position to make a licensee responsible in a licensed area for this whole small lottery area. That is a significant recommendation and a total breakaway from what is in place, but the Bill does not mention it. What will the Government do about it? Will it be effected by regulation? I suspect that it will be a matter for regulation and that there will be an attempt to bring it in by the back door, and the Opposition is concerned about that. It is a significant change to ask licensees to take over this responsibility in hotels. I support it, as does my Party, but it is not contained in the Bill.

Probably the most controversial recommendation of the working party concerned the disbursement of funds. About six or seven different options were put up by the committee, which recommended two options: first, a 50 per cent retention of funds in the social club and 50 per cent to go to designated charities or trust funds; and, secondly, 40 per cent to the social club, 30 per cent to the designated sporting or charitable organisation and another 30 per cent into a charitable fund set up by the State. That is the recommendation.

The Hon. M.K. Mayes interjecting:

Mr INGERSON: You are in government; you have to make the decision.

The Hon. M.K. Mayes: Which one do you support?

Mr INGERSON: Why is it not in the Bill? It is the most controversial recommendation, and you have not—

The Hon. M.K. Mayes interjecting:

The ACTING SPEAKER (Ms Gayler): Order! The Minister will have a chance to reply to the honourable member very shortly.

Mr INGERSON: I am not sure that it will be shortly, but it will be soon. This is the most controversial recommendation and is probably the most significant and important recommendation made by the committee. The fact that it has come up with six or seven different options shows how difficult it is. There is no doubt in the public mind that social clubs within hotels can accumulate very large sums of money and there is no control over where the money goes. I accept that something must be done about it. The Liberal Party is not prepared to accept that it should be controlled by regulation. Because it is such an important concept, it should be debated fully by Parliament. It will have to be a compromise position, because nobody will be able to agree on the percentages.

It is interesting that a letter written to the Hotels Association by an officer of the Department of Recreation and Sport states clearly that the department supports the concept that the Hotels Association is looking at; that is, to set up a charity trust within the hotel industry to which money can be contributed and then disbursed. The hotel industry, as part of this and as a separate organisation, has recognised that there is a problem with the disbursement of trust funds and is prepared to do something about it.

I would just like to finalise my comments by saying, as I said earlier, that in principle we support the Bill strongly. But, unless we get assurances from the Minister that other areas such as licensing fees, the licensing responsibility at licensed premises, the auditing of social club funds and the disbursement of social club funds will not come under regulation, it is our intention to oppose the Bill at the third reading and to oppose the Bill in another place as well.

Mr HAMILTON (Albert Park): In supporting the Bill I do not wish to traverse all the issues addressed by the member for Bragg. Suffice to say that, over many years, I have watched with great interest prior to and after coming into this place the sorts of rort that clearly have manifested themselves in South Australia. I refer to my experience some years ago when I was working in the railway industry and I was involved in setting up a social club. I was involved with a couple of establishments and, when they found that a lucrative sum was to be made from the sale of bingo and beer tickets, it was not long before a social club was set up by those establishments.

I refer to the nature of the industry, which I understand exceeds more than $50 million in ticket sales of which we know, yet I suggest that one could even double that figure. I get around the traps pretty well like most members in this place and I have heard allegations that some manufacturers—I am not saying all of them—go to sellers and say, 'Here are 10 boxes that we will put on the books for you and here is another 10. Five for me and five for you. You pocket the money.' Suddenly, one finds that, when a charitable organisation comes around, the seller puts his hand into his pocket, takes out a fist full of money and deals out $500 or $600 with no problems at all.

I congratulate the Minister and the Government on what they have done. They have had the guts to address the issue, which has been around for a long time. Indeed, I wish to put on record that going back a couple of years I opposed this measure. However, the more I have looked at it, listened and moved around my patch the more I saw the need for this Bill. We have all heard of allegations about people going overseas on the proceeds of ticket sales, books not being audited properly and suppliers running off large numbers of tickets that are not properly accounted for. There is a similar situation with sellers. I refer to the rorts that have gone on. A story has been circulating for years about a group of chaps who came down from up north. They went into a hotel and decided to buy a whole series of bingo tickets. However, to their dismay not one $50 was in the box. Members can imagine the sort of brawl that went on in that hotel. I understand there was a hell of a stink, and correctly so.

Also, there are allegations that, where there are four $50 tickets in a box, a barperson would know how many $50 tickets had been won. If three or four were left in the remaining 100 tickets they would just take the box aside or buy the remaining tickets themselves and pocket the profits.

An honourable member: How will this Bill change that?

Mr HAMILTON: It will, particularly given the rorting of the system. There must be proper accountability. It is properly justified, as the member for Bragg said. Policing of tickets is currently carried out. I refer to the identification of winning numbers; in the past, because of poor ticket quality, it has been possible to identify the numbers or, even worse, when the tickets were manufactured, winning numbers were not included in the boxes but were handed to the people to whom the tickets were delivered. The Minister will obviously address whether or not these allegations are true. However, anything that will make organisations accountable for the proceeds should be supported strongly by this Parliament.

Perhaps if the Minister does not answer me now he can answer me later, but I would like to know how many establishments have been prosecuted for fraudulent conversion of funds from the sale of bingo or beer tickets. I understand that a number of them have been prosecuted, and any provisions that crack down on these rorts will have the consequence of more money going into the different charities and sporting organisations, which is all to the better.

I would like to comment further, but I am cognisant of the time. I wind up by saying that I believe that we will find out next year or after the Bill has been in force for over 12 months, that the amount estimated by the Government from bingo and beer ticket sales, $50 million, could almost double in this State. I support the Bill strongly and commend the Minister for introducing it.

Mr BECKER (Hanson): It is a pity that this legislation is necessary. Wherever or whenever there is gambling, someone wants to cash in on the benefits and invariably cheat. It is the cheats who have ruined the instant cash tickets system in South Australia. I refer to the history of these tickets: I recall that instant cash tickets first appeared in

delicatessens, butcher shops and selected hotels as a major fund raiser for the South Australian State headquarters of the Surf Lifesaving Association. I thought it was an excellent idea, and everyone else thought that too. It was a most worthy organisation, well run and well conducted. But someone always wants to get in on the act.

Competition developed from there. Various printers and manufacturers of instant cash tickets as they became known by various sporting and charitable organisations were approached and competition grew up for placement of those tickets. Under existing regulations, as loose as they may be, the supplier or beneficiary organisation cannot pay wages for anyone to sell those tickets, they cannot pay a rent to have the tickets located; it is very much a voluntary, loose arrangement to help voluntary organisations.

Many people in small business have done their best to assist local charities and/or sporting bodies. Many large charitable organisations have also cashed in on the popularity of instant cash tickets, and have done very well. Without a doubt, some of the biggest fundraising organisations in South Australia, such as the Miss South Australia Quest, have benefited most from it.

Unfortunately, with the popularity of instant cash tickets came the supplier who would operate from the boot of a motor car, and it is these suppliers who cause part of the problem. I was first alerted to another side of the problem when one of my constituents developed a small business at Henley Beach South manufacturing dispensing machines. It was not until the department ruled that the machines operated very much like a poker machine that my constituent got into trouble, so much so that he eventually went broke. He was unable to meet the demand of the market and site his products, so he was put out of business. He was pretty savage about that, and quite rightly so, because at one stage he employed about five people.

The cause of the problem comes back to those who print and supply the tickets. The individual, whilst he participated with the best intention, found that the competition was intense and that the local delicatessen, butcher shop, and so on, had its own favourite charitable organisation or sporting body. So, to promote the organisations that the individual wanted to represent incentive schemes were established. People said, 'We will sell you a box of tickets and pay you,' or 'If you put the box of tickets in we will pay you so much (like rent) to have those tickets sitting on your counter. In fact, we have four major winning tickets. Here they are. We suggest you put one in a day or do it as the business develops.'

The information I received over the years was that some business proprietors would feed in a $50 winning ticket if a large number of people were in the shop or, if a well-known customer who always bought a few tickets came in, they would give it to that lady who would say, 'Marvellous; I have won $50.' That helped to attract business. There has never been any check or tight control on the purchase of these tickets by persons under the age of 16 years. No-one will ever convince me that young children have not been buying them over the years.

For the past decade—almost 10 years—I have been asking various Governments questions and making statements about the matter. When my Party was in Government from 1979 to 1982 we formed a backbench committee, and I served on it, helping the Hon. Michael Wilson. I thought that we had almost reached agreement in relation to the licensing, distribution, and monitoring of instant cash ticket sales in South Australia.

We left it up to the Hotels Association to get its act in order. We told them, 'Get your act in order. We don't want to cause any problems publicly, but we suspect that many of the social clubs run by various hotels are not above board.' So the Hotels Association, to its credit, warned its members and advised them what to do. As I said, whenever there is gambling and whenever it looks as though an easy quid can be made, someone wants to cheat on the system. A scam that occurred at a hotel not far from where I live brought the whole issue to the attention of the public. The proprietor of that hotel eventually admitted to me that it was his hotel, that he was the person responsible, and that he was embarrassed that the issue was raised publicly and that a group of visitors from Melbourne staying at his hotel for the Grand Prix had spent about $200 but did not get one $50 winner.

He explained that often hotel patrons would buy several dollars worth of tickets and, if they had a major winning ticket, they would put it in their pocket and cash it in when there were few or no patrons in the bar. He explained to me that if the bar was crowded and you were in a group and won a $50 prize, you would not give that ticket to the bar person because invariably somebody would yell out, 'Joe has won $50; drinks on Joe,' and by the time the $50 came over the counter it was $10.30. One can see the psychology behind that. However, I was not prepared to accept the fact that a group of people, having spent $200, did not get a winner. The patrons of that hotel have been complaining about it for some time, and when I checked with a few of them I found out that that was not the only incident.

With all the goodwill in the world and with all the staff that the department supplies, it is not enough. The department does not have enough staff to monitor, check and randomly audit the sale of instant cash tickets, let alone small lottery tickets. So it is up to the public. I suppose that it is a credit to the public for bringing this matter to the attention of various members of Parliament, me included, so that we are now debating this legislation. If concern had not been expressed, nothing would have been done and we would still have been waiting for the Hotels Association to do something about it. The chief executive officer can write all the letters he wants to me, but I do not think that he was moving very quickly to clean up the good name of his industry.

I hope that this will be the start of getting the instant cash ticket industry in order. We know there is approximately $50 million worth of turnover annually. One of the most reputable suppliers in South Australia informed me that that figure could be doubled, because nobody knows what the backyard manufacturer or the operator from the boot of a car is selling and the sum involved. There could be $100 million—$2 million a week—in instant cash ticket sales in South Australia!

How much of that goes to charities and social clubs is anyone's guess, although we get a rough idea from the report. In January last year, and then a few weeks later, I called for an inquiry into instant cash tickets, and thanks to ABC television and other media the Minister announced an inquiry and in September last year the report was brought down and handed to him. I am sure that when that exercise was conducted, as was outlined in the back of the report, examples were given of how much went to hotel social clubs, local charitable organisations and charities in general. Many hotel social clubs were found wanting and the percentage that went to charities was, I think, about 5 per cent. It was pathetic and is a bad reflection on this whole industry. The aim and objects of hotel social clubs are not made clear. Are they established to assist the local community and charitable organisations or are they established simply

as fellowship clubs, to provide free Christmas dinners and drinks? If that is so, fair enough. I do not have any objection to that.

If social clubs are there to provide for a picnic somewhere, then they should say so, although I would never buy a ticket. But if they are there to assist the local cricket club or netball club, or a specific charity, of course I would buy a ticket: I would buy a ticket every time. There should be that classification of clubs that deal with these sorts of tickets.

I object most strongly going to the Westfield Shopping Centre or any other shopping centre where you see a booth with a selection of about half a dozen types of tickets where a particular manufacturer and supplier has a monopoly. I object to monopolies. That manufacturer says to sporting and charitable organisations, 'If you buy tickets from me, we'll put your tickets in one of those shopping centres where we have a booth.' That is wrong. It is against the principles of free enterprise, as far as I am concerned, because you pay full tote odds for that batch of tickets. There is no control over the number of tickets sold in that booth. You have a rough idea how many are sold. People do not know whether or not they are getting a fair go, yet other manufacturers are prepared to sell the same number of tickets for the same type of instant cash pay-out at about half the price, such is the competition within the industry itself. I would like to see something done about these booths.

I have noticed that, following the publicity at the Central Market, the one group that was selling instant cash tickets there has never been back since they were shown on TV. It always made me wonder what this social club was doing selling tickets there. It is strange that it has never been back. I hope we did not impact on an organisation that was doing some good in the community. However, if we exposed something that was not above board, well and good. Certainly these people have not said a word to me about it, so I suspect the worst.

I would not like to think that, apart from the licensing of suppliers of tickets, the instant cash ticket industry, if you like, will be conducted by regulation: I do not like regulations at all. If the Government is genuine and wants to do something worthwhile with community merit, then it enshrines it in legislation. If the Government is not prepared to do that, I am suspicious. I hope that that suspicion will prove to be unfounded.

Mr M.J. EVANS (Elizabeth): I would like to give the second reading of this Bill my very strong support. It is obviously long overdue. The comments made by members this afternoon have highlighted the many difficult and serious problems that have arisen in the course of the past few years with the administration and distribution of instant money tickets. The Minister is to be congratulated on getting this Bill before the House to finally address this problem in the lotteries industry. I am afraid that many of the difficulties which have been raised by members, such as the member for Albert Park and the member for Hanson, will not be addressed explicitly by the Bill, although they may well be addressed subsequently by the regulations—I cannot attest to that aspect of it.

I believe that one way that we could consider in the future—obviously not at this stage because it is too radical a step, but certainly down the track when this matter is again under review—the way to ultimately resolve all the difficulties put forward this afternoon is for an agency with impeccable credentials, such as the Lotteries Commission, to actually arrange for the printing of tickets, and to do so on a continuous series basis so that there is no isolated block of tickets containing a guaranteed number, an explicit number of paying tickets. The Lotteries Commission could arrange for the present speciality printers who produce these tickets on a contract and tender basis, but in larger numbers, to produce a continuous series of tickets so that the printers are not disadvantaged but are given the contracts in rotation. The Lotteries Commission could resell as a wholesaler and distributor to sporting clubs and charitable organisations that have a genuine basis for acquiring these tickets, which would then be resold on a fixed basis that was known in advance. The public would then have absolute security that no proprietor, shop owner, hotel keeper or sporting club person could know how many tickets were there. They could not do ticket counts and ensure that if there was a $50 left—

The Hon. M.K. Mayes interjecting:

Mr M.J. EVANS: The Minister says that I love regulations. What I am proposing here is far less regulatory than what he is suggesting to the House. The Minister has obviously not considered the full implications of what he is proposing in this Bill and the regulations that will go with it.

The Hon. M.K. Mayes interjecting:

Mr M.J. EVANS: No, true, but the proposal which I am commending for future consideration by the Minister is one which would not require any regulations. It would not require any policing because the tickets would be self-policing, and that is the kind of regulation which I like, as distinct from the Minister who has a propensity, as we see in this Bill today, to come forward with a general Bill and to follow it up with regulations. The suggestion I am putting forward has no need for regulations. If tickets are produced under the auspices of the Lotteries Commission, there is no purpose for those regulations. We know and have confidence in the administration of the Lotteries Commission and, if we do not, other matters need to be addressed. That way we would have very few of the difficulties raised here today, and I believe that is a matter which needs to be looked into very seriously.

It would eliminate most of the abuses taking place, yet would provide the clubs with the same guaranteed percentage of return; it would provide the printers with the same amount of work; and it would provide the players or participants in the game with a statistically guaranteed payout that I suspect would be well in excess of what they get now, because they would be assured of the honesty of the system, whereas now they are not. Even under the Bill, although I commend it for going as far as it goes, the reality is that the rorts that the member for Albert Park referred to, of counting the number of remaining tickets and then buying them if there are one or two $50s left at the end, are still possible under the system, whereas under a continuous series approach from the Lotteries Commission that would be impossible.

There is no way that a lot of the problems we now have and could still have under this legislation, even though it is a big improvement on the present situation, would be eliminated by that kind of process. We could still have difficulties with it. We would avoid entirely the need to police these premises and the distribution and printing of the tickets, because they would be sold through a guaranteed outlet at the wholesale level; so, all those problems with regulation, policing and the potential for cheating, even under this legislation, would be eliminated. However, I do not believe it would give any disadvantage to the printing industry, the sporting or social clubs, or the punter who chooses to take part in it. In the long term, that will be the only way to guarantee to all parties concerned that the

process is fair, that the result is fair, and that the return is equitable.

Mr ROBERTSON (Bright): I want to put on the record at the outset that I have no problems with any legislation or regulation designed to stop some of the rorts that have possibly been going on in the instant lottery field, or indeed to bring the money flow, which is money belonging to ordinary people in the main, under some form of audit and control. However, I want to take the opportunity to raise at this stage a concern which was addressed to me by members of a pub social club in my electorate. I had the experience some weeks ago of three fairly agitated gentlemen coming in to see me to express a concern that the control of the licence and the raising of funds and disbursement of those funds would be transferred from the duly constituted social club to the publican.

Their concern basically was that, since they had been doing all the work (and, as I understand it, in the past year they had a turnover of some $115 000—so it was an amount of money not to be sneezed at—of which some $25 000 was the proceeds of the instant lotteries), they feel that, if they lose control of the disbursement of those funds and the community groups to which those funds ought to be disbursed, their reason for selling the tickets and for having the social club might disappear out the window.

So, whilst I support any moves to tighten up the system of selling and policing lottery tickets, I express concern about community groups who do a great deal of work to raise money for scouts and schools, etc., in the community, and stress that they should not feel they are being disfranchised or shut out of the market. I think it is a valid way of raising funds for the community, and I express admiration for the groups of people in pubs and clubs who are involved. I hope that a way can be found to enable them to continue selling tickets with enthusiasm to raise money for the general good of the community.

The Hon. M.K. MAYES (Minister of Recreation and Sport): I will endeavour to keep my reply as brief as possible and address the issues that have been raised. First, the important point is the question of printing and supply. I appreciate the points raised by members of the Opposition and acknowledge their support in principle for the amendments. The point of the issue is supply and the licensing of that supply process: that is seen as the critical part of the administrative process in supplying printed tickets to sellers. That matter is encompassed by the Bill, which provides very tight administrative control.

There was a little speculation on the part of the member for Bragg and the member for Elizabeth as to whether or not this responsibility should be properly handled by the Lotteries Commission. The member for Bragg's point related in a broader sense to the whole administration. I will not engage in speculation on this point, although I know there are some rumours floating around—I am not sure where they emanate—but there is obviously some interest in this issue. I am very pleased with the administration of the lottery and gaming section of the Department of Recreation and Sport, and with the efforts of the manager of that section: I am sure that he has played a major part in this whole exercise of encouragement and support and seeing that initiatives are taken to introduce tighter controls. I think that we can acknowledge the very good administration that has occurred in that area. Of course, the manager has had to deal with very difficult problems over the years, as we know, because this is a very sensitive issue that has been highlighted by the number of members who have spoken on and taken an interest in it because of the community nature of the moneys raised and the distribution of those moneys.

The question was asked: do we have the resources? We believe that this will be easier to police because of the greater control that we will have and the opportunity for tighter control in the management of this activity. We believe that the six inspectors we have in the field will have more time to devote to a more specific and much tighter administrative arrangement.

In regard to the payment of a bond, I think the Bill speaks for itself. That matter is not an issue and the Government is not addressing itself to it. We are dealing with the licence fee, and we believe that the regulation in terms of specific controls on suppliers will give us far greater control and a far greater opportunity to vet and manage the system. The administrative process will more thoroughly screen applicants.

In regard to the other aspects of the report of the working party, a number of matters will come before Parliament either by amendment to the Bill or by regulation. Predominantly in relation to that issue I acknowledge that much of the administration of this Act falls within the regulations. Members know that the whole licensing process is already extensively enshrined in the regulations, so any process that relates particularly to a sole licensee, or sole licensee arrangements with regard to hotels, would be quite naturally and properly defined in the regulations. That is the process that the Government currently envisages on advice from its officers.

The matter of distribution is a very sensitive issue. I did not notice the member for Bragg indicating to the House how the Opposition viewed the distribution of funds from lotteries. It is interesting to note that the member for Hanson actually supported a case for a large proportion of those funds to be distributed to recognised charities. The member for Elizabeth dealt with the matter of the Lotteries Commission being the sole licensee. I think that we could probably have a great esoteric debate about whether or not the wording in the legislation enshrined greater regulation.

I would argue that the member for Elizabeth's submission would probably enshrine greater regulation, although there must be less regulation than in the regulations under the Act because it entails far greater control. As he said, his is a fairly radical proposal—and it has some attraction for me, I might add, in terms of its capacity—but I think the roars from the spectators would be almost deafening if we moved that way. I think it is an issue that Governments will have to look at in the future if these proposals are not tight enough and the Administration cannot come to grips with the problem. I think that every member has acknowledged that. So, I note with interest the honourable member's comments: I think it is something that the Government considered, but at this stage it is probably seen as an interference in the industry that is not necessary and something that can be done in this fashion.

With those few words, I commend this Bill to the Parliament. There will be regulations that will deal with the other issues, and we hope that in total we will see a proper conduct of these lotteries within the community, a proper conduct of the distribution of those funds, and accountability within the community for what is a huge sum of money. The best estimate is $50 million, but it is possibly more than that, and we could probably account for no more than half of it at present in terms of where it goes. We, collectively as a Parliament, have a responsibility to deal with that matter, and I believe that we can deal with it. I thank members for their support.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Insertion of Part III.'

Mr INGERSON: Can the Minister clarify the definition of 'to supply' and say whether that covers printers?

The Hon. M.K. MAYES: Not within the definition, but by process, yes. In fact, we are acknowledging the process of the transaction involving the supplier and taking it to the next stage involving the process of sale to the actual investor.

Mr INGERSON: New section 16 (2) does not apply to a person who is exempted. Can the Minister briefly explain who is likely to be exempted and for what reason?

The Hon. M.K. MAYES: Where it is determined that a person is not appropriate to be licensed, that person would be exempted by this provision.

Mr INGERSON: New section 18 (1) provides:

The grant of a licence under this Part may be subject to such conditions as the Minister sees fit . . .

Will those conditions be clearly set out in the regulations?

The Hon. M.K. MAYES: Yes. They are currently set out in section 5 of the regulations. They are fairly extensive and determine who can apply under section 6, etc. They clearly set out the process under section 18 (1) subject to those conditions being met.

Clause passed.

Clause 4—'Regulations.'

Mr INGERSON: Will the Minister please explain what this clause is all about?

The Hon. M.K. MAYES: It deals with the insertion of new regulations.

Clause passed.

Title passed.

Bill read a third time and passed.

ROYAL COMMISSIONS ACT AMENDMENT BILL

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

TRADE STANDARDS ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 4 (clause 10)—After line 28, insert new subsection as follows:

'(4a) The Minister must, before proceeding to recover costs from a person under this section, supply to the person a statement setting out details of the examination, analysis or test that was carried out and the cost that were incurred.'

No. 2. Page 4, lines 31 and 32 (clause 10)—Leave out all words in these lines and substitute:

'Minister—

(a) certifying that the Minister supplied a statement in accordance with subsection (4a) on a date specified in the certificate;

or

(b) certifying the amount of the costs,

will be accepted, in the absence of proof to the contrary, as proof of the matter so certified.'

No. 3. Page 6, lines 15 and 16 (clause 15)—Leave out 'the use of the goods' and insert 'a dangerous characteristic of the goods, or the failure to comply with an applicable safety standard'.

No. 4. Page 6, lines 24 and 25 (clause 15)—Leave out 'the supply of the services' and insert 'a dangerous characteristic of the services, or the failure to comply with an applicable safety standard'.

No. 5. Page 6 (clause 15)—After line 28 insert new subsection as follows:

'(4) If in proceedings for compensation under this section it is established that the person claiming compensation contributed to his or her damage or loss, that fact must be reflected in any award of compensation to that person.'

No. 6. Page 7 (clause 15)—After line 4 insert new subclause as follows:

'(4) The Minister must take reasonable steps to bring the publication of a notice under subsection (1) or (2) to the attention of manufacturers or suppliers who are known by the Minister to be affected by the notice.'

No. 7. Page 8, line 23 (clause 17)—After '*Gazette*' insert 'and in a newspaper circulating generally in the State'.

No. 8. Page 8 (clause 17)—After line 23 insert new subsection as follows:

'(3a) The Minister must take reasonable steps to bring the publication of a notice under subsection (3) *(c)* to the attention of suppliers who are known by the Minister to be affected by the notice.'

No. 9. Page 9, line 13 (clause 17)—After '*Gazette*' insert 'and in a newspaper circulating generally in the State'.

No. 10. Page 9 (clause 17)—After line 21 insert new subclause as follows:

'(1a) The Minister must take reasonable steps to bring the publication of a notice under subsection (1) to the attention of suppliers who are known by the Minister to be suppliers of goods of the relevant kind.'

No. 11. Page 10, line 8 (clause 17)—After '*Gazette*' insert 'and in a newspaper circulating generally in the State'.

No. 12. Page 11 (clause 19)—After line 34 insert new subclause as follows:

'(2a) If in proceedings for the compensation it is established that the person claiming compensation contributed to his or her loss, that fact must be reflected in any award of compensation to that person.

The Hon. G.J. CRAFTER: I move:

That the Legislative Council's amendments be agreed to.

I commend the amendments from another place. The Bill has been substantially amended in both Houses as a result of representations made by those in the community interested in this legislation and it now comes to this Chamber in a form that is acceptable to the Government.

Mr S.J. BAKER: I am delighted with the Minister's response. We did a sterling job on the Bill in this place and the Legislative Council made a few minor technical amendments just to make the Bill more workable. I believe that, as a result, we now have good legislation.

Motion carried.

ADJOURNMENT

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

That the House do now adjourn.

Mr BECKER (Hanson): The issue of country hospitals and certain country medical services is one of which I have been aware all my life. Having been born in the country and being a proud country person, I am amazed to think that the South Australian Government and the South Australian Health Commission are foolish and stupid enough to want to close country hospitals. As a young person, together with others, I worked hard on all types of fund raising ventures to provide the best medical equipment and the best bricks and mortar for the local district hospital. Indeed, all country people grew up with the belief that it was their duty to support their local community hospital. I can therefore understand the anger and the aggression that is mounting in the country against the Health Commission's move to close down certain country hospitals and I wish that it would get its priorities in order.

From 1977 to 1979, I had the wonderful experience of being a member of the Public Accounts Committee when it examined the operations of the old Hospitals Department. I was absolutely amazed at what went on in that department as regards financial management. Even though the com-

mittee brought down a scathing report and made recommendations that certain savings be effected, including the support of the establishment of the Health Commission, I do not believe that the Government's medical bureaucracy has achieved much over the years. In fact, in many areas our medical services have deteriorated. My greatest wish—that the high standard of patient care be maintained—has been eroded.

I refer to correspondence from Dr Robert Cooter, Chairman of the AMA (South Australian Branch) Rural Health Committee and National Convenor of the Rural Health Elective, Royal College of Australian Practitioners. Dr Cooter states:

The statement, 'No hospitals will be closed in the life of the present Government' made by Mr Keneally, health spokesman in the Lower House (*News*, 22 February 1988) regarding the proposed closure of country hospitals is quite erroneous and misleading. It demands correction within the hallowed walls of Parliament.

I hope that, when Dr Cooter says that, someone will get the message and the Health Commission will finally wake up to the stupidity of its actions. Dr Cooter continues:

The truth of the matter is that proposals are being made at present to three country hospital boards (Blyth, Laura and Tailem Bend) to the effect that the acute beds and theatre will be closed. In other words, although the doors will remain open and the framework of the building will remain, the hospital will close. Instead, a health centre with outpatients, casualty and hostel accommodation for the aged will replace the hospital. There will be no accommodation for patients with medical and surgical conditions requiring hospital treatment for several days or weeks. They will be compelled to go some considerable distance to another hospital. Pregnant women will have to be delivered of their offspring elsewhere. All this will happen against the will of all rural communities. The dedicated country doctor providing a 24-hour service alone will have three options:

(1) to leave the town and the people will be deprived of the key figure of the primary health care service.

(2) to stay on and send all his hospital patients to another hospital and will lose his skills in the vital areas of medicine.

(3) to stay on and travel long distances following his patients to the hospital in the other town and add hours to his working day.

It is quite clear that the South Australian Health Commission has done little, if any, research on the adverse effects on primary health care of similar policies already implemented in New South Wales and Victoria. It would be refreshing if Dr Cornwall and the Health Commission could demonstrate some compassion and human understanding for country people and their doctors. I think it is high time that the Health Minister (Dr Cornwall) and Mr Keneally were completely honest with the people of South Australia and told them the whole truth.

I support wholeheartedly what Dr Cooter has said there because country people cherish the services of a local medical practitioner and many small country communities have had to go to great trouble to encourage a doctor to establish a practice in their particular town and to ensure that he was given all the support necessary for him to maintain his skills.

Medical practitioners must keep their skills up; they must keep in tune with the changing trends and discoveries in medicine. We cannot put a general practitioner into a country area and let him rot, so to speak, in the hope that one day he can perform an appendix operation and on another he can treat a fracture or deal with an epidemic of measles and other child and adult disorders. If we are to provide proper health care and quality of patient care throughout the whole State, which the Government and the Health Commission has a moral obligation to do, we must make sure that the facilities are maintained and that they can be maintained.

The *South Australian Medical Review* of February 1988 sums it up pretty well in an article headed 'Crisis over country hospitals', as follows:

The move to rationalise country hospital services in South Australia has provoked bitter criticism and fears about the quality of health care. Feelings have run so hot over this issue that country people have taken up thousands of protest petitions and marched on Parliament House in Adelaide. In this article Dr Robert Cooter, Chairman of the AMA (South Australian Branch) Rural Health Committee, gives his views on the country hospitals controversy.

Dr Cooter had this to say:

The AMA in this State has never faced a greater challenge than the threatened closure of acute wards in country hospitals by the South Australian Health Commission. Such action can only result in the lowering of medical standards.

Already the Health Commissions of New South Wales and Victoria have implemented similar policies and the quality of health care has undoubtedly deteriorated, according to medical practitioners in those two States.

Hospitals have had their acute wards and theatres closed, doctors have been de-skilled and many have left country towns because they no longer are able to practise the type of medicine they and their rural communities so vitally need.

Naturally, the South Australian Health Commission appears to have developed a mentality that if the Eastern States have launched rationalisation schemes, then it should happen in this State.

He went on to say:

However, finance has been found to build a new hospital at Wallaroo—only 17 km from two other hospitals and a new health centre at Noarlunga. This is only over-providing primary health care in urban areas. Moreover, the regionalisation process in the Port Pirie area will cost many millions of dollars... In New South Wales, where regionalisation has already been implemented, there have been instances of women in complicated labour being transported in road ambulances for up to four hours. In one instance a GP had to prevent the foetal head from compressing a prolapsed cord in an ambulance for nearly an hour.

In the Wimmera District of Victoria, three towns 20-30 kms apart all had a hospital and a doctor. Now there is only one doctor and one hospital in the community and the Victorian Health Commission... An inadequate bus service transports patients to the doctor or hospital and acute illness is being assessed and managed by staff at the nursing home. An ambulance from Horsham, 50 kms away, will transport patients to hospital if necessary.

That is not good enough. Dr Cooter continues:

One could not imagine city people accepting this retrograde medical service. It is third world medicine!

I can guarantee that there is no way that city people would tolerate such treatment. Dr Cooter is dead right in saying that it is third world medicine. Who would have thought that it would happen in South Australia under the South Australian Health Commission! Where are the priorities? The priority seems to be to cut down services.

Dr McCoy, the South Australian Health Commission and Dr Cornwall have failed to recognise that the country people of New South Wales at the recent election overwhelmingly rejected the socialistic rationalisation policy of the Labor Party. Victoria is going the same way and I can only say that, in South Australia, we do not want rationalisation of health services as it has already been enunciated. It is simply not on. The country people marched on the city, and they should march on it again. We who live in the city should support country people in maintaining first class medical services.

Mr ROBERTSON (Bright): This afternoon I will respond to a matter raised by the member for Victoria during an adjournment debate on 18 February. In his contribution the honourable member went to considerable lengths to slander members of the National Parks and Wildlife Service, and he cast a series of entirely unwarranted aspersions against them. In particular, allegations were delivered by implication against the prosecutions officer for the South-East region, Mr John Young. From information that I have obtained, the allegations were a complete and utter misrepresentation of the facts and mischievous in their intent.

The member for Victoria complained of 'a severe lack of management by the Minister in administering regulations under the Act and by officers in that department in their administration of the Act'. He made the point that a number of breaches of the Act that could have been expiated were taken to court and fines were levied. I point out that a policy decision was made by the National Parks and Wildlife Service that, because of the extent of damage to signposts, trail markers, fences and roads in many parts of the South-East, the expiation system was not effective and, instead, the most cost effective way to curb that kind of anti social and expensive behaviour was to prosecute.

Mr D.S. Baker interjecting:

Mr ROBERTSON: If you listen, you might learn. It would be a big change, but you may.

Mr D.S. BAKER: I rise on a point of order. I point out that it is common in this place for members to be referred to by their correct title.

The ACTING SPEAKER (Ms Gayler): I uphold the point or order with respect to addressing members opposite, and I remind the honourable member for Bright of that obligation.

Mr ROBERTSON: Thank you, Ms Acting Speaker; it was a momentary lapse of reason and I apologise to you and to the honourable member. The result of this change of policy on the part of the department is a marked decrease in the level of damage to signs, roads and tracks. It has also resulted in a reduction in the cost to the public purse of restoring those tracks, roads and signs. In fact, the budgetary effect has been quite positive. Fewer breaches are now reported than previously, and the level of vehicle damage to public areas has diminished quite considerably. Later in his speech, the member for Victoria said:

> . . . a prosecution officer within the department seems to have a very cushy job travelling all around this State, attending court cases that there is absolutely no reason to attend.

I take issue with that. In his speech the honourable member referred to two matters that had been transferred from the Murray Bridge court to the Millicent court but, on investigation, it appears that, far from causing unnecessary public expense as the honourable member alleged because the prosecutor and ranger were involved in additional travel, one matter was transferred to the jurisdiction of the local police prosecutor and the other matter was transferred to a court hearing at Millicent where several other cases were heard on the same day. So, it resulted in a considerable saving to the taxpayer rather than additional cost. So much for extravagant behaviour and people swanning around the State!

In the same speech, the honourable member said that 54 offences during the past eight months had been prosecuted instead of expiation notices being issued. He also went on to say that 54 offences went to court and the fine in each case was a maximum of $30. He assumes from this, of course, that the maximum gain to the public purse per medium of those fines was $1620. The reality is quite different. The fines that were imposed in those 54 cases—

Members interjecting:

The ACTING SPEAKER (Ms GAYLER): Order!

Mr ROBERTSON: I appreciate your help, Ms Acting Speaker. The fines imposed in those cases did not total $1 620: they totalled $4 330. In addition, there were court costs which can count as revenue for the public purse of $1 210. Far from being a negative drain, these have proved to be something of a bonus to the public purse. In fact, they did not involve the public in unnecessary expense, as the member for Victoria suggests.

The honourable member omitted to say that 94 offences during the same period of time were expiated for more minor offences and, far from the department having a gung ho attitude under which everyone was prosecuted, the department did use a degree of discretion and decided which offences ought to be prosecuted and which ought to be expiated per medium of fines. In the same period 94 offences were expiated. The honourable member also refers in his allegation of the prosecution officer swanning around the State to the fact that he ran up unnecessary costs for accommodation, meals, air fares and vehicle operating expenses. His analysis of that situation as based on Public Accounts Committee figures and figures from previous Estimates Committee hearings was unfair and unreal.

The honourable member quoted figures which were taken from an eight month period from 1 October 1986 and the figures that he related did not refer specifically to those 54 prosecutions but to all prosecutions during the year. Again, the evidence is biased, because the sample taken was restricted. The member for Victoria also referred to the fact that in the last financial year income from fines was minimal. He suggested that it would be more cost effective for people to expiate offences. On further investigation it turns out that the reality is that $27 000 in total was collected in fines and expiation fees last year. Therefore, far from the Prosecutions Branch of the department being a drain, it is anything but a drain: in fact it operates incredibly cost effectively and, into the bargain, it has the effect of discouraging and stopping the kind of behaviour that is designed to discourage and stop. It is misleading in the extreme to refer to costs as the honourable member has.

I would go so far as to suggest that the department has chanced its arm and backed its judgment rather intelligently, because one single successful appeal against a prosecution could involve the department in pay-outs well in excess of $2 000 or $3 000. In fact, none of those occurred. None of the prosecutions led to appeals, much less successful appeals, and the department's Law Enforcement Branch has operated cost effectively and, in terms of the result on public behaviour, with admirable effect in the sense that the behaviour has been curbed.

It is also worth noting that the department is going a little further in singling out two specific regions which in future will have their own law enforcement inspectors, that is, Port Augusta and Murray Bridge. That move will meet some of the objections, fallacious or otherwise, raised by the honourable member opposite in the sense that members will not have to travel so far to attend court hearings or to issue expiation notices. They will in future be based in Port August and Murray Bridge. As specious and as malicious as the honourable member's allegations were, at least that aspect of his complaint will have been met.

The Hon. TED CHAPMAN (Alexandra): Since the commissioning of the *Island Seaway* in October last year—

The Hon. J.W. Slater: It's a bit of a saga.

The Hon. TED CHAPMAN: The member for Gilles says that it is a bit of a saga. It has been, but on this occasion I do not intend to aggravate the situation that we have been required to live with in our community following the commissioning of that ship. Certainly, in the meantime—on 21 October 1987, 3 November 1987, 24 November 1987, 25 February 1988, 1 March 1988, 2 March 1988, 22 March 1988, and 6 April 1988—the subject of the *Island Seaway* has been canvassed in this House one way or another by members of the Opposition.

Following the commissioning of that ship and until the end of last year I chose to refrain from much comment about the vessel because I had not been close to the scene during its final building stages. As members would know, I was otherwise encumbered in that period. Nor did I nor

have I any great experience of a marine kind to be able to challenge the allegations or subscribe to the allegations that have been made by various members about the ship. It is true to say that I was involved in calling on the Government to revise its schedule of space rates applicable to the new ship, because they were proving to people who have no alternative but to use the ship to be somewhat of an embarrassing burden on them.

I was involved in some criticism about the speed of the ship, it being slower than its predecessor, the M.V. *Troubridge*. I raised that matter specifically in relation to its schedule and its market connection, and so on. I raised the matter of its below deck ventilation, or lack of it. There were reports of the wharf and Birkenhead Bridge bashing by the new ship and the resultant scarring of the new vessel's hull.

I refer to the anchor debacle. We all recall that the ship for some reason that was never quite determined broke an anchor chain and left it in Nepean Bay off Point Morrison near Kingscote. There was a situation that occurred on the trip back from Port Lincoln where the toilet doors fell off and allegedly there was a shortage of food and other refreshments for the passengers. There were more claims of steerage problems on the ship despite the attempts of the old man—Captain Gibson—to defend the Government and the department during his period as its skipper.

The cracking of the ship's welding in the region of the stabilising fins is probably the issue which has raised most concern to the local community, but is perhaps not yet widely understood by mainlanders not dependent upon that ship. When a ship's hull cracks along the weld seams and lets water into the aft hold of the ship, there are grounds for concern, to say the least. She did take on water causing serious listing and that in turn further aggravated the steerage problems to which I referred earlier today and on other occasions.

This sequence of events where the ship has had trouble berthing in rough waters and even on other occasions when conditions have been described as no more than a stiff breeze do alarm me and constituents of mine in the Kangaroo Island community in particular, because the ship was commissioned towards the end of last spring. It has enjoyed an unusually calm summer and autumn period in its early months of operation and is about to go into the winter. Strangely enough, last month while some of these welding works and other associated maintenance works were being carried out at Port Adelaide, not by Eglo Engineering, the builders of the ship, but curiously by another engineering company altogether, Perry Engineering—I understand at a cost of about $500 000—there was no time to complete the below deck ventilation work which has been out of operation since the inaugural trip, as I understand it.

Indeed, livestock were not allowed to be carried below deck on that ship in the interim period. Quite apart from those difficulties, which the Government says it is seeking to overcome, there seems to be, so far, no move to lift the ship out of the water with the big, new, expensive ship lifter that the Government built last year to have her properly checked before we go into the winter. I think it is important to raise this matter yet again before this House commences its recess next week so as to remind the Government of the importance of having this exercise undertaken. It will be too late, and indeed useless, a few months down the track to say, 'We told you so.' It would be much better if the job was done properly now, in calm conditions, so that the whole community can be assured of its safety and so that the ship can go into winter in a condition about which we can all feel quite relaxed. No-one is relaxed about it at the moment. Despite the cost of the ship quoted by various authorities as being somewhere between $15 million and $20 million, not one member of the Government has ever travelled on it.

Mr Meier: You're joking.

The Hon. TED CHAPMAN: I am not joking. I'm fair dinkum—not one member of the Government. It might be said that not one member of the Opposition, either—

Mr Meier: I wonder why.

The Hon. TED CHAPMAN: My colleague says, 'I wonder why.' Because, like the rest of the community, they are too bloody frightened to go aboard. At least it is all right for them to go aboard while she is in the port or tied up at the wharf at Kingscote, but not to actually traverse the passage. It makes one wonder whether the Government is serious about its confidence in the ship's design or in the ship itself. If it is, I would suggest that in the early days of the forthcoming recess a number of Government members, including the Ministers directly involved with the ship, go to Kangaroo Island on the *Island Seaway* and show the community at large that they are confident about her capacity to perform. I remind the House that backbenchers can go to and return from Kangaroo Island on that ship on their gold pass—they can do it for nothing, no financial handicap. However, there has been this incredible reluctance for any of them to do so to date.

Better still, and to show absolute confidence, they should wait a few more weeks until the winter months, the middle of July or maybe August, when there is a bit of bad weather and test her in the real sea. In the meantime, I have not been blessed with much information from the transport committee at Kingscote on Kangaroo Island, because apparently it has not met other than once, for a very brief period, since the commissioning of the ship. I am not sure whether it has been muzzled, it has given up, or is not bothered any more about the programs or monitoring of the ship's activities. It is strange, to say the least, that there is so much silence at that end. We are worried, and we want it fixed up. We want to be able to proudly promote that ship and we want to see the Government actively involved in publicly promoting it for tourists and other trade use for which it was designed. We want to see this occur with the pride, thrust and vigor that that major investment of the State deserves.

Motion carried.

At 5.25 p.m. the House adjourned until Tuesday 12 April at 2 p.m.