## HOUSE OF ASSEMBLY

Tuesday 23 August 1988

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

### PETITION: HOUSING TRUST RENTALS

A petition signed by 124 residents of South Australia praying that the House urge the Government to limit South Australian Housing Trust rental increases to once a year, in line with inflation, and not to consider the Family Allowance Supplement and War Veterans' Disability Allowances as income was presented by Mr Becker.

Petition received.

## QUESTIONS

**The SPEAKER:** I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 7, 10, 14 to 20 and 22.

### MINISTERIAL STATEMENT: COORONG CARAVAN PARK

**The Hon. LYNN ARNOLD (Minister of State Development and Technology):** I seek leave to make a statement.

Leave granted.

**The Hon. LYNN ARNOLD:** In the *Advertiser* of Friday 19 August the member for Coles was quoted as saying:

> However at the time Mrs Appleby made this statement (referring to my asking the Auditor-General to investigate documentation related to the Coorong Caravan Park), the matter was not in the hands of the Auditor-General. I have spoken to Mr Sheridan who has confirmed that he did not receive the reference from the Government until some time after Mrs Appleby told Parliament the matter had already been referred to him.

The member for Coles went on to say:

> This is confirmed by the fact that at least two journalists who telephoned the Auditor-General's office during the afternoon were told that, at the time of their calls, the matter had not been referred to Mr Sheridan.

If those statements were a correct reporting of the statement made by the member for Coles, they imply that I as Minister and perhaps the member for Hayward were parties to misleading Parliament.

**The Hon. Jennifer Cashmore:** That was the impression.

**The Hon. LYNN ARNOLD:** The member for Coles confirms that that was the impression she was intending to give.

*Members interjecting:*

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

**The Hon. LYNN ARNOLD:** With respect to the member for Hayward, I can advise that the amendment moved by her last Thursday is entirely consistent with advice she received from me and upon which she acted in good faith. With respect to myself, I categorically reject the implication that I gave the member for Hayward information likely to mislead the Parliament. The information given was correct; the allegations of the member for Coles are totally incorrect.

Mr Speaker, I now table some documents relevant to this matter.

*The Hon. Jennifer Cashmore interjecting:*

**The SPEAKER:** Order! I ask the Minister momentarily to resume his seat. The honourable Minister has been given leave to make a statement. Leave has not been given for the honourable member for Coles to interject. The honourable Minister.

**The Hon. LYNN ARNOLD:** Thank you, Mr Speaker. First, I table an extract of minutes of the formal weekly office meeting held in my ministry on 16 August. That extract indicates both the time and nature of my instruction that documentation should be forwarded to the Auditor-General. The minutes state, in part, 'Prepare memo to be signed today'. Secondly, I table a copy of part of the daily docket register for 16 August which lists the dockets I attended to on that day. That document indicates that, with respect to dockets relevant to the Coorong caravan park, the reference to the Auditor-General was signed on 16 August. Thirdly, with her concurrence, I table a statutory declaration—

*Members interjecting:*

**The Hon. LYNN ARNOLD:** I am being advised now that I have cooked the books. I suggest that members listen to the rest of this statement.

*Members interjecting:*

**The SPEAKER:** Order! I call the honourable member for Victoria and the honourable member for Murray-Mallee to order.

*The Hon. J.W. Slater interjecting:*

**The SPEAKER:** Order! I also call the honourable member for Gilles to order.

**The Hon. LYNN ARNOLD:** I table a statutory declaration signed by Ms Cassie Miller, a clerk in my office. That statutory declaration states, in part, 'that I personally hand delivered three Office of Employment and Training dockets numbered 7863A, on the subject of CEP projects Coorong caravan park to the office of the Auditor-General, QBE Building, at approximately 2.30 p.m. on Wednesday 17 August 1988'. Fourthly, I now table a minute received in my office on 19 August from the Auditor-General. I will read that minute in full:

> I would like to clarify a statement attributed to me by Ms Cashmore in the *Advertiser* of 19 August 1988 with respect to the Coorong caravan park.
>
> 1. That I confirmed (to Ms Cashmore) that I did not secure the reference from the Government until some time after Ms Appleby told Parliament that the matter had already been referred to him (the Auditor-General—my words).
>
> *(a)* I have no idea at what time Ms Appleby told Parliament about this matter.
>
> *(b)* I told Ms Cashmore when she rang late in the afternoon of 18 August 1988 that I had only seen—

those words were underlined—

> (not received) the reference earlier that afternoon.
>
> 2. I only told one journalist (from channel 10) who rang early in the afternoon on 18 August 1986 that I had not seen (again underlined) the reference at that stage. The journalist did not seem to be further interested in the matter.
>
> This office is rather busy at the moment with audit report work, and material that comes into the office, unless marked urgent, is not necessarily brought to my attention immediately.

He goes on to say:

> I have checked with my staff and have been advised that the reference (not marked urgent) was received at this office on Wednesday afternoon.

These documents clearly indicate that the member for Coles, if correctly reported, has misrepresented the facts of this matter in a grubby exercise where she has quite improperly sought to involve the Auditor-General in a political stunt. However—

*Members interjecting:*

**The Hon. LYNN ARNOLD:** —there is another question that needs—

**Mr S.J. BAKER:** I take a point of order.

**The SPEAKER:** Order! The honourable member for Mitcham has—

*Members interjecting:*

**The Hon. LYNN ARNOLD:** Sir—

**The SPEAKER:** Order! Just a moment; before I take the point of order from the honourable member for Mitcham, I again call the member for Victoria to order and point out to him that repeated conduct of the nature that he has displayed in the past few minutes could lead to serious consequences. The honourable member for Mitcham has a point of order.

**Mr S.J. BAKER:** References in Standing Orders and Erskine May prevent members reflecting motives—

**Mr Hamilton:** It's never worried you.

**Mr S.J. BAKER:** The honourable member opposite can hardly talk in this House in those terms.

**The SPEAKER:** Order! The honourable member is no longer proceeding with a point of order. It is difficult for the Chair to consider a point of order on this particular matter in view of the number of interjections making allegations about cooking the books and members using language of that nature.

*An honourable member interjecting:*

**The SPEAKER:** Order! The honourable Minister.

**The Hon. LYNN ARNOLD:** There is another question which needs attention in this matter, namely, why I did not refer the matter to the Auditor-General at an earlier stage than last week. The simple reason is that none of the documentation relevant to the Coorong caravan park CEP project that I have seen indicates that any CEP guideline or instruction has been breached. To refer, therefore, a matter about which there is no reasonable doubt concerning the propriety of actions of any of the parties involved to the Auditor-General, when he is already heavily committed with other audit work, did not seem an appropriate course of action for me to follow. However, given that the member for Coles had given notice of her motion, I determined, despite a concern that I was unnecessarily burdening the Auditor-General with extra work, that the Opposition should not be allowed to play further political games—

**The Hon. E.R. GOLDSWORTHY:** On a point of order, Mr Speaker.

**The Hon. LYNN ARNOLD:** —by creating a climate of suspicion impugning the motives of all parties involved in the Coorong caravan park.

**The Hon. E.R. GOLDSWORTHY:** The point of order, Mr Speaker, is that the Minister is clearly commenting.

**The SPEAKER:** Order! The Deputy Leader and the honourable Minister will resume their seats for a moment. It is not appropriate for the honourable Deputy Leader, even though the Minister was clearly infringing by continuing to speak at the time when the Chair was casting its attention towards the point of order being made by the Deputy Leader, to shout across the Chamber in such a manner. The honourable Deputy Leader has a point of order.

**The Hon. E.R. GOLDSWORTHY:** Thank you, Mr Speaker. I just wanted to make sure that I had your attention. The Minister is taking not the slightest bit of notice of you in the Chair. The fact is that he is clearly commenting.

**The SPEAKER:** Order! There is no point of order. This is not Question Time.

**The Hon. E.R. GOLDSWORTHY:** I ask you, Mr Speaker, to rule that the Minister is commenting and that he cannot proceed in that vein.

**The SPEAKER:** Order! There is no point of order whatsoever—none. The honourable Minister.

**The Hon. LYNN ARNOLD:** Thank you, Mr Speaker.

**The Hon. E.R. GOLDSWORTHY:** Mr Speaker, on a point of order.

**The SPEAKER:** Order! The honourable Deputy Leader has another point of order.

**The Hon. E.R. GOLDSWORTHY:** I will rephrase my point of order. The Minister is obviously debating the question and reflecting on a member of the House.

*Members interjecting:*

**The SPEAKER:** That is a point of order. The Chair can proceed without the 'assistance' (in inverted commas) of the honourable member for Mitcham. The Chair asks the Minister to desist from making remarks such as 'grubby exercise' or reflecting on an honourable member opposite, notwithstanding some of the unparliamentary language directed at the Minister prior to the Minister's making those remarks. We must accept that two wrongs do not necessarily make a right. The honourable Minister.

**The Hon. LYNN ARNOLD:** Thank you, Mr Speaker. It should also be noted that until notice was given of this motion, nobody had formally submitted to me a request that the issue be referred to the Auditor-General. It is true that the member for Coles had been publicly stunting in the press; she had not, however, either written to me or raised questions of me in the House asking for such a referral. The honourable member owes apologies for her reported comments: first, to the Auditor-General for seeking to involve him in a political stunt; secondly, to the member for Hayward and myself for implying we had been parties to an attempt to mislead Parliament. I look forward to hearing her personal explanation after Question Time.

## MINISTERIAL STATEMENT: SUBMARINE CONTRACT

**The Hon. LYNN ARNOLD (Minister of State Development and Technology):** I seek leave to make a statement.

Leave granted.

**The Hon. LYNN ARNOLD:** On 17 August the member for Mitcham made further comments in the House regarding the submarine project following my rebuttal in answer to a question in the House earlier that day, regarding allegations he made in the Address in Reply debate. He stated that his comments represented 'the truth of the matter, and not what the Minister reported to the House today'. For the information of the House I now again clearly answer the issues raised by the honourable member.

On 16 August the member said that, if there had not been any hold-ups through industrial action all sections of the submarines would be built in South Australia. Further, in referring to plans to construct the midship and bow sections of the first submarine in Sweden, he said that it was not part of the original deal.

This is incorrect. There was a clear understanding from late 1986 that under the bid by Kockums the midship and bow sections of the first submarine would be built in Sweden and shipped to Australia for final assembly. I now table a letter from the Corporate Affairs Manager of ASC that confirms the relevant aspect of the former offer made to the Commonwealth dated 11 November 1986, which states:

> We plan on building the bow section, the bulkhead section and two outfitted decks on the first submarine in Sweden. This plan will develop the necessary technology and training of Australian personnel for subsequent transfer to Australia.

I think that even the member for Mitcham can work out that this clearly pre-dated the industrial dispute which occurred early this year by 18 months. That proposal is, I am assured by the Australian Submarine Corporation, inherent in the contract signed on 3 June 1987.

On both 16 and 17 August, the honourable member claimed that he had tender documents or contract documents on the submarine project contract—a situation I find hard to believe as that is not a public document. He may have had some other material, but the contract document is the only document relevant to the project and I can assure the House that I am confident a copy is not in the hands of the member for Mitcham; if it was, then he would not have made the comments which he did last week. However, if he does have possession of such documents he could be in breach of several Federal Acts and regulations relating to defence and security matters, not to mention that he is choosing to misrepresent their contents.

The honourable member also told the House that the Swedish submarines chosen for the contract were not suitable for our design specifications and they had to be modified. Further, he said that two other countries had submarines more suitable for our purposes. I can point out only that both the Swedish and German designs made it to the final round of the tender because of the very fact that they met the navy's requirements. I hope the member is not trying to suggest that we should reopen the tender process.

The honourable member also claimed a massive slippage in the project, claiming the action of unions at the site to be a major reason; this is again incorrect. The only slippage which occurred was the difference between the navy's original desired in-service dates (that is, the dates that the navy indicated in the early 1980s) and those actually written into the contract which, I remind members, was signed well before the industrial dispute occurred. Rear Admiral Oscar Hughes, the RAN's Submarine Project Director, has not reported any slippage in the schedule as set down in the contract.

I must also again reiterate the point that the industrial dispute earlier this year did not affect construction work at the submarine site. Some unions declared bans but did not implement them. To bring members up to date, I report that talks are approaching a conclusion and the issue is expected to go before the Arbitration Commission within a matter of weeks. Finally, the honourable member claimed that South Australia's share of the contract had fallen to 25 per cent. This is only a guesstimate on the part of the honourable member, as no-one knows what the final outcome will be. A large number of contracts are yet to be let and South Australian firms are currently bidding for that work in anticipation of the tenders being called and let.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. LYNN ARNOLD:** So how can one know what each State will get? I have already briefed the House on the benefits to South Australia from the project, and I refer members to my answer last week. This project is a major boost for the economy of this State, for the companies and the people in this State who are prepared to have a go. I hope, now that I have again fully explained the facts to members opposite, they will finally join with the Government in giving full support to what is one of the most significant industrial projects ever undertaken in this State.

## PAPERS TABLED

The following papers were laid on the table:

By the Minister of Transport (Hon. G.F. Keneally):
Building Act 1971—Regulations—Insurance Indemnity.

By the Minister of Labour (Hon. R.J. Gregory):
Disciplinary Appeals Tribunal—Report, 1987-88.
Industrial Conciliation and Arbitration Act 1972—Industrial Court Rules—Hearings and Forms.

By the Minister of Marine (Hon. R.J. Gregory):
Boating Act, 1974—Regulations—
Balgowan Zoning.
Black Point Zoning.

## QUESTION TIME

### *ISLAND SEAWAY*

**Mr OLSEN:** Will the Minister of Transport take immediate action to ensure that the berthing ramp of the *Island Seaway* can be operated at all times in an emergency? Last Wednesday night, a Mr Forst of Kingscote was pronounced dead on arrival at the Queen Elizabeth Hospital after having been taken off the *Island Seaway* in a collapsed state. I have been informed that while the *Island Seaway* had been scheduled to depart from Port Adelaide at 1.30 last Wednesday afternoon, an engineers' ban delayed the ship for four hours. When she finally left at 5.30 she was only 30 metres clear of the wharf when engine trouble forced her back to the wharf. Eventually, the ship's Captain decided to delay the departure for Kingscote until the following day and the 14 passengers aboard were offered taxi transport to their own or company-provided accommodation. Permission also was granted to enable passengers, in the company of a ship's officer, to go to the normally 'out of bounds' lower vehicle deck to recover personal belongings for their unexpected overnight stay in Adelaide.

In the case of Mr Forst, special permission ultimately was given to allow his frozen cargo of rabbits and chickens to be relocated within the ship. At about 8.30, Mr Forst was found collapsed on the floor of the lower deck by a ship's officer. An ambulance was immediately called while crew and passengers, in the absence of professional medical help, attempted to revive Mr Forst, apparently assuming that he had suffered a heart attack. The shore-based employee normally engaged to operate the ship's ramp was not on duty and, because of industrial demarcation, no other member of the crew was able to press the button to lower the berthing ramp, thus denying the ambulance access to the vehicle deck. I also have been informed that there was no portable stretcher on board. Eventually, Mr Forst had to be manhandled up about 7 metres of winding and narrow stairway to the passenger deck. He was then taken to the ambulance via the passenger gangway where more prompt and accessible attention may have given medical authorities more opportunity to save his life.

**The Hon. G.F. KENEALLY:** I thank the honourable member for his question. I do not really know the purpose of this question and whether or not the honourable member is trying to apportion blame or whether he is actually seeking information. I hope that it is the latter because, on the advice that has been provided to me, the operators of the *Island Seaway* (Millers) and its employees (the engineer in charge and the crew) performed very professionally in the tragedy to which the honourable member has referred. The Leader of the Opposition has related to the House an event, the circumstances of which are not in my possession. The operators of the vessel (Millers), which is a private enterprise company of significant standing and which is very experienced in this area, has provided a report that does not include the allegations now made by the Leader of the Opposition.

I will have the honourable member's allegations investigated to see just how valid or otherwise they are, because for a long time my experience has been that it is very stupid

to take on face value the allegations of members opposite, because very rarely—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. G.F. KENEALLY:** —are they supported. However, if there is some basis for the allegations made by the honourable member, that will be investigated and I will provide a report to the House.

## OVERSEAS STUDENTS

**Mr GROOM:** Is the Minister of State Development and Technology aware of concerns being expressed about Australia's future immigration policy following comments made by senior members of the Federal Coalition that they wish—

*Members interjecting:*

**Mr GROOM:** It is a question—to reduce Asian immigration and how does he see the new Federal Opposition policy affecting this State's efforts to attract full fee paying overseas students? Reports of the new Federal Coalition hard-line policy on Asian immigration have reached Asia, with the clear perception that it is racist in nature. The media has already reported an effect on Japanese investment in Australia—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr GROOM:** —and a case involving a potential Hong Kong business migrant to Australia. Are South Australia's efforts to attract more overseas students, particularly from Asia, in jeopardy?

**The Hon. LYNN ARNOLD:** I thank the honourable member for his question. I note that, when I answered a question on this matter last week, there seemed to be some derision from the other side about this issue.

*Members interjecting:*

**The Hon. LYNN ARNOLD:** They did. However, the issue goes on being one of significant importance in light of the Federal Liberal Party meeting held yesterday where it concurred with the policies now stated by the Leader of the Opposition. Last night he kept on repeating the statements he made earlier. Indeed, no sooner had I made the statement in the House last week that this may put at risk the recently successful program on business migration from South Australia's point of view, when somebody in the private sector reported an example of a client who had already telephoned him and expressed grave concern about the decision to come to South Australia.

The basis of the concern was comments reported internationally with respect to the attitude of the Federal Opposition. I can now indicate that the business person who made those comments last week when he was approached by a potential business migrant to South Australia is now confident that that person will, indeed, continue with his plans to come to South Australia. I am encouraged by that.

Certainly, the point remains that there could be a serious threat to investment plans in this country, and that could jeopardise the flow of investments to productive assets that give Australia the industrial capacity and international competitiveness that we need. Comments made in the media last week, for example in the *News*, about the curb of Japanese cash to this country in the light of comments made by the MITI Ministry in Japan, are indicative of that.

With respect to the education program, this State Government has been supporting the provision of export education services to overseas students within South Australia—not taking away places available to South Australian students but, indeed, generating revenue that will create more places in our education sectors for South Australian students. I can advise that, to date, that program is showing signs of great success. All higher education institutions are participating and are developing a business plan for the period 1989 to 1992. All of them look forward to growing numbers.

One department alone, the Department of Technical and Further Education, this year received some 251 full fee-paying overseas students. It is estimated that that number will grow to about 1 400 students in all our institutions by 1992. Those 251 students will have generated $3 million for the State economy: $2 million in course fees, and at least $1 million in living expenses. Examinations indicated that of those 251 students, 150 came from Hong Kong, Malaysia or Singapore.

The Federal Opposition not only wishes to put at risk our investment climate in this country with respect to general investment and also business migration investment but seems to wish to jeoparise this education program whereby we sell education places to overseas students. I repeat, that that action is generating revenue for the creation of more places in our tertiary education sector for South Australian students. It also wishes to put a stop to that.

## *ISLAND SEAWAY*

**The Hon. TED CHAPMAN:** When was the Minister of Transport first informed about the circumstances of the death of a passenger on the *Island Seaway* last Wednesday night? Did he take any action to bring this matter to the attention of the Coroner and, if not, why not?

The events surrounding the death of Mr Forst were explained previously by the Leader in his question to the Minister. I have been informed that the agents operating the vessel for the Government, R. W. Miller and Company, sought legal advice on this matter and consulted the company's insurers who in turn carried out their own inquiry, prepared an internal report and sought and obtained a written statement from at least one passenger on the vessel in the event that a claim arises from this matter.

However, as recently as yesterday, that is just before the cremation of the deceased was due to go ahead, the details of the incident had not been officially brought to the attention of the Coroner even though section 6 (1) *(c)*—

*Members interjecting:*

**The SPEAKER:** Order! The honourable member for Alexandra has the floor, not the Deputy Leader. The honourable member for Alexandra.

*Members interjecting:*

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

**The Hon. TED CHAPMAN:** That was even though section 6 (1) *(c)* of the Coroner's Act Amendment Act 1981 gives the Government the power to initiate such an inquest.

**The Hon. G.F. KENEALLY:** I repeat, I do not know the purpose of this question, but I fear that the standards in this Parliament are reaching new lows.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. G.F. KENEALLY:** I was advised by Millers, the operator of the *Island Seaway* (which is a private company and which does not have to report to me but does so because it knows the nature of politics in South Australia), when the engineers went on strike over a manning dispute which has been continuing since the *Island Seaway* was commissioned. For those who are not already aware, but who ought to be aware, I point out that the marine engineers

have been in dispute with Millers, the operator, since the commissioning of the vessel.

I was then informed that there was a fault in the motor. It involved part of the equipment that had been checked the previous day because the warranty had run out on that day. It was taken out, checked and put back. There was a small malfunction and the engineer said that he would not take it any further. He had not gone past the Birkenhead bridge, so he brought the vessel back to have the malfunction rectified. I was informed of that. While the malfunction was being rectified, Captain Gibson received the weather report, which indicated winds gusting to 30 to 40 knots. Those members opposite who know or assume to know about coastal waters would appreciate that wind gusts of 40 knots indicate very heavy weather indeed. The skipper decided not to go to sea. I was informed of that.

Shortly after, I was informed that a passenger on the *Island Seaway* had taken ill and that he had been transported to hospital. I was informed from the hospital that the passenger had died. That is a tragedy, and my sympathy goes to the family. But I doubt whether members opposite, who are trying to make this a political issue, have the same regard.

*Members interjecting:*

**The SPEAKER:** Order! The honourable member for Davenport.

**Mr S.G. EVANS:** On a point of order, Mr Speaker, that is a direct reflection upon all members of the Opposition and it is unbecoming of the Minister. I believe that you should rule the remark out of order.

**The SPEAKER:** Order! The first part of the political statement by the honourable member for Davenport was a point of order. The second part was not. However, as I recall it, on previous occasions the Chair has ruled that what may be unparliamentary if directed at an individual member of Parliament is not so when done collectively.

**Mr S.G. EVANS:** Mr Speaker, I just wish to have the point of order made clear. Are you saying that it is all right for a member to reflect upon a total group, and that you will accept it at any time?

*Members interjecting:*

**The SPEAKER:** Order! First of all, what the honourable member is putting to the Chair is a hypothetical point of order, and the Chair does not rule on hypothetical points of order. Secondly, the Chair is merely following what has been past practice. Thirdly, unparliamentary language is unparliamentary language, regardless of whether it is directed at a group or at an individual. If unparliamentary language is used, it will be ruled against on the basis of its being unparliamentary.

**Mr S.G. EVANS:** Mr Speaker, on a further point of order—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr S.G. EVANS:** I raise the point that the Minister was reflecting an improper motive upon the total Opposition, and you are saying there was no reflection.

**The SPEAKER:** Order! The Chair has ruled on that point of order. I will merely add one further comment. Hardly a day passes in this House when the Opposition does not collectively comment on the Government and the Government does not collectively comment on the Opposition.

**The Hon. TED CHAPMAN:** On a point of order, Sir, I do not wish to hold up the House but I take the view that the specific comment made by the Minister in referring to the reflection on this side of the House was, if anything, directed at me as an individual, Indeed, I asked the question. I consider it regrettable—

**The SPEAKER:** Order! There is no point of order. If the honourable member wishes to make a personal explanation at some stage, he can do that at the conclusion of Question Time. The honourable Minister.

**The Hon. G.F. KENEALLY:** Thank you, Mr Speaker. I express my disgust, because every member opposite knows the arrangements between Millers and Smiths, the operators of that vessel, and the Government. The Government is not the operator. The people who operate it are not agents for the Government and they operate—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. G.F. KENEALLY:** —a service and they set the rules for that service. They set the operating times and the conditions. By their questions, members opposite are trying to suggest that somehow or other the Minister of Transport is responsible for the operation of that service. The Minister of Transport is not responsible for that service. However, the Minister of Transport is concerned for the family of the deceased. The Minister is also concerned, on behalf of the taxpayers of South Australia, that the operation is viable and provides for the needs of the people on Kangaroo Island.

In answer to the question from the honourable member for Alexandra as to why, as Minister, I did not call for a coroner's report, I point out that a coroner's report is usually called for when there are some unusual circumstances surrounding the death of a person, and that can be judged by the hospital and people involved. There is nothing in the report that was given to me which suggests in any way that a coroner's report should be provided or called for on this occasion. If members opposite have evidence that they suggest warrants a coroner's inquiry, they should provide it to the coroner. Nothing in the information provided to me warrants my calling for a coroner's report. It would be a very unusual circumstance for a Minister of the Crown to call for a coroner's report. Established procedures provide for that quite properly and adequately.

**The SPEAKER:** Order! I am of the view that I erred slightly in totally rejecting the point of order of the honourable member for Alexandra.

**The Hon. Ted Chapman:** Quite right.

**The SPEAKER:** Order! The Chair can perform without the honourable member's assistance. The point of order raised was slightly different from the one raised by the member for Davenport. If the Chair erred, it was because of the general uproar at the time, which made it somewhat difficult.

## COMPUTER SOFTWARE SALES TAX

**Mr HAMILTON:** I ask the Minister of State Development and Technology: will he advise the House how he considers the current application of sales tax provisions and the manner in which it impacts on the computer software industry? Will he be taking any action to try to correct reported problems experienced by software developers? It has come to my notice that the computer software industry has expressed deep concern over the application of sales tax on software. I am informed that this was heightened by recent efforts by the tax department to investigate several companies in Sydney. Media reports of statements by software producers indicate concern that the industry is not receiving the same treatment as other industries, in that they are being taxed on the service aspect of software sales.

**The Hon. LYNN ARNOLD:** I certainly share the concern of the honourable member. It is a matter of concern to the

software industry in South Australia, which boasts over 100 firms amongst its members. The State Government has actively supported the industry, most recently by the establishment of the Software Export Centre, jointly financed by the industry and the Government. The concern of the industry, which is shared by the Government, resulted in my writing to the Federal Minister in June this year to ask for this particular tax to be rescinded or, at least, for the most severe aspects of it to be modified. It is clearly a disincentive to the local software industry and it is contrary to a proper industry development policy. The software industry sector is very important for this State.

The problems of the system that have now been introduced by the Federal Government include a tax being applied on the service aspects of software supply whereas in other industries service aspects are exempt from sales tax calculation. Furthermore, there is confusion over the application of the tax, including a separation of the service and supply aspects. There is also the problem of the actual wholesale versus retail cost of software, which is very often sold directly by the manufacturer. That disincentive to industry generally applies and software costs rise to reflect the cost of the sales tax, which is currently absorbed by the producers. Ideally, the State Government would like that tax to be scrapped but, whilst it accepts the need for a tax on products such as computer games and for a broad-based tax system, the Government understands that several problems face the Federal Government in performing equitably in this matter.

In writing to both John Button and Paul Keating, I urged that that tax should not be proceeded with. At the very least, I said, there should be modification so that the sales tax would apply only to packaged software, which would mostly impact on imported software and would avoid taxation of the service element. Secondly, I asked that clear guidelines be established in respect of the wholesale price, as to what constituted software and what constituted the service aspects of a contract. In his reply dated 21 June, the Hon. John Button stated that these matters were being further examined by the Federal Government. He ended his letter with the following statement:

> The outcome of the review will be considered by Cabinet and an announcement is expected to be made by the Treasurer in the forthcoming budget.

The State Government will be watching with great interest to see what announcements are made this evening in respect of this matter, because we believe that this industry needs a change in this aspect of the tax.

## *ISLAND SEAWAY*

**The Hon. TED CHAPMAN:** Is the Minister of Transport telling this House today that he is unaware that a formal coronial inquiry is presently under way in relation to the incident referred to earlier in Question Time?

**The Hon. G.F. KENEALLY:** No, I did not say that. The question asked by the member for Alexandra concerned whether I had called for a coronial inquiry, and I said that, for a number of reasons which I explained to the House, it was not the role of the Minister of Transport to do so. If a coronial inquiry is under way, it is in the normal course of events, the authorities believing that it is warranted. In reply to the question asked by the Leader of the Opposition, I have received the following information. The House should be aware that the decision to take the now deceased patient to the ambulance in the way that happened was made by the operators of the vessel and had nothing at all to do with any problems concerning the berthing hatch or the door.

*Members interjecting:*

**The Hon. G.F. KENEALLY:** I suggest that this is a serious matter indeed and not one on which the Opposition should try to score points. This matter has been raised in this House, in such a way as to suggest that the operator of the vessel (Miller) was in some way at fault last week when this tragedy occurred. That is a serious allegation indeed that needs to be clearly rebutted here. I am doing that and at least I should be given the opportunity to defend the good name of a company which has a good reputation in South Australia and should not be traduced in this place in the way that it has been. I am advised that there was no point in trying to open the berthing hatch because the berthing ramp, operated by the Marine and Harbors Department, was locked away and the wharf labourers were needed to put the ramp in place to enable the person to be taken off.

It was decided that in the best interests of the patient it would be much quicker to take the patient from the vessel in the manner adopted so that he had access to the ambulance and the hospital as quickly as possible. That was done and that decision was made. I think that it was a proper decision made under extreme circumstances by the people who were there. Anyone can be wise after the event, but at the time of an emergency situation on the *Island Seaway* at Port Adelaide, R.W. Miller took the most appropriate action, as the people most expert in that area. They had a job to do and they did it. In retrospect some people may think that Millers should have operated differently. I guess that that may be something that will come out of the coroner's report. However, it suggests to me that, while the coroner is investigating this matter, as indeed the member for Alexandra acknowledges that there is to be a coroner's report on this tragedy, it is certainly the role of responsible people in this Parliament and elsewhere not to try to make political capital out of it.

*Members interjecting:*

**The SPEAKER:** Order! I call the Minister of Transport and the Leader of the Opposition to order. The honourable member for Fisher.

## HOUSING TRUST TENANTS

**Mr TYLER:** My question is directed to the Minister of Housing. Did the front page of the—

*Members interjecting:*

**The SPEAKER:** I ask the honourable member for Fisher to resume his seat. I will be able to give him the call in a moment when the House has come to order. I again call the Leader of the Opposition—and the Premier—to order for conducting a dialogue across the Chamber. The honourable member for Fisher.

**Mr TYLER:** My question is directed to the Minister of Housing. Did the front page of the *Southern Times* Messenger of Wednesday 17 August reflect the true position of the majority of Housing Trust tenants in the southern region? The *Southern Times* Messenger circulates in parts of my electorate. As a result of what appeared on the front page of that paper, representations have been made to me—

**Mr LEWIS:** A point of order, Mr Speaker.

**The SPEAKER:** Order! Will the honourable member for Fisher resume his seat. The honourable member for Murray-Mallee.

**Mr LEWIS:** The member for Fisher's use of the word 'true' in describing the position taken in the article referred to invites the Minister to comment and give an opinion which, on my understanding of Standing Orders, is out of order.

**The SPEAKER:** My initial response is that the honourable member for Murray-Mallee is probably correct, but I will ask the member for Fisher to bring the question to the Chair, so that, instead of being ruled out of order straight away, it can be studied more closely.

## COORONG CARAVAN PARK

**The Hon. E.R. GOLDSWORTHY:** Will the Premier take the necessary steps to ensure postponement of settlement of the sale of the Coorong caravan park until the Auditor-General has completed his investigation into this matter?

**The Hon. J.C. BANNON:** I am surprised that the question has been directed to me. I will discuss the matter with my colleague and see whether it is appropriate.

*Members interjecting:*

**The SPEAKER:** Order! The Chair is rapidly losing patience with the repeated interjections of the honourable Deputy Leader, who has been called to order three times during the course of Question Time.

## HOUSING TRUST TENANTS

**Mr ROBERTSON:** Was the Minister of Housing and Construction made aware of a public meeting held at the Noarlunga Centre on Thursday 18 August, which apparently arose from an article in the *Southern Times* on Housing Trust rents? Further, did the Minister receive an invitation to attend that meeting?

**The Hon. T.H. HEMMINGS:** I thank the member for Bright for his question. I certainly knew about the meeting, but I definitely was not invited. In fact, I found out about the meeting the day before it was held—not from the *Southern Times* but via the Premier's office. On that day (17 August) the Premier received a beautiful, well laid out letter which would have done credit to my senior stenographer/secretary. I found out later that the letter was typed at the Liberal Party office. Part of that letter states:

> As Housing Trust tenants, rents have increased considerably over the past 18 months, we pensioners and unemployed are feeling the pinch.

It was signed by a gentleman whose name I will not disclose in the House because I think it would be fair to say that he was taken advantage of by the Liberal Party. I found out later that he was not a tenant; he was buying his house under the rental purchase scheme. So, I would advise the Liberal Party that, if it is going to get a stooge to sign one of its letters, it should get a genuine tenant.

The final paragraph of the letter to the Premier states, 'We want you to attend and not a deputy or a representative.' The Premier's office very quickly responded to this gentleman and said that, at such short notice, the Premier could not attend, but that he would be only too pleased to send the Minister of Housing and Construction to put forward the Government's point of view to this meeting, at which we understood were to be present droves of Housing Trust tenants who were protesting about the rent.

The Premier's office was told, in no uncertain terms, that that was not acceptable: they wanted the Premier and they did not want any deputy or representative. They wanted the Premier to attend the meeting in order to give the facts to all those disgruntled Housing Trust tenants. It was the usual rhetoric that one hears from the Liberal Party in relation to any issues. But, being the brave person that I am, I decided to attend, unannounced. It was quite a surprise because, when I turned up at the Noarlunga Centre and walked through the door, who should be there but the Hon. Jamie Irwin, MLC. Sir, I am sure that you are a great reader of books and I am sure—

**The SPEAKER:** Order! Flattery does not get the Minister any special protection from the Chair.

**The Hon. T.H. HEMMINGS:** Sir, I am not trying to flatter you, but you are about the most well read honourable member in this Parliament.

**The SPEAKER:** Order! The Minister should not reflect on every other member in the place. The honourable Minister.

**The Hon. T.H. HEMMINGS:** I am sure that many times you have read the phrase in books, 'His jaw dropped in amazement'. I, too, have read that phrase many times, but I have never yet seen it happen. However, when I walked through the door, the Hon. Jamie Irwin's jaw dropped three inches. Later, the Liberal Party's shadow Minister came scurrying through the door with this big box of pamphlets and press releases. When I said, 'Good day, Heini, how are you?', he almost dropped those pamphlets.

**Mr BECKER:** On a point of order, that is not true.

**The SPEAKER:** Order! Before the honourable member proceeds with his point of order, if he wishes to comment on the accuracy or otherwise of the Minister's statement, he may be able to do so by way of personal explanation. Otherwise, I caution him to ensure that his point of order is a point of order.

**Mr BECKER:** The point of order is that the Minister is now telling an untruth, because I did not drop the stuff; I almost stepped on him.

*Mr D.S. Baker interjecting:*

**The SPEAKER:** Order!

**The Hon. T.H. HEMMINGS:** If the member for Hanson reads *Hansard* tomorrow, he will notice that I said that he 'almost dropped those pamphlets'. Despite the rhetoric in the *Southern Times* and the hype of the member for Hanson, exactly 20 people were present in the audience, 10 of whom were from the Southern Regional Branch of the Liberal Party. When they saw me I think that, if looks could kill, or if they practised voodoo, I would not be standing here relating this story to the House, because probably I would be shrivelled up.

That meeting was to include the usual Liberal Party rhetoric of alleging that the Premier or Government members would not turn up, and then the Liberal Party representative would allege what this Government does to trust rents. But he could not do that, because I was sitting there. To give the Hon. Jamie Irwin credit, at least he did say that I could address the meeting. The member for Hanson had all the press releases laid out, but he had to talk about housing. However, after reciting all that he knows about housing, he had finished within about three minutes. With all due modesty, I related the case of the Government as to why rents had to be increased, and that was very well received.

During the question time period of the meeting we talked about standards of housing, rebates, and building quality. I must admit that at that time the meeting was very orderly, so the local branch of the Liberal Party decided to give it away until I had gone. What the member for Hanson was saying—or what he was not saying—to those ten trust tenants was that the answers he was giving were purely academic because his Party's policies, the policies of the Federal Liberal Party and the State Liberal Party—

**The SPEAKER:** Order! The honourable Minister should resume his seat because he is clearly debating housing policy rather than responding directly to the question of his fortuitous invitation.

**Mr TYLER:** I direct my question to the Minister of Housing. What is the true position of the majority of trust

tenants in the southern region? The *Southern Times* Messenger is circulated in parts of my electorate. As a result of its front page of Wednesday 17 August I have had many representations from single parents and unemployed people about whether the August increase will affect them.

**The Hon. T.H. HEMMINGS:** I thank the member for Fisher for his question. I assure the honourable member and members of this House that the *Southern Times* article certainly did not reflect the true position of the majority of trust tenants in the southern region and, in fact, elsewhere in the State. The House is well aware of the reasons why this Government set in train a 20 per cent real increase in rents in November 1986. We have never shirked from telling tenants, the House or the community why we had to do it. Also, the House should be well aware that as part of the Government's social justice strategy 65 per cent of our tenants are on reduced rents. In fact, in the Noarlunga local government area (the area referred to in the article), over 80 per cent of trust tenants are on reduced rents, and most of those properties are recently built single units.

I think it is fair for me to yet again place on the record the percentage of trust tenants who are actually paying reduced rents: five per cent of our tenants pay $19 and under per week; 24 per cent pay between $20 and $29; 8 per cent pay between $30 and $39; 12 per cent pay between $40 and $49; 11 per cent pay between $50 and $59; 21 per cent pay between $60 and $69; 5 per cent pay between $70 and $79; 5 per cent pay between $80 and $89; and 9 per cent pay over $90. That is as a result of the August increase.

If one looks at the revenue forgone (and that is something that this Government is not given credit for), in 1987-88 the gross rent receivable, before rebates, totalled $200.2 million. Actual rent paid by tenants was $137.7 million, which is only 67 per cent. So $64.562 million has been forgone in rent reductions money which could have built 1 200 additional homes. However, it is the policy of this Government that people in need pay rent according to their income, and that is something we just cannot get through to the Opposition.

The Federal Government provides untied grants of $32.473 million, which is spent on rent rebates. The member for Hanson and the Liberal Party do not tell the community (and there is another meeting on Thursday to which I might refer tomorrow as a result of another off-the-cuff question) that the policy of the Federal Liberal Party and the State Liberal Party is to turn off the tap with respect to public housing.

*Mr Oswald interjecting:*

**The Hon. T.H. HEMMINGS:** The member for Morphett does not like it, does he?

**The Hon. E.R. GOLDSWORTHY:** On a point of order, Mr Speaker, I ask you to rule in terms of the long explanation you gave to the House on 11 August as to the relevance of the Minister's reply and on the point that he is debating the question. He admitted himself that it is a farce, he said it is a dorothy dixer—

*Mr Tyler interjecting:*

**The Hon. E.R. GOLDSWORTHY:** —and he has one up again tomorrow. He admitted himself that it is a complete farce.

**The SPEAKER:** Order! The last remarks of the Deputy Leader have no relevance to the point of order.

**The Hon. E.R. GOLDSWORTHY:** I was severely provoked by the member for Fisher. Your ruling on 11 August stated:

> I intend to take a firm line against debate, comment, irrelevancy, repetition and excessive length in both questions and answers.

I contend in this point of order that the Minister is guilty of defying each and every one of those points—debate, comment, irrelevancy, repetition and excessive length.

**The SPEAKER:** Order! It is not normal practice for the Chair to refer to earlier rulings. However, the Minister was asked to resume his place in relation to the previous question because on that occasion he was clearly debating the matter. Regarding this question, the Chair is of the view that the Minister has been contributing mainly factual material.

**The Hon. E.R. GOLDSWORTHY:** On a further point of order, Mr Speaker, for the last several sentences of his explanation the Minister has been imputing motives to the Opposition which are completely false. If that is not debating the subject, I do not know what is.

**The SPEAKER:** Order! I do not uphold the point of order. The honourable Minister.

**The Hon. T.H. HEMMINGS:** As I was saying, the member for Hanson and the Liberal Party have yet to go out into the community and say that, as a result of their policy and the policy of their Federal Liberal counterparts, which was released only last week (and I do hope the member for Hanson has received his copy—if he has not, I will send him my copy), on achieving government (if they ever do), they will immediately withdraw $300 million from the Commonwealth-State Housing Agreement, which would mean that public housing in this State would go down the gurgler.

## NATIONAL CRIME AUTHORITY

**The Hon. B.C. EASTICK:** I direct my question to the Minister of Emergency Services. Following the Attorney-General's revelation to another place last Thursday that the National Crime Authority, in its report to the Government, has held the Police Force responsible for what the authority has called 'a lack of resolve and perhaps even reluctance to take effective measures' to enable allegations of police corruption to be adequately investigated, has the NCA named specific police officers or ranks of officers it holds responsible and, if so, who are they? Can the Minister make public those sections of the NCA report which justify the Attorney-General's statement?

**The Hon. D.J. HOPGOOD:** No names have been given. Again I repeat what I said to this House last week: the Government will not play some silly game of 20 questions with the Opposition about who might be named in the report, what classes of people might be named in the report or anything like that. Again I remind members of the qualifications in Chapter 12 of the report which refers to the allegations if they can be substantiated brought forward as part of the general investigation of the NCA. That is a very heavy qualification. It is a qualification that will be put to the test by the Police Department and, in particular, by the unit which will be set up following our examination of the NCA recommendations in that report. All I can say is that this Government is receiving complete cooperation from the Police Department in the further investigations of the matters outlined in the report.

## FLINDERS MEDICAL CENTRE

**Mrs APPLEBY:** Has the Minister of Health made inquiries into the patient care provided by the Flinders Medical Centre to the people some of whom were named in a question to the Minister by member for Morphett last Thursday? In his question on 18 August, the member for

Morphett read extensively from the *Guardian* Messenger dated 17 August 1988 in which it was claimed there was a lack of appropriate treatment provided to these people.

**The Hon. FRANK BLEVINS:** I thank the member for Hayward for her question. Having had five years experience of questions from members opposite, both in this House and in another place, I have always taken the view, as was mentioned by the Minister of Transport, that you never, ever take a question on face value. However, I was particularly disappointed after having investigated the question that the member for Morphett asked last Thursday. The honourable member read extensively from the *Guardian* Messenger of 17 August, quoting several alleged complaints by certain people who had visited the Flinders Medical Centre. What particularly disappointed me was that he did not read the total article. He quoted selectively.

There was absolutely no need at all to call for an investigation when the issue had been investigated and the *Guardian* Messenger had, quite properly, given the response. However, the member for Morphett chose not to read to the House the entire article, and I think that shows that either the member for Morphett had probably been given the question by someone else—

*Mr Oswald interjecting:*

**The Hon. FRANK BLEVINS:** Pardon?

*Mr Hamilton interjecting:*

**The SPEAKER:** Order! I call the member for Albert Park and the member for Morphett to order.

**The Hon. FRANK BLEVINS:** I was particularly disappointed. I had assumed that the member for Morphett had been merely given the question and knew nothing about the people or the article concerned, and read it out. I am giving him the benefit of the doubt. However, it was an interesting article and the House is entitled to hear all of it.

*Mr Olsen interjecting:*

**The Hon. FRANK BLEVINS:** I will get on to specifics in a moment.

**The SPEAKER:** Order! I ask the Minister not to reply to out of order interjections from the Leader of the Opposition and I again caution the Leader of the Opposition. The honourable Minister.

**The Hon. FRANK BLEVINS:** Under the headline, 'Hospital replies', a statement from the Flinders Medical Centre was as follows:

> Flinders Medical Centre has issued this response to statements made to the *Guardian* Messenger by the pensioners: 'We understand the concerns expressed but can only comment on matters relating to patient care at FMC. Because of patient confidentiality, no-one's details can be discussed. However, in all the instances quoted, the patients were properly assessed and received the appropriate treatment. The information reported to the local press is not only inaccurate in many instances, but highly exaggerated.
>
> We are concerned that such statements should be made without the patients having first approached the hospital. It is most inappropriate for this to be discussed publicly as such statements bare little resemblance to the real situation and can be totally misleading to the public. If patients are concerned, or need more information, they should speak to medical staff or administration. We understand that people may have different expectations as to the treatment they anticipated, however, all patients are fully assessed and cared for.'

That was the full article and, I thought, a reasonable response from the Flinders Medical Centre. However, in the spirit of attempting to—

*Mr Oswald interjecting:*

**The SPEAKER:** Order! Will the honourable member for Morphett please restrain himself.

**The Hon. FRANK BLEVINS:** However, in the spirit of attempting to get information to the House, I asked the Health Commission to investigate the matter.

**Mr D.S. Baker:** That would be great!

**The Hon. FRANK BLEVINS:** Yes, it was; it was a very good investigation. The Health Commission has contacted the people concerned and asked whether it has the permission of those people to release details of the cases and the treatment given, but those people have said, 'No.' Those people have refused to allow the Flinders Medical Centre to release the details. The people themselves have refused an independent investigation.

*Mr S.J. Baker interjecting:*

**The SPEAKER:** Order!

**The Hon. FRANK BLEVINS:** Because the people—

*Members interjecting:*

**The SPEAKER:** Order! The honourable member for Mitcham is not on the list for a call.

**The Hon. FRANK BLEVINS:** The member for Mitcham is apparently even thicker than usual today, because what I have just said (and I thought quite clearly, but evidently not and I will have to go through it again) is that the Health Commission has asked the people concerned—

*An honourable member interjecting:*

**The Hon. FRANK BLEVINS:** No, it has asked the people concerned whether it can release the details of the care they had to a third party. The people have said 'No', and that is their right. The Health Commission and Flinders Medical Centre have the details but they want the right to give them to a third party and the people have said 'No'. There cannot be an independent investigation because the people themselves do not want it. If the member for Morphett knows these people—

*Mr Oswald interjecting:*

**The Hon. FRANK BLEVINS:** I'm sure you don't; you were given the question by somebody else. You neither know nor care. In a sensitive area such as this, to quote selectively from a newspaper article is quite wrong. To malign an institution such as the Flinders Medical Centre and the professionals who work there is also quite wrong. The Flinders Medical Centre is a first-class institution. It is not above criticism from anybody. All I ask is that, when health institutions are criticised, it is fair and responsible criticism, and that has not happened on this occasion. The behaviour of the member for Morphett in reading out a question about which he knew nothing and cared less is quite wrong.

## YOUTH TRAINING CENTRE

**Mr BECKER:** Does the Minister of Community Welfare intend to override the rejection by the Enfield council of her department's plans to build a youth training and detention centre at Gilles Plains? Enfield council has recently refused the department's application for agreement in principle to the centre being built between Sudholz and Blacks Roads on the basis that the site was too close to residential areas. However, councillors and residents alike are perturbed that the Government may ignore local government rejection of the centre on that site because the council has no legal planning authority over government institutions.

**The Hon. SUSAN LENEHAN:** Because I am not aware of any decision, I cannot answer directly whether I intend to override that decision. I am aware of the department's plans in respect of the issues that have been raised by the honourable member and I undertake to seek some advice on this matter from my department, call for a report regarding the position of the Enfield council and the residents to whom the honourable member has alluded and bring back a reply on this matter.

*Members interjecting:*

**The SPEAKER:** Order! The honourable member for Adelaide has the call, not the Leader of the Opposition.

## RESEARCH FUNDING

**Mr DUIGAN:** I direct a question to the Minister of Employment and Further Education. What are the implications for South Australian institutions of the Federal Government's proposal to withdraw $130 million in research funding from universities over the next three years? The Commonwealth white paper on higher education, which was released late last month, contains a proposal to withdraw a significant amount of research funding from universities and to give that money to the Australian Research Council for redistribution amongst higher educational institutions. The withdrawal of the funds will be $20 million in 1989, $40 million in 1990 and $65 million in 1991, making a total of $130 million over the next three years. I am led to believe that this could mean that as much as one-third of the funding for research in universities might not be available and would be withdrawn.

**The Hon. LYNN ARNOLD:** The matter has been aired publicly by the Vice-Chancellor of Flinders University (Mr John Lovering) who has expressed similar concerns on this matter. Indeed, as a result of the concerns that he expressed and an investigation by the Office of Tertiary Education, I have written to the Federal Minister for Employment, Education and Training (Hon. John Dawkins) to share our concerns, as well. The honourable member is quite correct that, over the next three years, it is planned to transfer $130 million in research funding from universities to the Australian Research Council. That will still leave certain research funding elements within the base funding of universities but, nevertheless, it will take away significant funds.

If the proposition had been simply that that money was built into the funding base of all higher educational institutions, namely, that there was an opportunity for other higher educational institutions to have it built within their base funding so that they could establish infrastructure within their institutions for positive research, that might have been a different issue, but that has not happened. Those funds will be taken away and given to the Australian Research Council which, on the face of it, does not have adequate support to process the applications that it will receive and determine exactly what should and what should not get support. What will happen is that the funds will flow back to universities with strings attached without the capacity for them to develop their basic infrastructure to undertake basic research, being properly financed, and therefore there will be a significant increase in bureaucratic paperwork without an increase in substantive research capacity within our institutions.

There is no evidence to date that the new system of allocating research funding will serve the national interest any better than the current system, again, as I mentioned, unless there is a significant and expensive boost of support for the research council. There could be a destabilising of the research effort in higher education and the State Government does not support that, and I have indicated that to the Federal Minister.

Another issue of concern is medical funding. The Australian Research Council does not provide for medical research and, therefore, the Flinders University and the University of Adelaide, both of which have medical schools, will be seriously disadvantaged by a general reduction in the research funding available to them. In my letter to the Federal Minister, I suggested that, at the very least, perhaps some of the funding withdrawn from universities should be made available to the National Health and Medical Research Council so that medical research programs—the very exciting and extensive medical research programs at Flinders and Adelaide Universities—would have a chance to bid for those funds.

## WEST COAST FARMERS

**Mr GUNN:** Will the Premier reconsider the Government's decision to refuse special financial assistance to drought affected farmers on the West Coast and west of Ceduna? The Premier's visit to this region late last year was accepted in good faith by farmers who have been hit with drought in seven of the last nine years as long overdue recognition of their problems. However, they now believe that the visit was nothing more than a public relations stunt following the Government's refusal to provide a modest freight and fodder subsidy to enable them to retain ownership of their stock. Their frustration is summarised in a letter to the editor from some of the affected farmers published in the latest issue of the *Stock Journal* which asks:

> Mr Bannon, how can you flatly refuse pleas for help in the way of agistment and fodders for drought stricken sheep then in the same breath award a massive amount of money for damages incurred by a Minister who cannot control his tongue?

**The Hon. J.C. BANNON:** The last comment by the honourable member was a bit rough, because the two things are not—

**Mr Gunn:** It was a letter to the editor.

**The Hon. J.C. BANNON:** If by quoting it the honourable member indicates approval, that is a bit rough. The letter writers are bringing together two totally unrelated matters and the amounts involved are far apart indeed. I am not able to provide the answer in detail that the honourable member requests but, in the light of the way in which his question was framed, it is incumbent upon me to take up the question and to reassure him and his constituents that in no way has the Government neglected the needs or turned its back on the plight of Eyre Peninsula farmers. On the contrary, following my visit last December, numerous initiatives have been undertaken in an attempt to improve the position of these people. The Minister of Agriculture has been over there himself, but I do not know how many times—

*Members interjecting:*

**The SPEAKER:** Order! The Premier will resume his seat for just a moment. It is very rare for a member to be named immediately after the conclusion of Question Time. It is also quite rare for a Leader of the Opposition to be named, but the Chair is quite prepared to break new ground if the Leader of the Opposition cannot cease interjecting. The honourable Premier.

**The Hon. J.C. BANNON:** A number of new financial arrangements were set in place and new efforts were made. These were announced in some considerable detail by the State Bank in conjunction with the Department of Agriculture in terms of administering those various loan schemes. At my request intensive work has been done. Various financial advisers and others have made specific arrangements with certain individuals. So, much has been done, and that has been recognised by those farmers on the West Coast. In this instance, because of the nature of the problem, the guidelines, and so on, it has not been possible to provide the assistance requested.

Certainly, I must confess one major failure: I have been unable to produce a good season for those people in areas on the West Coast. Indeed, I wish that that were in my

power, as I am sure do all of us. As he now reminds me, the last person to do so was the former Minister, now the Minister of Health, in 1983. However, that is a problem that the honourable member well understands. No matter how much support, propping up, and financial restructuring is provided, there comes a time when, if the seasons simply do not turn, one cannot go any further and it is then incumbent on the Government to try to help those people recast their affairs so that they may leave their property with some dignity. That is going on.

I am glad that, despite the chiacking from his colleagues, the honourable member, who has a genuine concern for his constituents, is giving me a fair hearing and listening to what I am trying to say, but I am sorry he has to put up with such vulgarity from those around him. This is a matter of concern, and he knows as well as I that we have yet another bad season on top of almost 10 bad seasons in a row, with only one good year in the middle, and there are desperate problems which some farmers simply cannot get out of. They recognise this and so do we. Our job is in some way to ensure that they do not do so in a situation of total bankruptcy and with loss of dignity. However, the Minister is working hard both through his representations to the Federal Government and through the schemes that he has developed. I shall be happy to provide further details for the honourable member.

## PERSONAL EXPLANATION: COORONG CARAVAN PARK

**The Hon. JENNIFER CASHMORE (Coles):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. JENNIFER CASHMORE:** In a ministerial statement today the Minister of Employment and Further Education stated that I had implied that he and the member for Hayward had been parties to misleading Parliament. He also accused me of 'misrepresenting facts in a grubby exercise' in which he alleged that I had 'improperly sought to involve the Auditor-General in a political stunt'. It is clear, however, from the information that was available to me and to the media last Friday that at the time I made the statement to the *Advertiser* I had good reason, on two grounds, to believe the truth of what I was saying.

First, two journalists had advised the office of the Leader of the Opposition that they had been told by staff of the Auditor-General's office that the reference—

*Members interjecting:*

**The SPEAKER:** Order! I ask the honourable member for Coles to resume her seat for a moment. Personal explanations are normally accompanied by strong feelings on one side of the House or the other. I caution honourable members not to interject on a personal explanation, and I particularly call to order the honourable Premier and two other honourable members on the front bench in his immediate vicinity. The honourable member for Coles.

**The Hon. JENNIFER CASHMORE:** Two journalists had advised the office of the Leader of the Opposition that they had been told by staff of the Auditor-General's office that the reference to investigate the sale of the Storemen and Packers Union's Coorong caravan park had not been received by the office. Secondly, in my conversation with the Auditor-General to check this in order to verify it, I understood the Auditor-General to say that he had not received the reference until some time that afternoon. I also indicated to the Auditor-General the approximate time at which the Government Whip had moved her amendment to my motion. Being concerned not to involve the Auditor-General in a matter of political dispute, I made a particular point of asking him whether, if I were to raise our discussion publicly, it would embarrass him. He assured me that it would not. Of all the Ministers in this House, the Minister of Employment and Further Education would know that I have been ready and willing to acknowledge that I am wrong when that has been proved to be the case, and to apologise. I hope equally that the Minister of Employment and Further Education will acknowledge—

**The SPEAKER:** Order! The honourable member has delivered an exemplary personal explanation up to this point, completely in accordance with Standing Orders, but if she begins to make certain comments that she seems now to be making about the Minister she will be out of order. The honourable member for Coles.

**The Hon. JENNIFER CASHMORE:** I hope that I have demonstrated to every member of the House that I acted in good faith in making my statement last Friday, having checked the facts to the best of my ability, and checking them with the person concerned. On the basis of what the Minister has told the House, I freely acknowledge that it is now clear that he had referred the matter to the Auditor-General prior to the moving of the motion in Parliament, but I think that it is unreasonable to insult a member and then to ask that member to apologise on the basis of having been insulted.

## PERSONAL EXPLANATION: *ISLAND SEAWAY*

**The Hon. TED CHAPMAN (Alexandra):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. TED CHAPMAN:** I am personally concerned about some remarks made by the Minister of Transport this afternoon about the Opposition generally and about me in particular. I am specifically concerned about his reference to me and members on this side alleging we had stooped to cheap and insensitive depths to demonstrate a point to this Parliament. He did that in referring to the loss of a passenger on the *Island Seaway*, a matter raised by way of primary question today by the Leader of the Opposition and followed up by me. It is untrue that we are insensitive to the regrettable incident that occurred, and it is clearly untrue that we are insensitive to the feelings of the deceased's family.

It is regretted that the subject had to be raised in the obligatory sense. It was raised to demonstrate to the Government the problem prevailing at the berthing ports of the *Island Seaway*, so that a similar incident might not occur again.

**The SPEAKER:** Order! At this stage I caution the honourable member that he is beginning to stray away from indicating where he has been personally misrepresented and is beginning to debate matters pertaining to the *Island Seaway*. If he does so again, I shall withdraw leave.

**The Hon. TED CHAPMAN:** Far be it from me to stray from the point which I sought leave to explain: that is, that I am personally disturbed, as I said, by the Minister's comments, and would be again if it was suggested that I was insensitive to the feelings of my constituents. Indeed, it is my personal view that in the interests of those constituents I acted properly, as did the Opposition, this afternoon; and it was in the interests of all my constituents who might at some time or other use that facility that the subject was raised: that is, to ensure, and to plead with the Government to ensure, that the situation that occurred last Wednesday night does not occur again.

## PERSONAL EXPLANATION: FLINDERS MEDICAL CENTRE

**Mr OSWALD (Morphett):** I seek leave to make a personal explanation.

Leave granted.

**Mr OSWALD:** During Question Time this afternoon, the Minister of Health imputed an ulterior motive on my part in misrepresenting the facts when I asked a question last week concerning patient care at the Flinders Medical Centre. The question that I asked was very clear. The article in question had two segments to its thrust, the first listing allegations of lack of patient care involving three residents of the southern region, and the second referring to medical staff at the Flinders Medical Centre who disclaimed that patient care had been under threat. My question to the Minister was simply a request that he investigate and report to the House on the allegations. My concern was based on the fact that in the case of a hospital or any other organisation it is so easy to level the accusation of Caesar judging Caesar, and for the matter to be closed. It was a perfectly proper question that everyone in Opposition in this place should have the right to ask, and I resent the Government, through the Minister, trying to deny me that right.

## PERSONAL EXPLANATION: NOARLUNGA MEETING

**Mr BECKER (Hanson):** I seek leave to make a personal explanation.

Leave granted.

*The Hon. E.R. Goldsworthy interjecting:*

**The SPEAKER:** Order! Will the member for Hanson resume his seat.The Chair is rapidly reaching the limits of its tolerance. I again call the Deputy Leader to order. The honourable member for Hanson.

**Mr BECKER:** I wish to correct some of the statements made by the Minister of Housing and Construction regarding the Liberal Party Noarlunga branch meeting held at Noarlunga on Thursday 18 August. First, I will read into *Hansard* the notice distributed in the area calling for the meeting. Headed 'Liberal Party of Australia—South Australian Division', it states:

WE WANT TO HEAR FROM YOU

The Noarlunga Branch of the Liberal Party (S.A. Division) invites tenants and menbers of the public to an open meeting to discuss—

The Housing Trust

1. Rent increases of 44 per cent since the 1st of July 1986.
2. Maintenance.
3. Availability.
4. Any other problems.

It will be held on Thursday, 18 August 1988 at 8 p.m.

AT

THE NOARLUNGA COMMUNITY CENTRE
RAMSAY PLACE
NOARLUNGA

Guest Speaker — Mr Heini Becker, MP. Shadow Minister of Housing and Construction.

A small paragraph appeared in the local paper on Wednesday 17 August referring to that meeting and drawing attention to someone's plight in relation to Housing Trust rents. I spoke to the reporter from that paper on Wednesday 17 August and she asked, 'How many people do you expect to attend that meeting?' and I said, 'Somewhere between 20 and 30 persons.' She said, 'That's not many', and I said that I thought that would be a fair and reasonable number of people, as Thursday night is late night shopping, and it would depend on the weather conditions and the general apathy of the public.

There were 28 persons present at the meeting, including the Minister of Housing and Construction—not 20, as the Minister said. So, let us get the facts straight from that point of view. I consider that 28 rates as a good attendance. As far as I am aware, the Minister of Housing and Construction is the first Labor Minister who has ever attended a meeting organised and conducted by the Liberal Party. We do not mind that because the whole exercise was to find out what the tenants wanted, what they wanted to know and what they had to say, and the Minister agreed; he thought that that was a good idea. He agreed with a lot of points that I made during the meeting.

**The SPEAKER:** Order! I caution the member for Hanson against debating the matter. There are other opportunities in the parliamentary forum for him to do so other than in a personal explanation. The honourable member for Hanson.

**Mr BECKER:** I am explaining to the House the reason for the meeting and point out that the numbers the Minister quoted were incorrect. The statement that it was a Liberal Party stacked meeting is not correct, either. That is not so. The Minister alleged that it was a Liberal Party stacked meeting: I think that there were only four or five Liberal Party persons—

**The SPEAKER:** Order! The Chair finds it a little difficult to follow the member for Hanson. Members can make a personal explanation as to how they have been misrepresented. I am not sure how some of the matters raised by the member for Hanson during the past minute or so indicate that he has been misrepresented.

**Mr BECKER:** I believe that I have been misrepresented because the Minister tried to misrepresent my situation and that of the Party I support, and he also made the allegation—

**The SPEAKER:** Order! The member for Hanson cannot make personal explanations on behalf of the Liberal Party; he can do so only as to how he himself has been personally aggrieved.

**The Hon. D.C. Wotton:** He can try.

**The SPEAKER:** Order! I heard that interjection. I do not accept it as a point of order and I ask the member for Hanson not to take the advice of the honourable member for Heysen.

**Mr BECKER:** I reject the allegations made by the Minister when he implied that an invitation to the Premier was typed in the Liberal office: I do not know what he was talking about. The Liberal Party is delighted that it has succeeded in having a first, a coup, by having the Minister attend and promising those who were present—

**The SPEAKER:** The honourable member is clearly debating; leave is now withdrawn. The honourable member for Mitcham.

## PERSONAL EXPLANATION: SUBMARINE PROJECT

**Mr S.J. BAKER (Mitcham):** I seek leave to make a personal explanation.

Leave granted.

**Mr S.J. BAKER:** In his ministerial statement to the House today, the Minister of State Development and Technology made a number of allegations which reflect on me, and I now wish to dissuade the House on these matters. The Minister stated that I had said the original tender documents did not include the bow and midships sections

being built in Sweden. That statement was correct. I gathered all the documents that I could locate relating to the submarine project, including the defence record, and it was quite clear that statements made on summaries of the original tender documents did not refer to bow and midships sections being constructed in Sweden. The Minister also claimed that the contracts for Swedish submarines were inappropriate—

**Ms GAYLER:** I rise on a point of order.

**The SPEAKER:** Order! The honourable member for Newland.

**Ms GAYLER:** My point of order is that the honourable member is now debating the matter and not drawing the House's attention to the points on which he has been allegedly misrepresented.

**The SPEAKER:** On that point, the Chair had some difficulty following what was being said by the honourable member for Mitcham. I ask him, if he has been straying from the proper subject matter of a personal explanation, to avoid doing so. The honourable member for Mitcham.

**Mr S.J. BAKER:** I assure you, Sir, that I have not, and to further explain: the Minister misused my words in this House concerning the suitability of Swedish submarines. At the time I said that Swedish submarines were not appropriate for our use, not that the contract put forward by Kockums was inappropriate. I explained that, while Kockums had been successful in contracting for submarines in Australia, its design standards were totally different from its own submarines. The Minister misused my statement and, in fact, misquoted me. The Minister further stated that there had been no slippage in the contract. There is no doubt that if people wish to refer to the paper references on this matter—

**The SPEAKER:** Order! The honourable member is now clearly debating the matter.

**Mr Lewis:** Have you been misrepresented or not, Steve?

**The SPEAKER:** Order! It is not for the honourable member for Mitcham to rise to his feet while the Chair is ruling on what he should be doing, or for the member for Murray-Mallee to interject at the same time. If the member for Mitcham cannot restrict himself to the confines of a personal explanation, leave will be withdrawn. The honourable member for Mitcham.

**Mr S.J. BAKER:** Under your guidance, Sir, I point out that the Minister claimed that I said there had been massive slippage in the project, and he said that this was incorrect. In fact, he was saying that I had told an untruth. This House would well remember the circumstances that obtained at the time and the threats that were being made by the Federal Minister and people in this State. I maintain that there was slippage in the project because some contracts were not let until two or three months after the time they were due. The last point relates to whether or not South Australia will get 25 per cent of the project and then the Minister did not know.

**The SPEAKER:** Order! I did say that I would not give a further warning and that I would just withdraw leave. However, I will give some tolerance to the honourable member, because at that particular point of time he was only just beginning to transgress. He must restrict himself to a personal explanation along the lines of, 'The Minister said that I said "X". What I really said was, "Y".' In doing so, he should not debate the various merits of the different arguments in relation to the particular construction project. The honourable member for Mitcham.

**Mr S.J. BAKER:** I do not wish to debate the merits of the construction contract. I wish to show clearly to the House that the Minister again has selectively quoted in order to—

**The SPEAKER:** Order! Leave is withdrawn at that point. The honourable member's personal explanation was completely into the area of debate.

**Mr ROBERTSON:** On a point of order, I draw attention to the fact that several members opposite have not yet made personal explanations. I suggest that leave be granted for them to do so.

**The SPEAKER:** There is no point of order. Call on the business of the day.

## SITTINGS AND BUSINESS

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

That the time allotted for—

*(a)* noting the report of the Select Committee on the Firearms Act Amendment Bill and

*(b)* for all stages of the following Bills:

Electrical Products
Irrigation Act Amendment
Acts Interpretation Act Amendment
Advances to Settlers Act Amendment
Rural Advances Guarantee Act Amendment
Unauthorised Documents Act Amendment
Ombudsman Act Amendment

be until 10 p.m. on Wednesday.

Motion carried.

## BUSINESS FRANCHISE (PETROLEUM PRODUCTS) ACT AMENDMENT BILL

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

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

*That this Bill be now read a second time.*

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

Leave granted.

### Explanation of Bill

Its purpose is to increase the $50 per annum fee currently paid pursuant to section 18 (1) *(b)* to $100 per annum to cover the cost of administering the Motor Fuel Distribution Act. Licence and permit fees were originally charged under this Act but were waived by Cabinet in 1979 and replaced by a $50 fee under the Business Franchise (Petroleum Products) Act.

The Motor Fuel Distribution Act commenced in 1974 to regulate and control both the number and location of retail motor fuel outlets in South Australia. Applications for new licences and permits and any variations are heard by the three member Motor Fuel Licensing Board. Since the commencement of the Act, there has been a substantial reduction in the number of licences and permits. As at December 1974, there were 962 licences and 730 permits. By December 1987, this had reduced to 725 licences and 639 permits.

As the main purpose of the Act has now been completed, and in line with the Government's policy on deregulation, the operation of the Act was reviewed with a view to repealing the legislation. However, there is still very strong support for it to be retained, especially from the Motor Trades Association which considers the Act vital to the well

being of the industry. Apart from Esso Australia Ltd this view is also held by oil companies. In this regard both the Motor Trades Association and the Australian Institute of Petroleum (SA Branch) have acknowledged the application of the user pays concept to maintain the Motor Fuel Distribution Act.

The current $50 fee payable by petrol retailers under the Business Franchise (Petroleum Products) Act for a Class B licence has remained constant since 1979, while CPI has increased by just over 100 per cent. Given the strong support by the industry to retain the Motor Fuel Distribution Act, this Bill seeks to increase the current Class B licence fee from $50 to $100 per annum under the Business Franchise (Petroleum Products) Act pursuant to section 18 (1) *(b)* effective from 1 October 1988. This will generate approximately $60 000 in a full year which will fully cover the cost of administering the legislation.

Clause 1 is formal. Clause 2 provides for commencement of the measure. Clause 3 amends section 18 of the principal Act by increasing the licence fee for a Class B licence from $50 to $100.

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

## FIREARMS ACT AMENDMENT BILL

**The Hon. D.J. HOPGOOD (Deputy Premier)** brought up the report of the select committee, together with minutes of proceedings and evidence.

Report received.

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

That the report be noted.

I do not intend to delay the House overly long this afternoon by traversing matters which members of the House, and indeed members of the general public, can determine for themselves by a perusal of the documents which I have just laid on the table and which now become public property. I think that I should simply content myself with, first, explaining the mechanism which I will now invite Parliament to undertake; secondly, pointing out one or two salient features of the legislation to which Parliament will now be invited to direct its attention; and, thirdly, saying one or two other things which are usual on these occasions.

Because of the various matters that Parliament is attempting to address, because from time to time it is necessary that exemptions apply to rules which are set down in the legislation and, I suppose, because of the often contradictory expectations in the community about these matters legislation of this type is never simple. The impression I gained was that some of the groups and individuals who came before the select committee really were poles apart in their attitude towards the appropriateness of guns in the community or, indeed, the appropriate use of guns in the community and that, really, it would be almost impossible for any legislative scheme to ever be able to reconcile those particular differences. This report does not attempt to do that; the Bill that was laid before the Parliament did not attempt to do that; and the parent Act does not attempt to do that. There will always be those individuals who will remain dissatisfied with any scheme of legislation—either because, no matter how hard it is in its effects, they argue that it does not go far enough, or because, no matter how liberal it is in its philosophy, they argue that it goes too far.

It is fortunate that we do not have, except in a tiny minority, those entrenched attitudes in our community that exist, for example, in parts of the United States in relation to the use of firearms and the right to bear arms. I think the fact that there is not the equivalent of the American gun lobby in this community has probably, in turn, induced a degree of moderation on the part of those who otherwise may be vehement in their opposition to the use of guns in the community for any purpose whatsoever, except on the part of the State for the defence of law and order, on the one hand, or for the defence of the realm on the other. So, the rhetoric is somewhat muted, though the differences remain.

I would like to commend the report to the House. Because of the complexity of the matters with which we have had to deal, the report recommends that the Bill that was put before Parliament in the previous session be read and discharged and that a new Bill be considered by Parliament. The departures from the original legislation that are recommended by the report are not so fundamental as to dictate that, but I think that the committee accepted that, had we simply suggested a series of amendments to the original legislation, we would have visited on Parliament an extremely complex Committee stage of the Bill. For that reason, we have recommended a different course of action, which is unusual but by no means unknown in these circumstances. The report recommends the reading and discharging of the Bill which was brought down in the previous session and the introduction of a new Bill. Following the successful carriage of my motion (and I hope that that will be a fact), I will so move in that direction.

I will refer briefly to what might be regarded as the major features of the legislation which I will then, on behalf of the committee, place before Parliament. It will raise the minimum age for obtaining a firearms licence from 15 to 18 years, but exemptions from licensing requirements will be expanded to ensure that junior shooters have every possible opportunity to participate in legitimate shooting activities, including hunting under the supervision of a parent, guardian or coach. Of course, the exemptions for primary producers that were a feature of the earlier Bill remain.

Minimum training standards will be introduced and a permit will be required for each firearm purchased. Gun shop owners will not be required to keep a record of ammunition transactions including details of the purchaser's firearms licence or permit, as outlined in the original Bill. However, persons purchasing ammunition must have a firearms licence or permit. It will be an offence to purchase or possess ammunition without a licence or permit.

Minimum security standards for the storage of firearms will be introduced. Penalties for firearms licensing offences will be increased. The courts will be given the power to review firearms licences and possession. This will enable the courts to move much more quickly in revoking the firearms licences of unfit persons. Controls over self-loading rifles and shotguns outlined in the original Bill are to be modified. Some self-loading rifles and shotguns will now be available in certain circumstances for recreational hunting as well as other recognised purposes already provided for in the original Bill.

The committee recommends that the Government declare an amnesty of three months from the date of assent of the Act to encourage the registration of unregistered firearms under the present Act. The new Bill maintains the commitment to the principles developed by the Police Minister's Council regarding minimum standards for the possession and use of firearms. The committee's report, which I have laid before the House, effectively finetunes a good deal of the proposals contained in the original Bill without radically departing from its principle.

I take the opportunity to thank all members of the committee for their very constructive deliberations. The committee met from April until last week on about 13 or 14 occasions. Of course, the exact details are in the report that I have tabled. I hope that the committee found me an accommodating Chairman. I was certainly at pains to ensure that there was plenty of opportunity for debate. I hope that I encouraged members to lay before the committee, where they wanted to do so, their concerns about the way the report was heading. While ultimately there had to be a decision as to the content of the report, I believe there was every opportunity for it to be freely debated.

I also place on record the interest shown in the select committee's deliberations by people from outside. We did not quite have a crowded gallery each time we sat—we did not have to beat them off with a stick or anything like that—but there was a good deal of interest and those who appeared before us with written submissions were at pains to ensure that they were in a form that would be useful to the select committee. Of course, some of those people were obviously speaking out of some degree of self-interest, if not for themselves at least for the occupation, sport or pastime that they represented. Others were clearly motivated by a desire to ensure that good legislation resulted. Of course, those two categories are by no means mutually exclusive. I commend the report to the House. The motion is that the report be received and, if my motion is carried, I have already outlined the procedure that will then follow.

**The Hon. B.C. EASTICK (Light):** I certainly support the motion. However, from the outset I think it is important to place on the record that, whilst the proposition now before the House is a long way from the Bill which was introduced in February-March, it does not necessarily go as far as some members of the committee would want it to go. In other words, whilst there has been a considerable degree of consensus and approval of the measures which are recommended—in particular that the original Bill be withdrawn and a new Bill replace it—a number of issues have not been resolved to the satisfaction of those members of the committee who came from this side of the House. In that regard, I speak for my colleagues the members for Bragg and Flinders.

This was an unusual piece of legislation when one got into debate at committee level. Indeed, the form of the report is rather unusual for this House in that not only did we have a Bill but, because of an agreement that was entered into with people in the gun lobby, the Bill was accommodated by the release of a proposed set of regulations at the time it was introduced to the House. So, the committee found itself looking at both a Bill relative to an alteration to the Act and a series of regulations which were to go in concert with the changes which were attendant. The committee took the opportunity of proceeding along those lines, such that the Bill which is to be proposed to the House, and already referred to by the Minister, is also accompanied by a series of amendments to the proposed regulations which put that matter into perspective. The unusual aspect of this whole thing is the fact of having regulations up at the time of the passage of the Bill. It is a course of action to which other Ministers may well give due regard because I believe the end result of debate in the public arena on this and many other issues would be helped by the form of the regulations accompanying the introduction of the Bill.

What have we sought to do? I draw attention to page 13 of the report and the recommendations which have been alluded to by the Deputy Premier. The first recommendation states:

> That the Firearms Act Amendment Bill 1988 be discharged and the new Bill as appears in Appendix C to this report be introduced by the Minister.

I am in full accord with that. The second recommendation states:

> Variations to the firearms regulations be adopted as they appear in Appendix D to this report.

We are in accord with that. Recommendation three states:

> That the Government give careful consideration to the resources required to effectively implement the changes and administer the proposed legislation.

Whilst accepting that that is the conclusion of the committee, and it is supported, it does really signify or identify one of the very major problems with this piece of legislation in the past, and certainly into the future.

It became very apparent from a number of people who addressed the committee that there have been difficulties in communication between the Registrar or the Deputy Registrar and the branch within the Police Force responsible for monitoring and managing gun law. It was ably demonstrated, and this will appear in the evidence—and, just as an aside, there are 482 foolscap pages of evidence quite apart from three other files full of material which was placed before the committee by various interested parties—on a number of occasions that interpretation of the law is a matter of personal interpretation by the person who happened to be the Registrar or Deputy Registrar at that time. From time to time, the interpretation appeared to vary without there having been any consultation with people interested in guns, and without there having been any warning that there was about to be a variation of interpretation whereby the whole issue would be managed.

It is important that there is effective implementation of the proposed changes, but that can come about only if there is clear recognition of the importance of communication with those people who are particularly interested in guns and gun activities. It is also extremely important that, if there is to be change, it is properly explained and identified to all those embraced by it.

The evidence shows that a considerable number of guns registered under the old manual scheme are not registered today for a variety of reasons. The fourth recommendation is one of the most important, and it states:

> That the Government declare an amnesty of three months from the date of assent to this Bill to further expedite the registration of firearms under the present Act—

that is, having regard to the transitional phases of the Act, according to the Act as it is today, which will not be retrospective of a number of features of management which will come into place in the future. One would trust that large numbers of people who have feared confiscation or loss of guns because of the unknown will accept the amnesty under which those guns can be registered in the correct manner.

It is important to recognise that, whilst the Government has persistently stated that it has no intention whatsoever of providing for confiscation under the legislation in South Australia, certainly that was abroad interstate. On questioning by the committee, the Deputy Registrar stated that it was possible under some aspects of the Bill and the regulations presented to the House and given some of the statements made in relation to the measure that confiscation was still a possibility, although a remote possibility. In relation to confiscation, dispossession or divestment, whichever term members may wish to use, there was a confusion. At pages 21 to 26 of the evidence, the terminology was discussed and it resulted in a statement by the Deputy Registrar that there was the possibility of *de facto* confiscation. He was asked in blunt terms whether there was the

possibility of *de facto* confiscation, and the important four words were, 'Yes, it could be.' Once again, the fears which were expressed quite clearly had some basis and there was a draconian and quite impracticable and impossible situation as to security, to which my colleagues will refer.

The evidence contains a wealth of information. There is also a wealth of good advice and information in the 13 pages which comprise the basic report currently before the House. There is reference to a Bill that was before the committee. My comment to the community at large is that, quite apart from what is in the report and what was in the Bill as first introduced to this Parliament in February or March this year, we should be now looking at the new Bill which the Deputy Premier has indicated he will introduce when this motion is disposed of, because the debate from this point on will be relative to that new Bill and the regulations which accompany it.

The changes that have been effected in a number of instances with the full accord of the members of the committee are quite clear, and the public can take them on board. The matters on which not all members were in accord, particularly the registration of long arms and the heavy workload that may result from some aspects of the new Bill, require further consultation. I trust that, when the Bill comes back before the House, probably in late September or early October, there is a wealth of practical and direct information available from those interested in the legislation so that the debate can proceed based on realistic and practical considerations.

I do not believe that the matter will necessarily be totally resolved by the Bill that is to be debated later, but I do believe that the deliberations of the committee, given the assistance of the witnesses who appeared before it, will be of tremendous advantage to that debate.

Without getting into specifics, I want to refer to the wealth of information that was made available to the committee by people from South Australia and interstate. In passing, I refer to the work undertaken and the information presented by J.D. Fine from Western Australia. At a later stage, we found that his work had been funded in part by the Institute of Criminology. Professor Chappell, one of the other witnesses, drew attention to much of the work of J.D. Fine without necessarily accepting every aspect of it. In fact, we found that in much of the information there was a variance of opinion as to the work of many of the people in this area, be they from Australia or overseas. One thing which was very apparent and which caused members on this side of the House to decide to not totally support the measures that were before the House was that J.D. Fine, Greenwood from England and others clearly indicated that massive pieces of legislation do not necessarily make for good gun laws, and that public concern about the criminal use of guns is not necessarily contained or controlled by gun laws.

Many people have argued that, if criminals want to make use of a weapon, they will obtain that weapon by fair means or foul, and there are those in the community who will produce a weapon that is not of normal manufacture for the criminal element. I believe that each and every member of the committee had one thought foremost in their mind when addressing this issue: that there was a general public attitude that people should be able to feel safe in our community and that some aspects of the control or usage of guns were not fulfiling community expectations. Coming right through on the other side was a very clear recognition that many people in the community, whether or not they had an abhorrence of guns, were very keen to recognise the right of an individual to enjoy the ownership and use of a gun for leisure and pleasure without there being any associated hint of criminal use. It is that balance which is referred to at the top of page 2 of the report and which exercised the minds of the committee members in the total sense. It is fully recognised—as the Deputy Premier has said—that this is a piece of legislation which involves a multiplicity of problems and thus we deemed it necessary to include a number of qualifications and exemptions.

Once again, I make the plea that members forget the legislation that was debated previously and address themselves to the original Act and the Bill that will be introduced a little later today, because that is where the debate will centre. They are the issues that must be canvassed very thoroughly from this point. I join with the Deputy Premier in saying that the activities of the committee at all times were conducted on a very favourable basis. There was no acrimony and no heat but a clear understanding that everyone's point of view was worth considering. Indeed, the collective wisdom of those who were fortunate enough to be a member of the committee I believe has gone a long way to solving for South Australia a number of the problems that have existed for many years.

I doubt very much whether any piece of legislation, either now or in the future, will totally obviate the fears of those who dislike guns. I also doubt whether any piece of legislation, either now or in the future, will provide totally for the rights that some people believe they ought to have. It is clear that some people believe that their right is paramount over any other right but that situation cannot be allowed to arise in legislation. There must always be a balance between the rights of all people in the community and it is to be hoped that we have gone some way to achieving that.

**Ms GAYLER (Newland):** I am pleased to support the report of the select committee and the accompanying revised Bill and regulations which have emerged after lengthy hearings of evidence by the committee. Having heard all of the evidence as a member of the committee, I am convinced that the proposed firearms legislation is responsible, rational, workable and reasonable. It strikes a sensible balance between control of the ownership and use of guns in the public interest and the needs of legitimate, law-abiding sporting shooters, recreational hunters and collectors. The scheme of legislation as modified by the committee also ensures that our main crime prevention and law-enforcement agency—the police—has available to it essential information on who is licensed to own a firearm and on registered firearms in the community. Convincing evidence to the committee demonstrates that licensing and registration are vital tools in crime prevention and detection and are thereby critical in protecting the community.

The report of the committee also recommends a number of changes to the Bill and I support those recommendations as improvements to the legislation. I cite particularly the proposals to widen the power of courts to cancel a firearms licence and order disposal of firearms, which will be particularly useful in cases of domestic violence. This is an important reform. I also support the changes that will allow for some self-loading rifles and shotguns for recreational hunting, particularly commonly-used, commercially available sporting guns but not military style, high-powered semi-automatic weapons. I support the changes in relation to ammunition purchase, which provide for a simple offence and avoid the paperwork burden that many feared. I welcome the changes which will facilitate the involvement of juniors in firearms clubs so that they can have early training under the supervision of a coach or parent. I also welcome

the proposal to ban silencers altogether, and the changes which will provide for collectors of firearms and ammunition to continue their hobbies. I am very pleased that there is to be an amnesty and I hope that this will encourage those who have feared or doubted what will be in the legislation to come forward, become licensed and have their firearms registered.

Opposition to part or all of South Australia's proposed firearms laws by some firearms organisations was carefully considered by the committee. One of the main fears of the firearms fraternity is confiscation. Confiscation has never been and is not proposed in South Australia either by the State Government or by the report of the select committee. I am rather puzzled that the honourable member who preceded me in this debate still seems confused on this matter, because the transitional arrangements for those who already have legally held firearms are guaranteed in the proposed Bill. On a related but separate matter, I point out that it has always been possible for the police or courts to seize firearms when improper or illegal use has been made of them. Having made that plain to legitimate firearms owners, I point out that the value of strict but fair and reasonable firearms control deserves wide support in the community.

The South Australian community rightly expects of this Parliament laws governing the possession and use of dangerous products. The superior technical capacity of a firearm as a killing tool is beyond doubt. Estimates suggest that a person is four times more likely to be killed with a firearm than with any other weapon. Approximately 5 000 firearms have been stolen in South Australia in the eight years to 1988, many, presumably, to be used in criminal activity. Approximately 129 000 South Australians are licensed to own firearms and 300 000 firearms are now registered in this State.

Firearms are the dominant weapon used in armed robbery in Australia—robberies which occur in the local branch of the bank, building society, TAB agency or petrol station. According to the Australian Bankers Association, rifles and shotguns accounted for 55 per cent of firearms used in Australian bank robberies in 1986 and 1987. These facts mean two things: first, tight control of all firearms, not just hand guns or pistols, is warranted; secondly, community concern about easy access to firearms and misuse of firearms is legitimate and must be tackled by Governments, Parliaments and Police Forces. Apart from armed hold-ups, which can and do reach right into local neighbourhoods, we must also recognise and address legitimate community concern about a number of matters, as follows:

1. The incidence of domestic violence against family members and acquaintances. It is worth noting that, according to the Australian Institute of Criminology, approximately 42 per cent of offences with firearms occur in the home and up to 50 per cent of homicides involve a spouse, other relative or family acquaintance.

2. The incidence of previously law-abiding people becoming deranged and having easy access to firearms.

3. The incidence of suicide with firearms, particularly amongst men who have reached the age at which they can own firearms.

4. The incidence of crime with firearms amongst people affected by alcohol or other drugs.

5. The injury and death from accidents with firearms, particularly amongst young, untrained people or those carrying loaded firearms in vehicles.

6. The very worrying misuse of firearms by some licensed firearms owners using registered firearms to threaten or intimidate other people. This is not a slur generally on the firearms fraternity, but there are problems with those who misuse firearms.

Between 1980 and 1988, South Australian police cancelled 425 firearms licences involving 938 firearms. Of those 425 people who had their licences cancelled, 210 had committed offences involving threat to life (that is, injury or death); 103 had a criminal history; and 24 were judged mentally unfit to have a firearm.

Convincing evidence and legitimate well founded community concern are justification alone for continuing South Australia's 1980 scheme of firearms licensing and registration, for improving it, and for instituting a system of firearms training and testing of new applicants for firearms licences. It is in the public interest to do so and does not impose an intolerable burden on law abiding firearms users. Evidence put before the select committee exploded a number of myths associated with firearms.

The first of these myths is that the misuse of firearms is essentially a metropolitan problem. This myth has led some to say that the solution to the problem is to ban firearms from metropolitan areas. However, facts tendered to the select committee confirm that misuse of firearms is a country and a city matter. About 45 per cent of firearms licence cancellations between 1980 and 1988 resulting from the misuse of firearms were in respect of non metropolitan licensees. Further, of a police sample of 100 cancellations, 68 per cent concerned non metropolitan firearms users. This suggests a disproportionate level of misuse, given that 52 per cent of firearms licence holders are metropolitan residents. While the figures are not conclusive, they strongly suggest that the problem of firearms misuse is not confined to the metropolitan area and that appropriate firearms laws should apply State wide.

The second myth is that the system of registering each long arm (that is, a rifle or shotgun) in operation here since 1980 is a useless waste of time and money and an unnecessary imposition on owners. Some, but by no means all, of the firearms organisations that gave evidence to the select committee took that view and asked the committee to drop the registration of rifles and shotguns, but not hand gun registration. The logic of supporting hand gun registration, but not long arm registration, was not evident.

Essentially, opposition to long arm registration seems to be based on the fear of some future Government's confiscating guns, although concern was often expressed about errors in the computerised and card registration system, the cost of the system, the alleged waste of police time and resources in operating the system, and the claim that the system was useless in police operations. Strong support for a continued system of long arm registration, backed by evidence rather than anecdotes or hearsay, came from a number of quarters. Some firearms clubs told the select committee that they did not object to long arm registration. The Australian Institute of Criminology saw continued registration as desirable and important for the police functions of crime prevention and detection.

Some other gun clubs accepted that, if long arm registration was shown to be an important and useful aid to police operations, they would support continued long arm registration. Convincing and uncontroverted evidence as to the importance and usefulness of the long arm registration system to the operation of police was submitted by experienced operational police officers, especially at pages 417-445 of the transcript of evidence.

That extensive evidence of the real practical value of firearms licensing and registration leads to the conclusion that the two-pronged system is valuable in the following respects: first, in tracing stolen firearms; secondly, in helping

distinguish homicide from suicide; thirdly, in enabling the police to attend the scene of a siege, domestic violence, robbery and so on, informed with the best information available to them and tactically well prepared (that is, forewarned and forearmed); fourthly, in also enabling the police to protect themselves in hazardous situations where they often risk their lives to protect the community; fifthly, in seizing firearms in cases where a person's licence is cancelled; and sixthly, in following patterns of criminal activity.

Serious weakening of police capacity to act in the public interest would result from abandoning long arm registration. A useful parallel can be drawn with motor vehicle laws, where we license the individual and register the vehicle. Both aspects of the law are important and useful and do no harm to law-abiding citizens, other than to their hip pockets. The fact that some people do not comply with motor vehicle licensing and registration laws does not lead us to abandon the registration system.

The third myth to which I refer is that some firearms organisations have made the assumption that criminals generally do not comply with firearms laws. Police evidence suggests that, on the contrary, criminals often comply with firearms laws to the utmost in an effort to avoid being brought to the attention of the police before they undertake their criminal activity. They may also possess illegal unregistered firearms such as automatic weapons, but the police consider the registration system to be an important aid in respect of the pattern of criminal activity, involvement, intelligence and detection.

In conclusion on this issue, the firearms licensing and registration record is often the very first record that police can use from a crime scene. It is commonly used by our operational police in suburbs, towns and country areas. I conclude with quotes from two South Australian police officers who gave evidence to the committee. Inspector Maggs said:

> There are definite benefits to the community at large in [police] having such a registration file...It is our opinion that licensing without registration is like buying half a suit...If the requirement to register firearms is lost, it will be a great loss to the operational police officer and so in turn will be a loss to public safety and reduce the level of service to the community.

Inspector Woollacott said:

> Firearms registration has been historical in South Australia and I do not know of anyone who has been harmed by it.

I would add in parenthesis (apart from criminals). He further said:

> Many things have in fact been solved by it...it is a bit of a bother to register one's guns, but I think the benefits far outweigh the disadvantages.

**Mr INGERSON (Bragg):** I support the noting of the report and at the outset wish to comment on public matters concerning the select committee being referred to in the press before being reported to the House. There have been two occasions, one during the select committee's operation, and the other occurring today, with certain statements reputed to have emanated from the select committee appearing on page 12 of the *News* setting out what some of the select committee's decisions would be.

That is an issue which I hope the Minister will take up—and not only the Minister but also the Speaker of the House. We must ascertain how information on the report and some of the guidelines that will be brought down in Parliament today was released to the *News* prior to the report coming before Parliament. This select committee was only the second select committee of which I have been a member and I found it very interesting, educational and enjoyable due to the cooperation of the witnesses and the willingness of the members of the committee to sit down and discuss the issues at length.

People with a broad range of interests appeared before the Committee. They commented on the existing Act, the Bill and past and future regulations. Like any member of the public, some people were confused about the Bill, the Act and the regulations, and comments made by witnesses verified that fact. Perhaps we as parliamentarians should consider this issue and attempt to make the Acts and the regulations that we finally produce simpler and easier for the community at large to understand.

The setting up of the select committee has been vindicated by the fact that there is now a new Bill and corresponding draft regulations. Both the new Bill and the draft regulations are significantly different from the Bill and the regulations that were examined by the select committee. I want to take up the comment made by the member for Light, and I congratulate the Minister for bringing forward the regulations and the Bill at the same time. I have commented on this concept many times before in the House and I find it amazing that other Ministers and departments cannot get Bills and regulations ready at the same time. It seems to me that so much in this community is controlled by regulations, yet this Parliament does not have sufficient time to debate them. However, in this instance the Minister has brought forward the Bill and the regulations for obvious and convenient reasons, and I strongly support that move.

Because under the rules of the House of Assembly Opposition members were unable to bring down a minority report, I want to place on record our position, the principles that we support and the positions and comments in the report to which we are opposed.

First, I support the overall thrust of the Bill and the regulations. It is proposed that there be an increase in controls on access to firearms. I personally support this, and I know that all committee members strongly support that concept. An increase in the licence age was recommended, although exemptions are provided to allow younger people to be involved under the supervision of coaches or parents. That is a very important change and one which I support. However, having said that, I point out that there is one issue which, I am quite sure, will be discussed at length when the Bill is debated in a couple of months, and that is the coaching of children aged 10 years or more. If Australia is to continue to produce magnificent sportspeople, as has occurred over the decades, we must make available the opportunity for children aged 10 years or more to be coached. As I said, I am quite sure that that matter will be fully discussed when the Bill is debated at a later stage.

I support the recommendation on training in the use of firearms and safety. Excellent contributions were made to the select committee by several clubs and organisations which have already done significant work in this area. I hope that those organisations will take up this opportunity not only to increase their membership but, more importantly, to show that they are concerned about the use and safety of firearms for sporting and recreational purposes.

I support the recommendation relating to the permit to purchase a firearm. Obviously, this would be prior approval. The Registrar would define whether or not a person was fit and proper to own a firearm, and that assessment could be made only on a one to one basis, either by the Registrar or his staff. In relation to this matter, one specific exemption is recommended, and that is to enable people to purchase guns at auction. I support that recommendation.

There has been an important and continuing recognition of firearms clubs. In recognising the role of these clubs in the community we should also recognise that they must

adhere to certain standards and responsibilities. I know that all associations and clubs recognise those standards and responsibilities. This matter was discussed at length by the select committee. I believe that, if firearms clubs continue to develop those standards and make their actions known to the public, some of the concerns in the community will be lessened. Of course, the Minister needs the right to deregister but, in this case, because there was some concern about a bland deregistration, the Minister has accepted that the reasons should be set out clearly in writing. I support that comment.

The need to recognise collectors and their problems was acknowledged by the select committee, which spent a considerable amount of time talking to collectors. This is an interesting area and I believe that most members of the select committee had no idea of the extent of interest in the community in simply collecting firearms and ammunition. I am quite sure that the recommendations in this regard will be supported by professional and amateur collectors.

The relationship between family problems and firearms was noted. This involves a tremendous amount of emotionalism and real concern. There is no doubt in my mind that firearms are consistently used as intimidatory weapons. That aspect has previously been highlighted in the community, but it was recognised as a problem by the select committee. I am pleased that the Minister has requested the Federal Minister to take action in relation to the Family Court in recognition of these very difficult problems.

It is proposed that penalties be increased. The Opposition has continually stated that that was one of the major problem areas in the original Bill. We support increased penalties, recognising that they are maximum penalties and that any decision will be made by the court.

The transitional procedures, which the member for Light mentioned, are very important in the development of or changes to a firearms policy of this type. The transitional procedures enable those people who have lawful registrations to continue uninhibited until their registrations expire. I believe that those sorts of changes are very important. I also support the amnesty and the requirements set out by the Minister.

However, having made those comments which, as members can see, support in principle the thrust of the need to extend the control of firearms within the community, I think it is very important to set out the areas about which the Opposition is concerned. In relation to licence endorsements, I feel that it would be an administrative nightmare to issue a licence for a particular class and then to have a specific endorsement of use, or a multiplicity of use, placed upon it. I believe that the Registrar, whilst seeing that this endorsement may be of some value, will find that, by continuing to administer this section of the Act, he will lose a lot of hair, as will members of his staff. Whilst there is the protection of the consultative committee for grievances, I still believe that this licence endorsement requirement will create significant problems.

We oppose controlling ammunition as recommended in the report because, when someone purchases ammunition, a licence needs to be produced and the sale must be recorded by the particular gun dealer. However, the Registrar would not check the gun dealer's records as to whether the individual has purchased any ammunition. I believe that the registration of the gun and the obtaining of a licence is sufficient. Again, I think that additional ammunition control legislation will be an administrative nightmare and it will serve no purpose whatsoever.

I am concerned about the security regulations because five different forms are proposed. I am particularly concerned about the need for certain weapons to be stored in a steel case because, as a pharmacist, I can remember legislation introduced in the early 1970s which provided that dangerous drugs must be kept in a safe. All that did was highlight to burglars where the drugs were kept on a pharmacist's premises. The number of pharmacy, and particularly drug, robberies increased.

I am further concerned that, by forcing owners of particular types of guns to have steel security cupboards, we will be simply telling criminals, 'Look around in a house that you suspect has some weapons. When you find a safe, you will find the weapons.' I think that what has happened with the pharmacy legislation can be used to support that argument. Whilst I recognise that there is a need for security, I am concerned about some of the methods that have been suggested. I am quite sure that further debate will take place on this topic.

The other area about which we are concerned relates to the registration system itself. There is no doubt that the evidence that was presented to the select committee predominantly said, 'Look, we have a problem with this registration system. There is no way that one can consistently and honestly know whether the gun registered is the same gun, the right gun, or whatever.' Almost 90 per cent of all witnesses mentioned that concern. I am troubled that we have not in any way attempted to address that problem, other than to say that the Government should make available significant resources for the upgrading of this system. I believe that, before we introduce further legislation in this area, the Government should look at the section administered by the Registrar, install a new computer and employ enough people to upgrade the system so that we do not come back in 12 months and ask the Minister whether any review has been undertaken and whether the situation has improved.

I think it is a pity that the Minister, and consequently the Government, did not take up the presentation by Mr Fine because, as the member for Light said, his research was supported federally, by Inspector Greenwood from England, by a Senior Sergeant in the Victorian Police Force, and by the majority of associations. His system would improve the registration process. In the end, one thing that was very clear to all was that it really does not matter what system of registration is in place—whether it be of the individual, the particular gun, or ammunition—the criminal use of firearms will not be controlled by legislation.

I believe that the community must accept that the violent and criminal use of guns, together with their ammunition, is something about which we need to be very concerned. However, this legislation will not deal with that issue in any way, because there is no doubt that, if anyone wishes to obtain a gun and ammunition, that can be done (and will continue to be done) illegally, irrespective of what particular direction we take. I hope that this report is accepted by the community at large and that, in the next two months in particular, they take the opportunity to look at this report, the new Bill and the regulations and present their views to the Opposition and the Government, encouraging them to either support the current Bill or to make further amendments.

**Mr ROBERTSON (Bright):** Before commenting on the report, I wish to clarify a statement made by the member for Light, who spoke earlier. The honourable member referred to the fact that under the proposed Bill confiscation will still be a possibility. On my reading of the report and

the appendix, that is not so and, in fact, section 32 of the 1977 Act remains intact. Indeed, the only circumstances under which confiscation is possible is where a firearm is illegally held and, in the particular case in point, that would be only where people who currently hold a firearm illegally have not taken advantage of the amnesty proposed in the report. The report suggests that the only other occasion on which confiscation is possible is by order of a court and, specifically, by order of the Family Court.

I pay tribute to the sincerity and the genuine concern of witnesses who appeared before the committee. It is my feeling that those people who have the most to lose by any proposed changes were perhaps represented more vociferously, articulately and more often than certain other sections of the population. This is clearly understood: people who have considerable property, considerable investments in firearms—individual and collections—and ammunition and the like, obviously may have felt threatened by any proposed change to the legislation. Quite clearly people who earn a livelihood in either the security industry or professional shooting may have also felt threatened by any changes. People who derive pleasure through sport and recreation may also have felt their position to be threatened.

It is also apparent that among firearm owners there is a certain ethos and genuine affection for the weapons that they collect, hold and use. Of course, that is an affection that is not readily understood by many people who are not firearm owners. I guess collectors of any kind are entitled to have that sort of view and firearm collectors seem to be no exception. I feel that people in that category made a special effort to represent their views to the committee. I certainly came out of the select committee with an understanding of how they feel.

The obverse view is that of the victims of firearms abuse. Their point of view was not represented nearly as well, as articulately or as frequently as the point of view of firearm owners, sporting people and members of clubs. Indeed, of the 70 written and 45 oral submissions received by the committee, I believe that only two came from people who represented, or purported to represent, the views of people who were 'the victims' of firearms abuse.

I think it is worth recalling that for every firearm owner in the community there is the potential at least for other people to be the real victims of threats. If, in the event of the person with the weapon choosing to use it in that way, there is a real or imagined threat hanging over any family member of a firearm collector of either sex. Quite clearly, the people most often affected are the women and children of male firearm owners. It became clear in the course of hearing submissions that, in particular, many wives and children feel threatened by the behaviour of firearm collectors. Even the cleaning of a gun in certain circumstances could actually grip the person's family with terror and even a glance at a firearm on a wall can be sufficient to cause terror to certain women and children. I suspect that it is not a huge number, but it would certainly affect some.

I am concerned that whilst the views expressed to the committee by firearm owners and those who represent them were expressed rationally, clearly and articulately, there must logically be a group of firearm owners outside the existing network of clubs—a group of people whose views are perhaps a good deal more extreme than the views of *bona fide* firearm owners. It is my belief that the people outside the clubs and organisations do not believe in legislation or regulation; they do not believe in the power of parliaments; they do not acknowledge, in many cases, the rule of law or the power of the police; they are certainly not members of clubs; and they are not about to trust politicians to make laws. In fact, in many cases they are unable to trust the police to enforce those laws, and they are most certainly not about to have their views represented by firearm clubs.

That group of people worries me. Their views are unknown and to all intents and purposes they remain anonymous. It is my belief that they may possess up to 100 000 firearms in this State. Their views were not represented to the committee because, quite clearly, they did not see it as a *bona fide* forum. I am still uncertain as to how those people feel and as to the effectiveness of any laws in containing their behaviour and restraining some of their excesses.

All in all, I found the committee to be a productive process. I think that its hallmarks were rationality, compromise, good sense and a degree of amity, and I certainly appreciated the goodwill of other members of the committee. Generally, I found the witnesses to be genuine and, in most cases, quite well researched and articulate. I think that, to their credit, they did not indulge in any undue polemics. When they had to face potentially hostile questioning I appreciated the fact that, in the main, they handled the questioning rationally and with good humour. At this point, I conclude my remarks and extend my thanks to all witnesses who appeared before the committee.

**Mr BLACKER (Flinders):** I support the motion. As a member of the select committee, I would like to make a few comments. In particular, I thank the member for Light for the manner in which he presented what I believe was an overview of the views that I share, and I think I can speak for the member for Bragg in that regard. The fact that the committee could not present a minority report brings about a different set of circumstances from those I originally perceived because I thought that, if we were unable to come to some sort of arrangement or agreement, a minority report could be brought down to this House. That is not the case; therefore this procedure must be adopted.

I commend the Government in that it recognises that, because a number of quite significant changes need to be made to the legislation, the most appropriate way is to note this report, have the Bill read and discharged and then introduce a completely new Bill; otherwise it would require the suspension of Standing Orders for the introduction of new clauses which were not debated in the second reading stage. The only proper course of action, which the Government has adopted, is to have this Bill read and discharged, introduce a new Bill and then for the process to start again. Should the process require reference to a select committee again, we will have a long job ahead of us. However, I do not think that that course is envisaged by anyone.

I commend the 71 witnesses who gave written evidence and the 45 individuals and groups who presented oral evidence to the committee. The committee met on 14 occasions and I was present at all but one meeting. On that occasion I was interstate and unable to return. From my reading of the minutes and my involvement in all other meetings I can only commend the presentation of evidence by all those who appeared before the committee. I share the member for Bright's sentiments about the attitude of all members in wading through and discussing the information put before the committee.

The point has been made that it was an unusual exercise in that a Bill and regulations were introduced at the same time. I believe that it was the right course of action. I would like to see it happen on more occasions, because quite often legislation is introduced and its real teeth are embodied in the regulations, yet the House does not have the opportunity to debate them. On this occasion, where controversy could

arise with every clause, having the Bill and the regulations considered together is commendable, and I totally support that approach.

The member for Light mentioned the word 'confiscation'. I was present when Inspector Tate appeared before the committee. On page 26 of the evidence, Inspector Tate acknowledges that, if a person is denied the renewal of his licence because of changed circumstances and is unable to divest himself of that firearm legitimately or in any other way, he could have it confiscated. So, to a degree, it is *de facto* confiscation. In answer to my question, 'Could it be interpreted as confiscation?', Inspector Tate replied, 'Yes, it could be.' So, we are talking about an area of uncertainty where *de facto* confiscation could take place. So we could have 'confiscation' or 'denial' of one's right to continue to own a firearm or 'dispossessing' a person of a firearm because of changed circumstances and not because of criminal tendencies.

At that time I used an example where a farmer had a legitimate reason for owning a single shot .22 to destroy stock, a high powered rifle to shoot foxes and a 12 gauge shotgun for spotlighting. However, if the farmer sells the main part of his property but retains the homestead in the corner (or, if the planning laws allowed, retains a small portion of the property but divests himself of the broadacres on which he was originally given permission to use those firearms), it could easily be considered that he no longer required his weapons because the original use and requirements no longer existed.

*Ms Gayler interjecting:*

**Mr BLACKER:** The transitional provisions do not take that point into account. The person might wish to retain his firearms, but he could well be denied possession. It is a matter of interpretation and a grey area that has not been cleared up. I cannot accept that we have fully come to grips with that problem, even though we have had explanation after explanation that the officers do not believe that it is necessarily a problem. Technically, *de facto* confiscation still exists.

In much of the debate concern was expressed—and this was raised by the member for Bragg—about publicising the alleged discussions of the committee. I felt some concern in many ways because, as a committee member, neither I nor any member of the committee was in a position to respond to the comments and allegations made, particularly those by the Hon. Ian Gilfillan and Senator Grant Chapman. As committee members, we were unable to respond or comment and, more particularly, each person who gave evidence was also limited in their ability to respond. I know that many firearms organisations would have liked to respond to those comments but, because they appeared before the committee, their hands were tied. To their absolute credit, they kept quiet on that issue and certainly obeyed, recognised and respected the requirements of the select committee that bound all parties. I take up this point because a newspaper today, in a relatively vague way, has preempted the report before it has been tabled in this House. In principle at least that contravenes Standing Orders.

I thank the Secretary of the committee and his assistants for the work that they did. The committee required a considerable amount of bookwork, printing and copying and certainly a lot of coordination of the members. From that point of view, everything was handled as well as could possibly be expected. The real issue as I see it is the argument over the requirement for registration of long arms, and I differ from some members on the Government side about the tenure of the evidence presented. Obviously, some Government members placed a great deal of importance on the evidence given by two police officers in particular and gave little or no credence to other witnesses who seemed to give credence to Fine's argument that the registration of long arms did not serve any real point, that it was not cost-effective and in other nations has been abandoned. It is a matter of balance as to how much credence one gives each of the arguments. In its report, the Government has chosen to stick with the registration of long arms and I have no doubt that that issue will be the subject of continuing debate within the community.

There was considerable debate about firearms collectors, ammunition collectors and their collections. Although there does not appear to be a large number of ammunition collectors, they have a problem with the law as it presently stands. I hope that the proposed Bill covers their particular concerns, because I am satisfied that, from the cooperation with the committee, there was certainly no evidence to suggest that anyone was trying to cut them out or do anything other than accommodate their genuine collective ideas, talents and hobbies as ammunition collectors. As I mentioned, as it presently stands, the law does not permit the acquisition of ammunition without a firearm from which to use it. Collectors have many pieces of ammunition and they are unable to own the appropriate firearms from which to fire them.

The question of the auction of firearms was debated, particularly with respect to deceased estates. The committee tried to address that question, so I hope that the Bill includes a practical proposition for the auctioning of firearms whereby prospective purchasers can work through auctioneers who, in turn, will be required to obtain an appropriate permit for the sale of firearms. There was absolute support for penalties for criminal misuse. The underlying feeling from every organisation which gave evidence before the committee was that the criminal use of firearms was to be deplored and stamped out if humanly possible.

The question of the security of firearms was raised and I have some doubts as to whether what has been proposed will be effective. Some people who gave evidence suggested that the best way is to break the gun into its appropriate pieces and hide each piece in a different location. Whilst that might work for one firearm, it is not appropriate in terms of a collection. Needless to say, there will be arguments for and against that point. The example relating to chemists, which was presented to the House today, is a very real concern. A locked cupboard obviously hides something, whether it be money, jewels or firearms. It must be something of value and the fact that the cupboard is locked merely draws attention to it. I do not have an answer to that problem but I wish that there were a simple answer. However, I am pleased that the committee has backed off from the original recommendation of a steel and concrete strongroom for semiautomatic .22 weapons.

I note that the training for prospective licence holders is to be carried out on approved fields with approved clubs and trainers and on a fee for service basis. This worries me because it will add another cost to that particular sport and, although the majority of people will comply with it and will obtain the appropriate qualifications in order to get a licence, some will not do that and they will continue to use firearms indiscriminately and illegally.

This brings me to my final point, which is the cost of a licence. I fear that the recently revised fees for the renewal of licences may well force some people not to renew. Some press statements have suggested that 4 000 licences have not been renewed so far in the current 12-month period and that more may not be renewed because of the cost. If

that is so, it totally defeats the purpose of this legislation. I support the motion that the report be received.

**Mr GUNN (Eyre):** The first thing I want to say is that the findings of the select committee point out to the Government, particularly, to the House and to the community at large the great value of select committees in examining legislation, particularly contentious legislation. The Bill which was debated in this House earlier this year was brought in at a time of great emotion and controversy throughout the community about the ownership, use and alleged illegal use of firearms. Most of it was generated in the period leading up to the State election in New South Wales, and an attempt was made to use firearms control as an issue in that election. In a desperate attempt to save the Premier of New South Wales, the Prime Minister got on the band wagon, as did the Premier of Victoria. Unfortunately the Government of this State followed likewise. However, following a devastating defeat of the anti-gun lobby in New South Wales, this Government took stock of the situation and made some rational decisions.

As someone who has been involved in the ownership and use of firearms for most of my life—and I like to consider myself to be a law-abiding and responsible citizen—I believe that the legislation was not responsible and would have caused many difficulties in the community. South Australia has many and varied groups of people who have formed themselves into gun clubs, rifle clubs and other associations to participate in good healthy sport, which they do on a regular basis and from which they receive a great deal of enjoyment. We should not take any course of action that will unduly impede, restrict or make things difficult for those people.

Unfortunately, when one starts talking about firearms and gun control, people tend to become very emotional. They do not really understand the subject. Having had the opportunity to examine legislation dealing with firearms and the criminal use of firearms around the world, I have come to a number of conclusions. Unfortunately, many Governments do not seem to have come to the same conclusions. My first point is that, in addressing the subject of registration, the committee has overlooked the very fundamental point that it will not prevent the criminal use of firearms. Regardless of the laws that are passed, the restrictions that are imposed or the permit systems or registration provisions put in place, people with ill intent will obtain and misuse firearms. All these restrictions do is make life a great deal more difficult for law-abiding citizens who have a legitimate use for and do not misuse firearms.

It is a great pity that the Government did not take heed of the suggestions put forward by a large number of responsible people that there is really no need for registration. The Government should follow New Zealand's lead. Having had the chance to look at the New Zealand situation, I believe that it is in the interest of taxpayers and commonsense that the Government should give that matter its very close attention and consideration. Unfortunately, this report was tabled at 3.30 p.m. today and members have not much time to go through it in detail, although members of the select committee are fully aware of the contents of the report. The debate will come when the legislation is considered in this place. At that time this document will provide good background information.

*The Hon. J.W. Slater interjecting:*

**Mr GUNN:** The member for Gilles, who is grumbling and mumbling at a time of the afternoon when he usually sleeps, should resume his normal practice and allow the House to get on with its program.

*The Hon. J.W. Slater interjecting:*

**Mr GUNN:** I am usually a reasonable fellow, but the honourable member is getting a bit over the fence. I could say many things about him, but I am a charitable fellow.

**Ms Gayler:** The report contains facts.

**Mr GUNN:** I do not need advice or guidance from the honourable member, who has already made a contribution in this debate. She would have to be classed as a member of the anti-firearms lobby.

*Ms Gayler interjecting:*

**The DEPUTY SPEAKER:** Order! I ask the honourable member to desist from interjecting and I ask the honourable member for Eyre to address the Chair.

**Mr GUNN:** The member for Newland talks about facts, but there are one or two facts that the honourable member should understand. One cannot get practical experience in or an understanding of this subject from books. Indeed, the honourable member could read all the books she liked, but dealing with these matters in the real world is the best way to learn the facts to put before this place or to cite when discussing the issue in the wider community. Further, I do not think that the Deputy Premier, unlike the member for Mitchell, has had much experience in dealing with firearms, otherwise the original legislation would not have been introduced.

Having read the provision concerning security of firearms and having discussed it briefly with the member for Light, I wonder how it will be enforced. It is a nonsense. What the member for Flinders said about having to build strongrooms is an indication to people who wish to acquire firearms illegally as to requirements. I keep my firearms secure in a wardrobe. Some people pull their firearms to pieces and keep the parts in a case. That is the normal arrangement and firearms are not hard to put back together. One certainly does not want to start pulling the barrels off rifles. I should not think that that would be a wise course of action. For all these reasons, I wonder how these provisions will operate. Will police visit the homes of people who have firearms in order to inspect the security arrangements? If that is the intention, all hell will break loose, and the Deputy Premier will have to address this matter because it is a nonsense. Many people carry a rifle in the Toyota as part of their normal equipment. Must they now chain the rifle to the windscreen of the vehicle? Indeed, most people have a couple of hooks for this purpose.

I am concerned about one or two other matters. The provision under which people must hold a licence to buy ammunition is unimportant and not as bad as originally envisaged, but a person may have to travel 30 kilometres to the nearest town to purchase a few packets of .22 ammunition; surely that person will not be denied the chance to purchase such ammunition merely because he or she does not have the requisite licence? If someone travels to the town and tries to purchase such ammunition on behalf of another person, will the purchaser have to cite a licence number in order to do so? I find these controls on ammunition difficult to understand. Will restrictions be placed on loading equipment? I have a considerable quantity of gunpowder and shot. Will restrictions be placed on that?

**The Hon. R.G. Payne:** Self loading.

**Mr GUNN:** Then that is a nonsense. Throughout the community there are many people with that equipment. Presumably someone will check on that. We are really starting to go down the road at unnecessary lengths to achieve a set of reforms that at the best of times leave much to be desired. Over the years I have had much contact with people involved in gun clubs and I have found that the overwhelming majority of members of those clubs are

responsible law-abiding citizens. It will be interesting when they read this report and get back to their members of Parliament. I strongly urge them all to make their views known to their local representatives, because that is the only way in which they can convince this Government that improvements are required in certain parts of this legislation.

I am prepared to concede that the Government has shifted a considerable way from its original proposals. The reason for that shift is to be found in the chilly winds of the ballot box which, flowing from the electorate, affects members of Governments and Parliaments.

*The Hon. J.W. Slater interjecting:*

**Mr GUNN:** I will not reply to the honourable member who is interjecting, because I am taking my time quietly, not wanting to annoy other members or to give the staff greater difficulty than they usually have when I am speaking. I wished to refer to a number of matters in the report and I am looking forward to studying the Bill and the regulations in detail.

*The Hon. D.J. Hopgood interjecting:*

**Mr GUNN:** I shall have much to say about three or four areas when the debate on the Bill resumes. In this regard I refer to registration, security and ammunition. I want to ensure that unnecessary controls, restrictions, and red tape are not imposed on gun club members. A great problem in society today is that we are tying up members of the community, especially anyone wishing to do anything, in bureaucratic red tape and humbug. We should not go down that road on this proposal, because many of the people who run these organisations do so voluntarily in their spare time, and the less humbug and restriction, the better for all concerned.

*Members interjecting:*

**Mr GUNN:** That is right. I do not want to disappoint the honourable member, because I have a great concern in these matters. I enjoy being a member of the gun club and shooting in a private capacity. I declare my interest: I own a number of firearms, although they are not used as much as I should like. However, I enjoy the limited use I make of them.

I sincerely hope that, before the Government proceeds with this legislation, it will allow adequate time for it to be digested and considered by members of the public. It is important that these proposals be circulated in the wider community. This is a large document and the lengthy procedure of photostating means that it will be some time before it is available to members of gun clubs and other interested people. The number of witnesses appearing before the select committee was the largest that I have experienced for a long time and it will take a long time for them to discuss this report with their gun clubs. I am happy to participate in this debate and I will reserve my final judgment until the Bill is debated in this House.

**Mr S.G. EVANS (Davenport):** I support the noting of this document. I am aware that when it was first mentioned that gun laws would be changed, many Government members were strongly of the view that guns should be banned. That was the sort of promotion, as far as the Government was concerned, that anybody who owned a gun was a potential criminal. I suppose if that is the case, the same could be said about motor cars.

There is no doubt that, as a result of the evidence put before the select committee and of things that have happened in other States during elections, the Government has shifted ground. I find it strange that the committee—and I have some respect for many of the people who served on it for their political nous—played around with the age for owning a gun. I will be interested in reading the evidence to see whether any evidence was given to show that many crimes involving a gun were committed by people aged between 15 and 18 years. I think I will find that a very small percentage of gun crimes were committed by that group of people. So, suddenly we think we will lift the age to 18 years. One has to ask: why? I think it is possibly an area where everybody could give a bit of ground and it makes it sound nice but, to my knowledge, there is no real evidence in the community that that is the case; on my reading of crime, in every case that occurs with persons over the age of 18.

I then thought to myself: why did the committee come down with the suggestion that we should have tougher gun laws? I thought of a place like Switzerland where virtually every home, by law, is obliged to have a gun of much greater power than most of those owned in this country—and Switzerland has very little crime as far as guns are concerned. It also has a denser population overall than we have in this country, excluding Melbourne and Sydney perhaps. Why the difference? Is it a better disciplined society, are the police more effective, or is it our multicultural society that gives us this problem? I do not know the answer, but it is worth looking at. In a place like Switzerland every householder is told to be prepared, in case of war, not only to own a gun, but to have it readily available. I am referring to military style weapons. People in Switzerland do very little hunting, but they are quite good at professional shooting, as are many European people: it is a sport that is encouraged and young people are encouraged to participate.

The committee suggested that training should be introduced. I have to smile when I think of that. I do not condemn the committee for that suggestion, it had its reasons for coming to that decision, but how often has a crime been committed with a firearm when a person did not know how to use it? I would say very seldom. There have been some accidents with rifles, and other firearms, but not because the person concerned did not know how to use them. In most cases, the accident occurred because they became too familiar with the piece of equipment they were using and thus negligent in its use, as happens with drivers of motor vehicles; it has nothing whatsoever to do with training. Suddenly it is proposed to place in the hands of another group of inspectors an opportunity to make a few bob and become dictatorial, as is the case with driving licence tests. Some inspectors in that field have become unreasonable. I cannot debate that issue now, but I will at a later time. Even some police officers have made the point that some driving licence inspectors have gone too far—and the same will happen here.

In the short time that I have had to read the report and the suggested regulations and Bill, I am concerned about the proposed classifications of licences for firearms, whether it be a rim fire .22, a self-loading 12 gauge or a self-loading shotgun. The size of shotgun is not referred to. Will the fees for each classification be the same? We can bet our bottom dollar—although we are not allowed to gamble in this place—that the Government of the day will make sure that the licence fees for classifications D, E or F will be higher than at the other end of the scale. One asks why? I have a double-barrelled 12 gauge and a 16 gauge shotgun. The end result—if I wanted to attack somebody using a repeating, self-loading type shotgun—is the same. So, why put them in different classifications? We put all shotguns in the same classification, so why is not the .410 in the same classification as the .22 rifle? I know with which gun I would prefer to be confronted at about 70 or 80 metres—

or even less than that—it would be the .410 rather than the .22, even if it is a single shot .22. So, I do not think that matter has been thought through very well and I do not believe that there is a need to have different classifications.

The point of storage is mentioned. It is suggested that firearms in the A or B classifications be stored using concrete or steel containers or by locking them up so that they have to be unlocked to be released. I find it amazing that we have these sorts of laws. Why did the committee come to these decisions? Did it think that if a person intends to commit a crime, because he has to get a gun out of a concrete or steel container, that will stop him? Does the committee think that he will be bothered doing that if he can get hold of a double-barrelled shotgun that is fixed by a chain and lock to a bolt in the wall inside a building? Why talk about having to lock it up at all? I believe that it is the person's attitude of mind at the time that is the problem.

I do not want to go into the matter of violence on television. As I have said before, every storybook that contains violence, every film, and every play shows a man as being violent and aggressive. We teach our children from birth that if they are male they should at some time do their 'nana, grab a knife, an axe, a sword, a gun, a club, poison or whatever and attack somebody else. We teach it; it is displayed and encouraged so that, if he has a warped mind and something goes wrong, that is what he does.

I believe that we should be looking at a form of cure instead of attacking the other end and looking at prevention, although the cure will not work. I give the committee credit—it has spent time on the matter and I have not yet had the opportunity to read the 400-odd pages, as has been mentioned by the member for Light. Under these circumstances one has not had time to analyse this report in detail because it was tabled only a couple of hours ago. The news media gets it before MPs. One has to accept that if one has amendments to move when the Bill is debated one can then take the opportunity to comment.

There is no doubt that, in some cases, those people who own guns will be disappointed with the Bill or the report and that those who oppose guns will also be disappointed. That is the same I suppose with many other things in society. Legislation affects owners more than anybody else. If legislation is introduced to control use or storage, those who do not like it attempt to prevent others enjoying their sport or personal interest. It is a fact that these days the Government pays more attention to those who oppose other people's privileges, recreations, rights or opportunities to pursue particular interests than it does to those who indulge in such interests and who, in the main, have acted in a lawful fashion over the years and will continue to do so in the future.

I believe that the different types of firearms should be more closely examined. Further, I do not believe that, in the long term, the storage provisions will work. I do not support those provisions and we will wait and see what happens with the Bill at a later stage. I hope that, if this legislation is passed, at some time in the future a Parliament will use commonsense and reverse some of the recommended decisions.

**Mr LEWIS (Murray-Mallee):** I acknowledge that members of the committee went about their task in a very responsible fashion and I am gratified with the commonsense contained in the report. Quite clearly, during the course of the committee's deliberations, members were able to gain a clearer and unemotional insight into firearms and to understand that, like fire or arms, firearms can be a great servant or a terrible tyrant. I, and any other member of this place so trained, would have no difficulty in killing anybody in three seconds with my bare hands. There is no more lethal weapon because, very frequently, unarmed people are thought less likely to cause injury than those who may carry iron bars, wooden staves, knives, or any other weapon, including firearms. If one has the inclination to and understanding of how to kill somebody, no legislation will prevent that.

The committee recognised that firearms are not what they appear to be. They may be the simplest means by which somebody can kill somebody else and they provide the means of delivering a lethal strike at a greater distance than could possibly be achieved by using hand-held weapons or those propelled by the hand.

I recognise the commonsense contained in the proposition in Part IV of the committee's findings where it recommended that generally 18 should be the minimum age, but clause 5 of the Bill provides that 15 be the minimum age for other people. That clause provides:

> ... licensing a spouse, child, brother, sister or employee of a person who holds a firearm licence or who conducts a business as a primary producer.

I purchased my first rifle when I was eight years old. It was a great help to me in that it nearly doubled my weekly income by enabling me not only to destroy unwanted vermin in cherry trees and other fruit trees but also to take nearly double the number of rabbits which I otherwise caught in my traps. The extra money enabled me to get to school.

In relation to the registration system, some commonsense has now prevailed. In the past, registration has not worked, and the committee has acknowledged that. However, the committee recommended that a review of the system be undertaken, with the intention of improving its accuracy and maximising its operational benefits. I really do not know what they will be. I cannot concede that hot guns will not be sought by criminals who wish to use them for criminal acts, whether they be armed robberies, murders, or anything else. Spending further money and time on registration will not change that situation.

It will not help the police either, because hot guns are clean guns and no projectile 'fingerprints' will be contained in the records that are kept of registered firearms. If members believe that an effective and functional system of registration will reduce the number of crimes and/or contribute to the simplicity with which the weapon used in the commission of a crime can be identified (and therefore the criminal), they are mistaken. It is an exercise in futility. The likelihood of people using a firearm in the heat of the moment may be diminished by compelling people who own firearms to lock them up, because several minutes would elapse before they could retrieve the weapon from the safe. Otherwise, they will still be used in those circumstances. That is not the most common way that crimes involving firearms are committed. In most cases the firearms are unregistered, hot and clean—and incapable of identification through this proposed elaborate and expensive registration system.

I note that in subclause (11), page 9, under the heading 'Findings' that the committee has come to a more sensible definition of an automatic firearm. Previously, the definition banned what was and always has been referred to as an automatic firearm, such as the Remington or Browning .22 with a floating bolt, which is clearly outside this definition. That is appropriate because the trigger must be squeezed to dispatch every shot, whereas in a submachine gun or a machine gun the trigger can simply be held down and, while it is depressed, rounds are dispatched until it is

released. In my judgment, that is an automatic weapon. They are the kinds of weapons which we simply do not need and which we quite appropriately ban from public use. On the other hand there is no case for banning the use of weapons like the 'automatic' Browning .22 rifle. It is not an automatic weapon. The trigger must be depressed on each occasion that a round is fired. I am disappointed about the lack of insight and understanding of the device called a silencer. Mr Deputy Speaker, I accept that members opposite are rude to me during the course of my remarks.

**The DEPUTY SPEAKER:** I take the point the honourable member is making. I ask honourable members to be seated whilst somebody else is on their feet. The honourable member for Murray-Mallee.

**Mr LEWIS:** My concern about silencers is quite simply that whereas most members think one can fit a silencer to an SLR or some other fancy highpowered weapon, that one can take it out in 'Rambo' style and spray any number of bullets around the place without making any sound. That is utter nonsense because all such firearms, be they single shot, repeater, semi-automatic or automatic, are using rounds dispatched at greater than the speed of sound. Therefore, the silencer is useless and cannot be used in those circumstances to get rid of noise. These days most powerful handguns have projectiles that break the speed of sound.

If a silencer is to be effective it is necessary to use so-called standard velocity ammunition which does not travel at greater than the speed of sound. The SLR rounds travel at more than four times the speed of sound—I am talking about the army rifle, or Armalite. Those weapons which can and do use ammunition that delivers a projectile at less than the speed of sound are not shotguns; there must be only one projectile. One cannot silence a shotgun. There must be a charge behind the projectile which results in an ultimate muzzle velocity of less than the speed of sound. Therefore the projectile will fall away very quickly after leaving the muzzle of a rifle. If it is fitted to a shotgun one can only use single piece projectiles.

Therefore, silencers are not awesome, awful weapons. Indeed, in my experience, to the primary producers who use them, they are an essential part of the effective and efficient control of vermin because, with a silencer on a .22 rifle, one can simply sit beside a rabbit warren with a peep sight or a telescopic sight and nail several rabbits one after the other. One can eliminate a number of them and they do not know where the shots are coming from. However, one cannot take the same rifle and expect to deliver a lethal shot at more than 100 metres, with any certainty, to a human being or a dog, or any other animal because the velocity of the projectile is simply insufficient. It is already so spent by the time it has travelled any distance as to be an ineffectual tool against larger animals. For that reason, if one is trying to control pests like crows, sparrows, starlings, blackbirds, and other unwanted exotic birds that have been imported, and those birds are attacking pears, cherries, strawberries or any other crop, it is an ideal tool to add to the firearm to get rid of them, because with a silencer one does not disturb the flock or the mob. One simply eliminates them. I see nothing sinister in that.

I agree with the law as it now stands in relation to the use of silencers on handguns. However, I do not see any case whatsoever for banning them and making their ownership and use illegal. They do not make the rifle more concealable; they do not make it more lethal; they only obscure from audible detection the fact that a shot has been fired. It is not completely silent but it is very much quieter and, in addition, once the round has been fired it is uncertain as to where it has come from if the firearm is used under cover. That is the advantage when it is used in controlling rabbits, or eliminating cats or foxes.

With those few remarks I take the opportunity of congratulating the committee, in the main, on an excellent job and look forward to the return of the legislation to the House in a form which will more seriously and adequately address the control, ownership and use of firearms in society.

**The Hon. D.J. HOPGOOD (Deputy Premier):** I will address myself to a couple of things that have been said in this debate. There is a good deal that is more appropriately addressed in the second reading debate on the new Bill should this motion be carried. I refer, first, to what still seems to be the confusing situation, at least in the minds of some members, in relation to the transitional provisions. I believe that this is something that deserves further comment, not only because of what seems to be some continuing confusion on the part of members but also because it seems to me that this was in many ways the nub of the debate outside prior to the introduction of the legislation. To the extent that there was venom in that debate—I do not know that there was a great deal—it seemed to revolve around this whole question of confiscation.

This matter was very specifically taken up by the member for Newland in the select committee, and I want to quote briefly from an exchange that occurred on this matter. It refers to a witness whom I will not name because I am merely using this as an illustration of the way in which in some respects the debate has gone. The member for Newland put the following question to that witness:

I have some preliminary questions before going on to questions about your submissions. Were you, at any stage, concerned that the Government proposals would require the confiscation of firearms?

The witness replied:

As far as confiscation was concerned, the Minister attended the Premiers meeting in Canberra. In fact, the Minister attended on behalf of John Bannon. After that meeting the media in New South Wales and Victoria came out with calls for tougher gun laws and confiscation of firearms. That related to semi-automatic or fully automatic firearms. As far as I am concerned, fully automatic firearms were never available to the community; semi-automatic firearms were.

There was concern that the actions of anyone who had attended that meeting, and had agreed that these were the proposals that should be adopted, could lead to either confiscation or the making illegal of those particular classes of firearms. Confiscation was discussed in Victoria and New South Wales. We had discussions with Don Hopgood and he said that there was no provision to confiscate firearms of that nature in South Australia. However, there were laws proposed in relation to making the ownership of those firearms either illegal or, at the very least, difficult.

The member for Newland then returned to the question and said:

I am dealing with the South Australian Government. When were you dispelled of any misconception that the South Australian Government intended to confiscate firearms?

A second witness replied:

We would have to say that there was no clear evidence presented to us at any time that dealt with confiscation provisions within the Bills that had been presented in South Australia. I believe that the issue has been blown up out of all proportion.

And so say all of us. The witness continued:

We are talking about providing an overview of the Australian situation as it had developed simultaneously in New South Wales, Victoria and in this State. Therefore, to this end, I can say that concern was never dispelled because we never had those fears in the original instance. However, we noted in the 1988 amending Bill that the Registrar would be able to declare some firearms as unsuitable and that may have provided a confiscation vehicle. However, we have not had any specific discussions in relation to that.

That would seem a little suprising. The witness went on:

We have not had any discussion about that specifically.

The member for Newland returned to the matter, and said:

In an interview with Chris Nichols of channel 7 on the day the Bill was introduced, Mr ... indicated that the Government's decision not to confiscate had taken some heat out of the situation. Was that not misleading when you knew the Government never intended to include confiscation provisions in South Australia?

The first witness replied:

I do not believe it was misleading. It helped in clarification. A number of people were concerned throughout South Australia that firearms might be confiscated, and that helped clarify the situation.

My comment to that is that it would have been nice if that statement from that source had been made some weeks before. In any event, an echo of all that found its way into the discussions of the select committee. It is true that Inspector Tate was questioned by the committee on this matter. Following that session of the committee, I placed before the select committee a document which I have in my hand entitled 'Select Committee on the Firearms Act Amendment Bill. Transitional Provisions.' I will not read it in full, but it is available to all members. It very much reflects the second reading explanation of the Bill as introduced to the House such a long time ago. Part of it states:

Adequate safeguards exist in the Act to protect all licence holders from the arbitrary use of the power to revoke a firearms licence. These provisions will prevent cancellation being used as a subterfuge for denying existing possession and usage rights established by the transitional provisions. Under the Act before a licence is revoked the Registrar must be satisfied that the holder of the licence has:

*(a)* committed an act that shows that he/she is not a fit and proper person or,

*(b)* has contravened the Act or licence conditions.

In addition the Registrar must seek the concurrence of the consultative committee to revoke the licence. Persons whose licence is liable to revocation are given the opportunity to make representations before the consultative committee. A person aggrieved by a decision of the consultative committee has a right of appeal before a magistrate in chambers.

There has also been, moving to a slightly different topic, comment about the fact that no minority report is available to the members of the select committee. This is something of which I was not aware when I joined the select committee.

*The Hon. E.R. Goldsworthy interjecting:*

**The Hon. D.J. HOPGOOD:** What the Deputy Leader of the Opposition says is quite pertinent to my remarks. I was not aware that this was a constraint which operated. In fact, I suppose you might say that I have fairly successfully kept well away from select committees in my 18 years membership of this House. In relation to this matter, I want to say that members opposite who were members of the committee, despite the very constructive role that they played on the committee and the suggestions that they put forward, I thought were remarkably coy as to their ultimate position on the legislation before us.

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

**The Hon. D.J. HOPGOOD:** If the Opposition members of the select committee wanted to escape this mild criticism of being rather coy about their intentions, it seems to me that they could have put together a report which they could urge upon the committee. That might have given us some indication of exactly where the Liberal Party stands on these matters. After all, the two Liberal Party members and the National Party member of the committee were privy to exactly the same information as was available to Government members. As one or two members speaking in this debate said, not being members of the select committee, it will take them quite some time to digest that enormous amount of information, which I know that the member for Light is not allowed to display in this House, but we are all aware of just how much paper was generated by this particular select committee process.

As I said, I did find it a little surprising, but I am now a little wiser. I understand that minority reports are not available but I am surprised that a report was not prepared by those two or three members, as the case may be, and proffered to the committee. Perhaps I can be forgiven for thinking that members are keeping their powder dry until such time as the new Bill finds its way into the public domain and they will be unfettered in adopting any particular position that they want to adopt. Perhaps I am being a little churlish in my interpretation of the events that occurred.

*An honourable member interjecting:*

**The Hon. D.J. HOPGOOD:** Well, it is true that I indicated to members that, if they were prepared to place their objections on the table, it might have been possible for me to accommodate them in some way. I did not really get a clear indication. It was not until the last or perhaps second to last meeting that there was an indication of clear objection to registration, something I find difficult to accommodate, but members are entitled to their own views. I am not sure whether the member for Light has incorporated into his attitude to the Bill what was said by the member for Eyre, but the matter of storage of firearms was subject to a good deal of debate in the select committee. It was also subject to some modification as a result of the evidence placed before the committee. I certainly did not come away from the select committee with any belief that members opposite had any abiding objection to the form that was eventually adopted in the regulations. That is something for further debate. I commend the motion to the House.

Motion carried.

**The Hon. D.J. HOPGOOD:** By leave, I move:

That the Bill be discharged.

Bill discharged.

## FIREARMS ACT AMENDMENT BILL (No. 2)

**The Hon. D.J. HOPGOOD (Deputy Premier)** obtained leave and introduced a Bill for an Act to amend the Firearms Act 1977. Read a first time.

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

*That this Bill be now read a second time.*

This is the product of select committee deliberations on the original Firearms Act Amendment Bill introduced in this Parliament in March 1988. The findings and recommendations of the select committee have been reported to the House and, in my view, adequately address the principal issues involved. This Bill should be read in conjunction with the report of the select committee. I commend the select committee report and the Bill to the House.

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

Leave granted.

### Explanation of Clauses

Clauses 1 and 2 are formal. Clause 3 makes a consequential amendment to the long title of the principal Act. Clause 4 amends the interpretation provision of the principal Act. Clause 5 inserts a new Part III into the principal Act. New section 11 sets out the basic requirement that a person who

has possession of, or uses, a firearm must hold a firearms licence authorising his possession and use of the firearm.

Section 12 deals with applications for licences. The Registrar may refuse an application if he is not satisfied that the applicant is a fit and proper person to possess and use firearms. Section 13 provides that licences will only authorise possession for those purposes endorsed on the licence. Section 14 requires a person who wishes to purchase a firearm to hold a permit granted by the Registrar to purchase the firearm unless the Registrar has authorised sale of the firearm at auction.

Section 15 provides for applications for permits. Subsection (5) sets out the grounds on which the Registrar may refuse to grant a permit. Sections 16, 17 and 18 set out licensing requirements in relation to dealing in firearms and ammunition. Sections 19 to 21a are general provisions dealing with licences. Section 21b provides controls on the acquisition of ammunition. Section 21c prevents the lending etc. of a firearm to a person who is not authorised by a firearms licence to possess that firearm. Section 21d provides for appeals from decisions of the Registrar to a magistrate.

Clause 6 makes a change to section 22 of the principal Act consequential upon the definition of 'dealing' in section 5 of the Act. Clause 7 allows the Registrar to cancel registration of a firearm in certain circumstances. Clause 8 replaces section 26 of the principal Act. Clause 9 inserts a provision providing for the recognition of firearms clubs. Clause 10 makes an amendment to section 30 of the principal Act which will allow a police officer to obtain the name and address of a person who he reasonably suspects of being in possession of ammunition. This amendment is necessary to support the controls on the acquisition of ammunition contained in new section 21b. Clause 11 amends section 31 of the principal Act to give a police officer the power to require a person who has possession of a firearm to produce the registration certificate for the firearm.

Clause 12 inserts a new section which allows a person who would otherwise not be entitled to possess a firearm to continue in possession for the purpose of selling it. Clause 13 amends section 32 of the principal Act. Clause 14 makes a consequential change to section 34 of the principal Act. Clause 15 inserts a new section 34a which will empower a court to remove a firearm from a person who is not fit to retain possession of the firearm. Clause 16 increases the penalties prescribed by the principal Act. Clause 17 amends section 39 of the principal Act by inserting additional powers to make regulations. Clause 18 inserts a transitional provision. Clause 19 inserts a schedule of statute law revision amendments.

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

## ELECTION OF SENATORS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

## RADIATION PROTECTION AND CONTROL ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

## ELECTRICAL PRODUCTS BILL

In Committee.

(Continued from 14 April. Page 4203 of Third Session.)

Clauses 2 and 3 passed.

Clause 4—'Interpretation.'

**The Hon. E.R. GOLDSWORTHY:** I seek information on the definition of 'authorised person'. I indicated during the second reading debate before the recess that I was unhappy with the powers conferred on these authorised persons in the Bill because, as the Bill stands, this authorised person, whoever he or she may be, can simply enter premises or a dwelling without a warrant and seize goods. I do not think that even the police have power to enter premises, unannounced and without a warrant, and seize goods.

I found the former Minister very reasonable on most occasions, and he usually had the good sense to accept my reasonable amendments if he had notice of them. Later I intend to move an amendment in relation to the powers conferred on authorised persons. I ask the Minister what sort of people will be designated as authorised persons by the trust? What expertise, if any, will they hold, or will they just send out a messenger to seize goods?

**The Hon. J.H.C. KLUNDER:** I am informed that an authorised person will be a person, as indicated in the interpretation clause, who is authorised in writing by the trust; and that person will also be an electrical inspector, so it will be someone with expertise in that area.

Clause passed.

Clause 5 passed.

Clause 6—'Prohibition of sale or use of unsafe electrical products.'

**The Hon. E.R. GOLDSWORTHY:** I move:

Page 3—

Line 36—Leave out 'An' and substitute 'Subject to subsection (5a), an'.

After line 40—Insert subclauses as follows:

(5a) An authorised person may not enter a private dwelling under subsection (5) except in pursuance of the warrant of a justice.

(5b) A justice may issue a warrant authorising entry of a private dwelling under subsection (5) if satisfied that the warrant is, in the circumstances of the case, reasonably required for the purposes of the administration or enforcement of this Act.

As I indicated during the debate some three or four months ago, I thought that the powers of these authorised persons were far too wide in that they could simply arrive at a person's dwelling, demand entry and seize goods. We on this side are concerned from time to time with the powers which the Government seeks to invest in inspectors and others in the discharge of their duties. It appears to me to be quite unreasonable to invest an authorised person with the power, unannounced to enter premises—particularly if it is a dwelling, which is the ambit of this amendment—simply to seize goods. It is not at all unreasonable that they should have the warrant of a justice. From what the Minister has indicated to me, he is likely to accept this amendment, so I will say no more.

**The Hon. J.H.C. KLUNDER:** I acknowledge that the Deputy Leader raised this point in his contribution some months ago, and I also acknowledge that the then Minister indicated that he was largely in agreement with it and would be prepared to look at such an amendment in due course. This, apparently, is the 'due course'. In fact, the amendment which I had intended to move if the Deputy Leader had not moved his amendment was an identical one. It is based on the New South Wales legislation, and I have absolutely no objection to it.

Amendment carried; clause as amended passed.
Remaining clauses (7 and 8) and title passed.
Bill read a third time and passed.

## IRRIGATION ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 17 August. Page 302.)

**The Hon. P.B. ARNOLD (Chaffey):** This Bill seeks to amalgamate irrigation and drainage rates into a single rate payable by all ratepayers in Government irrigation areas, despite the fact that many ratepayers are not provided with a drainage facility. It also provides that the fixation of a base rate be converted from a rate per hectare to a percentage of the water allocation for a given property.

This Bill was formally introduced into the House last session by the previous Minister, the Deputy Premier. At that time, my immediate reaction to the Bill was that it was untenable and morally wrong for a Government to place a charge on the public or on ratepayers for a service that does not exist. My immediate reaction was to oppose that provision outright. However, on further consideration I believe that the matter could be better handled by providing the power to the irrigation advisory boards to enable them to determine what is in the best interests of their own areas of responsibility.

Some irrigation areas are provided with a comprehensive drainage system which enables ratepayers to drain their properties. Some areas are provided with no comprehensive drainage facility whatsoever; for example, the Kingston area. That is why I say that to amalgamate irrigation and drainage rates across the board is not acceptable to me or to the irrigators in the area. As I said, to demand a fee for a service that does not exist is morally wrong and cannot be sustained.

As a result, I prepared amendments which were made available to the Government and the department for their consideration. They have had these amendments in hand for a considerable period. I foreshadow that at the appropriate time I will move amendments to enable water boards to determine what is fair and reasonable in their own areas of responsibility.

My object is to give the water boards the authority to make determinations, not only in the irrigation area concerned but within a particular division of the irrigation area for which they have responsibility. Take, for example, the Cobdogla irrigation area: if the water board decided that it was appropriate that the irrigation and drainage rates be amalgamated within the Nookamka and Loveday divisions, but not in the Cobdogla division because no comprehensive drainage system exists, that will be the decision of the board.

By the same token, even within the divisions of Nookamka and Loveday, there are many areas that are not served by a comprehensive drainage system, and it would be appropriate for the boards to determine whether or not it is reasonable for all ratepayers within a division of an irrigation area to pay a rate for drainage. Many growers and ratepayers are crying out for access to a comprehensive drainage system and are being knocked back all the time by the Government on the basis that extending the comprehensive drainage system is too expensive and therefore will not be provided.

It would be totally unacceptable to charge growers a drainage rate in a situation like that when their property is being severely affected by the groundwater mound within the irrigation area or, alternatively, by the very poor condition of the Government's irrigation distribution system. Of course, 40 per cent of the South Australian Government's irrigation distribution system is in an appalling state of repair. It is quite antiquated and, unfortunately, some areas within the Government irrigation area are being irrigated from earth canals and very poor quality open concrete channels. It is quite impossible to attempt to improve irrigation practices within such an irrigation system. There is considerable leakage from the irrigation distribution system, which is in a bad state of repair and which contributes greatly to the groundwater mound and also to the drainage and seepage problems on properties adjacent to the distribution system. It would be appalling to charge the ratepayer a drainage rate when no drainage system exists. At the appropriate time, I will seek to amend the Bill to give that responsibility to the irrigation advisory boards within the various irrigation areas.

A number of provisions of the Bill are very worthy. I hope that the Minister will indicate in her response whether or not I have read the Bill correctly, but I understand that clause 5, which amends section 60 of the principal Act and which relates to allocation of water, gives the Minister the ability to vary allocations of water. That amendment is long overdue. In her second reading explanation the Minister stated that water allocations were redetermined taking into account the type of planting, thus vines, for example, drew an allocation of 10 700 kilolitres per hectare and fodder drew 14 700 kilolitres per hectare.

The conversion was determined on the basis of the plantings which existed on the irrigation properties at that time. One can see that there is a significant difference between the allocation of water per hectare for vines as compared with fodder, and the allocation for citrus and stone fruits is somewhere in between those two allocations. Since that time there has been varying demand for horticultural crops; at one time vines were not in demand. While there is some revival in the vine industry at the moment, it has been in a depressed state over the past 10 or 15 years and the production of dried fruit and wine grapes has been in a state of decline.

If a ratepayer removes vines and plants citrus in their place in a rated area within the Government irrigation area, obviously the allocation of water is insufficient to irrigate the same area adequately. If I read the Bill correctly, this clause gives the Minister the power to increase or decrease the allocation of water, depending upon the crop being produced at the time. Many growers have been restricted because they know that, if they remove 20 hectares of vines and plant 20 hectares of citrus in their place, they will not have sufficient water for the new plantings. In fact, they would probably have sufficient water to irrigate only 15 hectares of citrus. Within the Government irrigation area they would then be left with five hectares of rated land which would become vacant and which would fall into a state of decay, largely as a result of salt build-up.

Unless the land within an irrigation area is continually irrigated, the salt from the surrounding irrigation area is driven into the unirrigated area. Of course, that land would not only become completely useless but also detract greatly from the irrigation area and, consequently, the total benefits of the irrigation distribution system that has been installed at great expense, particularly in the rehabilitated areas, would be totally under-utilised. I hope that my reading of that clause is correct. If that is the case, it will certainly have my total support and will be publicly applauded. I think that most of the discussion will take place during the Committee stage and, at this point, I support the second reading of the Bill.

**The Hon. SUSAN LENEHAN (Minister of Water Resources):** I thank the member for Chaffey for his very positive contribution. I appreciate that there are a couple of, I suggest, minor points on which we may not necessarily agree and I am aware of the amendments which the member for Chaffey will move. I think that the reasons for and against those amendments are probably best left for discussion in Committee. However, the member for Chaffey specifically asked a question about the interpretation of the Bill. In fact, regarding new section 60 relating to allocation of water (pages 3 and 4 of the Bill), it is my understanding that the Bill provides for variation of the allocation of water. Flexibility is provided in that individual cases can be judged on their merits. However, all that must be seen in the context of the total availability of water. We are talking about managing a total water resource across South Australia. Within that overriding parameter, that flexibility will exist within the Bill. I again thank the member for Chaffey for his contribution.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—'Substitution of Part V.'

**The Hon. P.B. ARNOLD:** Proposed new section 60 (2) provides:

> The Minister may at the request of the owner of a block allocate a quantity of water for irrigation purposes in respect of the block or increase an existing water allocation that applies in respect of the block.

Proposed new section 60 (4) provides:

> The Minister may, at intervals of not less than five years, in accordance with the findings of a review of the water allocation of all blocks in an irrigation area conducted by the Minister, increase or decrease the water allocation of individual blocks by notice in writing given to the owners or occupiers of those blocks.

I assume that that is the provision under which a grower changing from vines to citrus, or vines to peaches, almonds or walnuts, could apply to the department seeking the Minister's concurrence for the allocation of water relating to the area to be converted to be increased to the recognised allocation for the given planting.

**The Hon. SUSAN LENEHAN:** That new section provides flexibility in that situation.

**The Hon. P.B. ARNOLD:** I move:

> Page 4, lines 38 to 40—Leave out subsection (2) and insert the following subsections:
>
> (2) The Minister may recover costs of draining water from land under this Part as a component of a water supply rate or by means of a drainage rate.
>
> (3) The Minister must not recover drainage costs as a component of a water supply rate without the approval of the advisory board established in respect of the irrigation area to which the rate applies.
>
> (4) A water supply rate that includes a component for the recovery of drainage costs may apply to land throughout an irrigation area or to land in any part of an irrigation area.

I have moved this amendment because it is totally unreasonable for irrigators who are not supplied with a comprehensive drainage system, who have no access to the comprehensive drainage system whatsoever, to be charged for a service that does not exist.

I believe that my amendment quite clearly and positively sets out the situation so that there can be no argument that the Minister must not recover drainage costs as a component of the water supply rate without the approval of the advisory board. I believe that the wording I have proposed is very positive; it leaves no ambiguity whatsoever and the irrigators and the advisory board will be perfectly clear as to the intention.

**The Hon. SUSAN LENEHAN:** I move the following amendment to the Hon. P.B. Arnold's amendment:

> Page 4, lines 38 to 40—Leave out all words in the proposed new subsections (2) and (3) after the word 'Part' in subsection (2) and insert in lieu thereof the words 'by means of a drainage rate or, at the request of the Advisory Board established in respect of the irrigation area to which the rate applies, as a component of a water supply rate.'

I have no problem at all in accepting the amendment to new subsections (2) and (4) proposed by the member for Chaffey. However, I do have some problems in accepting new subsection (3). I oppose this amendment because it proposes that the Minister must not act without the approval of the advisory board. I believe that this is not appropriate, and I draw the attention of the Committee and, indeed, of the honourable member to regulation 37 (4) under the Irrigation Act 1930. That regulation provides:

> The functions of the board, which shall act in an advisory capacity only, shall be to make submissions to the authorised officer in charge of the irrigation area on any matters which the advisory board considers should receive the attention of the Minister, including recommendations as to the commencing dates of irrigations.

While I believe it is possible, and it might well be very desirable at a future date, to amend, change or vary the role of boards, and indeed over recent years more responsibility has been given to irrigation boards, I do not accept that this should extend to placing a Minister of the Crown in the position of having to obtain the approval of an advisory board before actually being able to act. It really makes a mockery of the term 'advisory board'. Nevertheless, I accept the general proposition that incorporation of drainage rates and water rates should not be imposed on irrigators and, as the member for Chaffey knows, that is not the intention of this Bill, this Government or me as Minister. It has always been the Government's intention that it should be guided by the advice of irrigation boards in this matter.

However, I can see merit in reflecting the intention in the legislation. The amendment which has been circulated in my name achieves this end and retains the essential elements of the amendment put forward by the member for Chaffey without altering the role of advisory boards. I understand that these boards would be quite satisfied with my proposed amendment which certainly gives them a greater say in the management of their areas but does not put the Minister in the position of having to obtain approval from the board before being able to act.

**The Hon. P.B. ARNOLD:** I have put forward the amendment in a positive form for the reason stated by the Minister: when it comes to the crunch, the boards are there only in an advisory capacity no matter what statements have been made by previous Ministers of Water Resources that the boards have a vital role to play. When it really comes to the crunch, they can be totally dismissed. I certainly believe that, if the boards are to be effective, they must have a greater role and more responsibility. The interests of leading growers in the Government irrigation areas will continue to decline if they are not given an effective role in the process.

I accept that what the Minister is putting forward is virtually the same thing, but the way the wording of the Bill provides no assurance to the water boards or the growers that the Minister or the Government will not at any moment decide to amalgamate the irrigation and drainage rates. My amendment certainly spells it out very clearly. The Minister's amendment to my amendment really achieves the same thing but waters it down to some degree. It is certainly much better than the Bill as it stands, because there is no undertaking in the legislation, and that is where it has to be. Comment made in this House and undertakings given when a Bill is being debated are not worth a crumpet in law after legislation is assented to. We have found that

out on many occasions in the past, so it is essential that we have a provision in the legislation that clearly indicates that irrigation and drainage rates for rate payers who are not provided with a service will not be combined.

**The Hon. SUSAN LENEHAN:** I just want to answer a couple of the points raised by the member for Chaffey. I am certainly not dismissing the role and function of the irrigation boards. It is quite misleading to suggest that my amendment in fact suggests that. What the amendment and the Bill—

*The Hon. P.B. Arnold interjecting:*

**The Hon. SUSAN LENEHAN:** That is a little different from talking about dismissing the role—and the important role—of irrigation boards. The Bill and the amendment that incorporates proposed new subsections (2) and (3) of new Part V, as moved by the member for Chaffey—and it is very clearly spelt out—provide that the Minister will not act unless there is a request from a particular board to amalgamate those two rates. That is very clear. It is now very clearly in *Hansard* and it is very clearly on the public record. I believe it does mean something—

**The Hon. P.B. Arnold:** In practical terms it does not.

**The Hon. SUSAN LENEHAN:** I am sorry, I have to disagree with the member for Chaffey. It does mean something.

*Members interjecting:*

**The CHAIRMAN:** Order!

**The Hon. SUSAN LENEHAN:** I believe that my amendment will address the very question raised by the member for Chaffey. What it does not do is provide that the Minister cannot, under any circumstances, act without approval of the board. That puts the Minister, in a sense, in a secondary position to an advisory board, and that was never the intention in relation to the boards. If we are to talk about changing the complete role and function of the irrigation boards, then we should do that, but not in a piecemeal kind of way in relation to one amendment to an irrigation Bill such as this. We should do that as a major piece of legislation at a future time. If that is the way in which the member for Chaffey wishes to go, that is the way in which he should pursue it.

**The Hon. P.B. ARNOLD:** Ultimately that is the logical way to go; I have no doubt about that. Proposed new section 63 (2) provides:

> The Minister may recover costs of draining water from land under this part as a component of a water supply rate or (in the case of a block), by means of a drainage rate or by a combination of those methods.

I accept that the Minister's proposed amendment to my amendment will achieve virtually the same thing. I just make the point that I served for about 20 years on one of these irrigation advisory boards, so I have some idea, from my 20 years as a member of the Cobdogla Irrigation Advisory Board, of the response and the attitude to recommendations of the advisory board. That was in the 1950s and 1960s: perhaps my memory is just a little too long.

The Hon. Susan Lenehan's amendment carried; the Hon. P.B. Arnold's amendment as amended carried.

**The Hon. SUSAN LENEHAN:** I move:

Page 5, line 26—Leave out 'blocks' and substitute 'ratable land'.

This amendment clarifies that we are talking about ratable land under the drainage rate; we are not talking about non-ratable land. I want to ensure that there can be no misunderstanding. The amendment clarifies the position.

Amendment carried.

**The Hon. P.B. ARNOLD:** I move:

Page 5, after line 29—Insert subsection as follows:

> (3) A drainage rate is not payable in respect of land that is not adjacent to and is not connected to the drainage system provided by the Minister.

This amendment clearly sets out that where a combined water and sewer rate does not apply the drainage rate in that irrigation area or division of irrigation area will only apply to land adjacent to the comprehensive drainage system or a property connected to the drainage system.

**The Hon. SUSAN LENEHAN:** I am happy to accept the amendment.

Amendment carried.

**The Hon. P.B. ARNOLD:** I move:

Page 7, lines 5 to 23—Leave out section 73 and insert the following section:

> Supply of water to and drainage of water from non-ratable land
>
> 73. (1) The Minister may, on such terms and conditions as the Minister determines, supply water to, or drain water from, land that is not ratable land whether the land is situated in an irrigation area or not.
>
> (2) The following persons are jointly and severally liable to pay for water supplied to, or for the drainage of water from, land under this section and for interest in respect of any amount unpaid:
>
> *(a)* the owner and occupier of the land as at the date on which the amount payable first became payable; and
>
> *(b)* any person who becomes an owner or occupier of that land after the amount payable first became payable but before the liability to pay the amount or interest (or both) is satisfied.
>
> (3) Notice of the amount payable under this section must be served on the owner or occupier of the land and the amount becomes payable on the date stated in the notice.
>
> (4) Any amount that remains unpaid bears interest, and may be recovered by the Minister, as if it were unpaid rates.
>
> (5) An amount payable under this section (including interest) is, until payment, a charge of the land.

**The Hon. SUSAN LENEHAN:** I am happy to accept the amendment moved by the honourable member.

Amendment carried.

**The Hon. P.B. ARNOLD:** I move:

Page 7, lines 24 to 30—Leave out section 74.

**The Hon. SUSAN LENEHAN:** As I understand it, lines 24 to 30 are such that new section 73 combines the old sections 73 and 74, and I accept that amendment.

Amendment carried; clause as amended passed.

Remaining clauses (6 and 7) and title passed.

Bill read a third time and passed.

## ACTS INTERPRETATION ACT AMENDMENT BILL (No. 3)

Adjourned debate on second reading.

(Continued from 18 August. Page 380.)

**Mr S.J. BAKER (Mitcham):** The Opposition supports the proposition. The Bill before us merely makes it a standard proposition for Acts to come into operation whenever they are proclaimed, whether in full or in part. Some Acts come into operation when assented to, others on a date fixed by proclamation and others in stages. The last option can occur only when there is a special provision in the Act allowing it to come into operation in stages. This Bill seeks to allow any Act that is to come into operation on a date to be proclaimed to be brought into operation progressively by proclamation without a specific clause being included in each Act to enable this to be done. In effect, the Bill turns around the present position.

At the beginning of the debate I mentioned that the Opposition supports the proposition, although I have a number of reservations about the Bill before us. One of the difficulties caused by proclaiming Acts in part is the con-

fusion amongst all and sundry as to what is law and what is not law. Members have been regaled by me when I have embarked on my campaign of making the law easier and not complicating it with procedures, language or complexities.

One of the safeguards in the legislation today is that if an Act is to be brought in in stages, at the beginning of the Bill is an appropriate clause to cover this contingency. It does two things: first, it warns the readers of the Bill that if it comes into operation it may not all be there and there may still be some parts to come. Secondly, it alerts the Opposition to the possibility that there may well be some structuring of the way in which the Act is brought into operation. Those important principles should not be lost. We do not want a situation where Acts, for a variety of reasons, are staggered in their operation. We do not want the Government of the day to get lazy on Acts and suddenly, after an Act has passed this Parliament and been assented to by the Governor, say that it needs a certain provision tomorrow and therefore proclaims it whilst a month later proclaiming another provision.

Salient reasons exist why the current practice should remain. However, given that three separate practices are operating today, it makes it simpler to allow the one declaration, namely, that the Act shall come into force on a day proclaimed, covering both the contingency of the whole Act being proclaimed or part thereof. In considering its legislation, I ask the Government not to use this clause to further confuse the issue and make legislation far more difficult to handle.

On a number of occasions in this place we have made the mistake of believing that certain things will come into operation, and they have not. If we do not understand what has changed, how do the public and even some members of the legal profession understand it?

One of the issues that was raised in the debate in the other place was the potential for abuse of this provision. When talking about selective proclamation, the example comes to mind of some difficult areas of an Act that may well have been agreed in conference after a great deal of debate. To end the debate, a compromise was reached, but the Government never intended to introduce the provision that was being discussed. If the provisions in an Act are operational, they must be proclaimed, otherwise the new measure will not come into force. However, if the matter under debate upon which compromise was reached is a matter of principle within an Act, it could well be that the Act could function without it but, importantly, the will of the Parliament would have been ignored.

This matter has been canvassed, and I do not wish to go over old ground, but it is important that the Parliament operates in the interests of the people of the State. Our legislation should be clear and unambiguous. It should not be subject to the whims of the Government if it determines that the decision made by the Parliament is unpalatable. With those few words, I generally support the Bill in a reasonably lukewarm fashion.

Bill read a second time.

In Committee.

Clauses 1 and 2 and title passed.

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

*That this Bill be now read a third time.*

I indicate to the House that the amendment to this legislation is moved in the interests of good government and I am sure that I can give the assurances that the honourable member for Mitcham seeks.

Bill read a third time and passed.

## ADJOURNMENT

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

That the House do now adjourn.

**Mr BECKER (Hanson):** This evening, we have been greeted with the news that the Federal Government is budgeting for a surplus of $5.9 billion and that bank statutory reserve deposits are to reduce from 7 per cent to 1 per cent in an attempt to reduce interest rates. I hope that the Federal Treasurer is correct in saying that interest rates will be reduced, giving young people the opportunity to purchase their first home, thus fulfilling the great Australian dream. It has concerned me for many years that interest rates in this country have been at extremely high levels, as has inflation. The Federal Government has allowed inflation to roll along far higher than it should have and, by doing that, it has capitalised and is now in a position to have a record amount of money available for spending.

However, the Federal Treasurer may have missed a golden opportunity to say to the banks and financial institutions, 'If I reduce the amount of money that is required to be held in statutory reserve deposits, I will require you to lend that for new housing at a concessional rate of interest.' The Federal Treasurer could have suggested to the banks that interest rates for new housing be reduced to 6 or 7 per cent which, in my opinion, is still too high. The banks would have been better off, but I cannot see them reducing interest rates all that much. The temptation will be too big to keep rolling over the money at current levels, thereby adding to their profits, and it must be said that the banks are doing very well at present. I say that as a former banker.

When a Government hands out money to the private sector, it must keep strings attached. It must be domineering enough today to suggest that strings are necessary because there is no guarantee. We learned that between 1979 and 1982 when payroll tax was reduced in an attempt to create employment. In some cases it did not. It was only when employers were told that payroll tax would be reduced for every new employee that there was some result. That is the sort of thing the Government must do and I think that Keating has missed the chance.

The Government could have stimulated the housing industry, particularly in South Australia and at the lower end of the scale for those who cannot afford houses within the $80 000 to $250 000 range. I am talking about people in the $50 000 to $60 000 range. The Government has missed a golden opportunity to set up a scheme that could have helped the disadvantaged—those who are struggling and battling—and given them a bit of breathing space. If people can be housed in more affordable housing, it will take the pressure off organisations such as the Housing Trust. The demand on the Housing Trust is immense. This afternoon members heard the almost paranoiac plea from the Minister of Housing who attended a Liberal Party branch meeting at Noarlunga to try to head off problems with trust tenants.

**Mr Duigan:** A public meeting.

**Mr BECKER:** The Liberal Party sponsors public meetings; it is a great thing. The Minister agrees with that. He thought it was an excellent idea to sponsor a public meeting to hear what people have to say. The message came through loud and clear. Housing Trust tenants, those paying full rents and those on concessional rents, are having terrible problems. Unfortunately, a lot of people have been hurt by the 20 per cent increase in Housing Trust rents in the past 18 months or so. The St Vincent de Paul Society and similar organisations tell me that, in the southern suburbs, they have never had higher demand for their services than they

are experiencing at present. What a shame. We should be doing something about that. We must make housing more affordable for those who need it. Everybody should live in a good standard of accommodation, and this State provides a good standard. However, local government regulations and building restrictions are such that developers and investors are being priced out of the market.

Governments can do one thing, but on the other hand we want local government to do the right thing as well. From time to time I have been approached on many areas relating to waste of taxpayers' money. One issue that has come to my attention relates to the system that has been mentioned many times by my colleague, the member for Bragg (the shadow Minister of Transport). I refer to the Crouzet ticketing system that is in operation on our public transport.

I was approached by a concerned taxpayer who is aware that two employees of the State Transport Authority have been detected defrauding the State Transport Authority through this new bus ticketing system. Constituents have complained to me that they have purchased tickets on public transport, but when they try to validate the ticket they are unable to do so and find that while they paid $1.50 that the ticket has only been stamped 50c. Even my wife found, after using a ticket for which she knew she paid $1.50, that only 50c was stamped on it.

I am concerned that two employees of the State Transport Authority were detected in defrauding that organisation. Both were sacked—there are hard and fast rules as far as the State Transport Authority is concerned. One was employed at the Glengowrie depot and the other at the Elizabeth depot. After intervention by union representatives both persons were reinstated. It concerns me that persons have deliberately set out to defraud the system. I once sacked a person in the bank where I was working when he defrauded it of $3 because it was a matter of principle. There was a lot more money missing on occasions, but that is all that was discovered at that time. Once he was dismissed, the shortages ceased.

If we are going to have honesty and discipline within a Government operation—an operation as huge as the State Transport Authority—there must be tough disciplinary measures. If the system is not working it is up to the employees to report that to management and for management to encourage and reward the people involved if fault is found within the system. I fail to see how the union can step in and use its power and authority to insist that these people be reinstated. We do not want them. Of course, if they had not been reinstated there would have been a total shutdown of the transport system—they would have gone on strike.

The Minister is fully aware of the situation as I am involved and also the senior management of the State Transport Authority. This matter was detected on 4 July and the people concerned were dismissed on 8 July. Two weeks later they were reinstated; in other words, the only penalty was a two weeks suspension. I think that the Minister should seriously look at the situation again. If there is an industrial problem with the unions, he must thrash it out. I am not aware of any union that would countenance this type of behaviour, but obviously this is the new approach to this type of situation and it should not be tolerated. I know that in the past a number of noses have been pulled in the State Transport Authority—and this worked quite well—but apparently there is no accountability under this Crouzet system and that makes it very difficult for employees. At the same time the Government must wear that decision: if it wants to bring in these new computerised systems that are open to fraud, it has to expect that some people will take advantage of it. It is most unfortunate that some members will do that.

**The ACTING SPEAKER (Mr Tyler):** The honourable member's time has expired. The member for Henley Beach.

**Mr FERGUSON (Henley Beach):** Mr Acting Speaker, during this adjournment debate I would like to refer very briefly to the moral and ethical dilemma that we as legislators find ourselves in with the advancement of new technology, particularly medical technology. Some controversy has been raised in the house in recent times about the proposal floated from the Federal Minister for Health, Dr. Blewett, when he stated that the states may have to consider legislation to increase the number of body organs being donated unless voluntary donations are boosted. This, of course, will raise the ire of some sections of our community, especially in view of the fact that suggestions are being put forward that a person may have to opt out rather than opt in to the contractual obligation to donate his or her organs for the saving, or the comfort, of another human being.

This raises all sorts of ethical and moral questions, cutting across, in some areas, the religious beliefs of certain groups within our community and also raises ethical questions as to when organs may or may not be taken for transplantation. Science and technology is racing ahead at such a furious pace that the modern day parliamentarians are finding themselves in a situation where they have to cast these moral and ethical judgments at least once in every session of Parliament. Already there has been a protest about this idea of compulsory donation of a person's organs, rather than the situation that prevails at present relating to voluntary donation. Protests have been raised from the New South Wales Privacy Committee, civil liberties people and the Australian Medical Association.

I believe that this question, which is now in its infancy, will be a moral and ethical question that will need to be tackled one way or the other by the various State Parliaments. Some people have suggested that any legislation along these lines would result in the inescapable conclusion that a person's body after death belongs to the State and that the desirability of requiring informed consent should be ignored. This has been vigorously denied by the proponents of the legislation and it is a matter that this Parliament will one day be required to make a decision on.

The moral and ethical question in medical transplantation of organs does not end there. The *Times* newspaper published in London on 4 August 1988 an article by Bernard Levin suggesting that medical technology has moved along the way so far that it is now very feasible that pig's kidneys may be used in human bodies. Bernard Levin rather flippantly then posed the proposition that not only could we humans use the kidneys of pigs but they also may use, one day, the hearts of chimpanzees, the lungs of wart hogs, the windpipes of rats, the stomachs of cows and, while we are about it, the eye of a newt and the toe of a frog and so on.

This article then caused a series of correspondence in letters to the editor of the *Times*. Perhaps the letter that crystallises the argument of moral dilemma was the one that came from Sir Michael McNair Wilson, M.P. for Newberry, conservative, who stated:

> Sir, as a kidney patient on dialysis but cleared for a transplant I must express my extreme repugnance at the suggestion that animal organs should be used in transplant surgery. I welcome the DMA statement (report of 21 August) that the ethics of such experiments raise profound questions about the integrity of human tissue.
>
> Ethically, I can accept dialysis, as I can any other life giving equipment, because the body remains intact. I can just accept the idea of receiving a human organ as the gift of life willingly passed

from one person to another. But, to take organs from animals aribtrarily and put them in place of frail parts of the human body is to delve into the realms of Frankensteinian science.

Speaking only for myself, if the organ that I may be offered one day as a transplant for my failed kidney is not a gift and not of human tissue I want no part of it. If that means I will never have a transplant, so be it. I want to go to my grave as a complete human being—not part man part pig. The length of my life is infinitely less important to me than preserving the integrity and sanctity of my human body.

Yours faithfully,
Michael McNair Wilson,
House of Commons,
1 August 1988.

This letter crystallises some of the moral dilemma that this Parliament eventually will face. Although the strong views of Sir Michael McNair Wilson may prevail with some politicians, on the other hand the decision has to be made whether a life shall be continued or improved by the use of such transplants. This raises the question whether the Parliament should provide any legislation in this area whatsoever and whether the moral and ethical questions are left to the individuals concerned.

This has been the attitude of Parliament so far on other important questions in new technology such as the experimentation in biotechnology to which I have referred in previous speeches. So far, there has been no legislative action for the experimentation which is now going on in gene technology, and perhaps that is the way it ought to be: that there should be no legislation and that this matter should be determined fully by ethical committees.

**The Hon. P.B. ARNOLD (Chaffey):** About two years ago, residents of the Maslin Beach, Aldinga Beach, Port Willunga and Sellicks Beach areas prepared an extensive petition with many hundreds of signatures, stating:

The humble petition of the undersigned sheweth:

That the Government honour the expectations given to residents in the Maslin Beach, Aldinga Beach, Port Willunga, and Sellicks Beach areas by having previously classified the area as living in the Metropolitan Development Plan of March 1962 . . . Your petitioners therefore pray that your honourable House will commence planning towards the adequate provision of services such as water, deep drainage and the like for the installation of such services before the development of any other now classified living areas as set down in the Metropolitan Development Plan of March 1962.

Accompanying a copy of that petition was a letter, obviously written to the Minister of Water Resources at that time, which stated:

I wish to draw to your attention the urgent need for deep drainage in the area set out in the petition. A very high percentage of the population have been pumping household septics for the past three months. The more fortunate, once a day, many 10 times and some every time they flush the toilet. In many streets these are being pumped via the garden hose to the gutter. A few are fortunate to have a vacant block next door on which to pump. This of course is a major health hazard and I feel if you checked with the medical clinic at Aldinga Beach you would find that they had a very busy winter with illnesses due to unhygienic conditions. The area would certainly not pass a health inspection.

I do wonder what it must do for tourism to see and smell the streets as this area boasts one of the most beautiful coastlines in South Australia. The local reef most certainly must have suffered due to the flow of septics from stormwater drainage outlets. It is not unusual to find hoses connected directly into a stormwater drain for those fortunate to have one within reach. In the past 20 years the population in the area has grown from 2 500 in 1966, 4 375 in 1976 to 8 500 in 1985, with the estimate for 1995 being 18 200. While it might be the Government's wish to slow down progress in this area, I cannot see this occurring. I understand plans have already been approved for a shopping complex, plus the development of some houses for the Aldinga Beach area. Water still surrounds homes across the road from this proposed shopping complex.

I am aware we have had an exceptionally wet winter but we cannot blame that for the problem. With the increase in population we have a far greater amount of waste water which has to go somewhere. I trust you will give this your immediate attention.

That letter was written by Mrs A. Lear two years ago and I had occasion to telephone her not long ago and ask her what progress had been made on the problems outlined in the petition. I was told that virtually nothing had changed. Not only are there the problems involving deep drainage and the health aspects thereof in that area, but also there is the problem that, although the Happy Valley water filtration plant will be completed soon, a section of the community in that area will still be served by the Myponga reservoir. Although that reservoir provides the most coloured and turbid water in the whole of the metropolitan water system, it will unfortunately be the last reservoir to be filtered.

I have often said at public meetings in the area that the Government should proceed immediately with the construction of the Myponga water filtration plant with the object of having it come on line at the same time as the Happy Valley plant, because during winter many residents in the southern metropolitan area will receive filtered water from the Happy Valley plant. However, during the summer months when the pressure is on, many residents in the far south will not receive filtered water but will have to go back on to a supply from Myponga reservoir and experience the enormous contrast between filtered water during the winter and a totally unacceptable quality of water during the summer.

Of course, many of the residents in that area have highlighted the medical problems that exist which they have clearly and positively blamed on the quality of the water. Therefore, we have two problems compounding the health situation in that area; that is, the inadequacy of the deep drainage system and the fact that at various times of the year depending on the weather conditions—whether or not it is a wet winter—we have raw sewage running in the streets. Added to that, of course, we have the situation of the highly turbid and coloured water principally coming from the Myponga reservoir.

It will be a number of years under the program that has been outlined by the Government before the completion of water filtration in the metropolitan area. Therefore, albeit a comparatively small percentage of metropolitan water users will eventually be forced to use Myponga water during the summer months. I believe that that is totally unacceptable, given that the water filtration program has reached the point that it has, that Myponga be excluded.

Once again I urge the Government, as I have done at several public meetings in the area, to proceed immediately with the construction of the Myponga water filtration plant to bring the reservoir on line at the same time as the large Happy Valley plant and provide all residents of the south with filtered water. Otherwise the Government will find itself with an enormous problem in this area involving not only deep drainage and the lack thereof but also unfiltered water from Myponga which will only compound the problem.

Motion carried.

At 8.56 p.m. the House adjourned until Wednesday 24 August at 2 p.m.

## HOUSE OF ASSEMBLY

Tuesday 23 August 1988

## QUESTIONS ON NOTICE

### AEROSOL CANS

7. **Mr BECKER** (on notice) asked the Minister of Transport: Is the Department of Services and Supply intending to provide aerosol cans that do not contain chlorofluorocarbons and, if not, why not?

**The Hon. G.F. KENEALLY:** The State Supply Division takes environmental issues into consideration as part of the acquisition process. Contracts are not let for aerosol products which utilise chlorofluorocarbons as the propellant unless there is no other option available, and this would be only in exceptional circumstances.

The division's warehouses stock certain aerosol products and the most widely used of those items, namely room flysprays and room deodorants, now have hydrofluorocarbons as the propellant. Two little used items, the 125g and 300g personal insect repellents, still utilise chlorofluorocarbons; however, as manufacturers are known to be making a determined effort to use alternative propellants, it is highly unlikely that these personal insect repellants will be restocked in their present form.

I would also refer the House to a statement made by my colleague, the Hon. Deputy Premier, on 4 August 1988, (*Hansard* reference page 27), on impending Federal Government legislation in respect of more stringent standards on this subject, and the commitment that those standards will be honoured in South Australia.

### PORT AUGUSTA PRISON

10. **Mr BECKER** (on notice) asked the Minister of Correctional Services: When was the rating of Port Augusta Prison changed to maximum security and why?

**The Hon. FRANK BLEVINS:** There has been no change in recent times to the security rating of Port Augusta Gaol which is designated as a medium security prison. The only exceptions to this designation are in the case of remand prisoners who are notionally considered to be high security, and prisoners who are subject to assessment by the Prisoners Assessment Committee and who have been sentenced and await assessment. After assessment, no high security prisoner is retained at Port Augusta Gaol.

### STOCKWELL WATER FILTRATION PLANT

14. **Mr OLSEN** (on notice) asked the Minister of Water Resources: What priority does the proposed Stockwell water filtration plant project have in the Government's program to improve the quality and safety of country water supplies?

**The Hon. SUSAN LENEHAN:** The filtration of the northern areas water supplies is one of a number of strategies to ensure the safety of country water supplies. For instance, over the last few years, chloramination has been successfully introduced into country supplies to provide a longer lasting disinfection process. The Swan Reach-Warren system will be converted to chloramination shortly. Another issue that needs to be addressed is the open storages in the Swan Reach-Warren system which would be supplied from the proposed filtration plant at Stockwell. These open storages provide avenues for microbiological contamination and deterioration in other water quality parameters. While the potential for such contamination exists, it is considered inappropriate to initiate action to filter the water at Stockwell, until the situation at the open storages is resolved. An investigation into the best method of treating the situation is scheduled to commence this financial year.

### BIRKENHEAD DEPOT

15. **Mr OLSEN** (on notice) asked the Minister of Marine: In view of the statement reported in the *Advertiser* on 22 October 1985 following the fatal fire at the Birkenhead Shell depot that the existing oil tanker berths at Port Adelaide were 'totally inadequate from a safety point of view' and Cabinet's subsequent decision in May 1987 not to proceed with the construction of a new oil tanker berth, has the Government reviewed the level of fire control systems at the oil tanker berths at Birkenhead and, if so, what is the assessment now of their safety?

**The Hon. SUSAN LENEHAN:** The Department of Marine and Harbors, in conjunction with the S.A. Metropolitan Fire Service, has reviewed the fire control systems at the tanker berths at Birkenhead, and has developed a proposal for a fixed fire fighting installation at one of the existing berths, namely M Berth. The proposed installation will conform with the Tanker Terminal Fire-fighting Resources Guidelines of the Association of Australian Port and Marine Authorities, and will meet the requirements of the Metropolitan Fire Service. Once the installation is complete all petroleum tanker discharge will occur at that one berth. The oil companies support the proposal. The proposal has been referred by Cabinet to the Public Works Standing Committee, and hearings are in progress. Subject to a favourable committee report, it is expected that work on site would commence early in 1989, with completion early in 1990. Estimated final cost for the proposal is $4.8m.

### MOOROOK IRRIGATION AREA

16. **Mr OLSEN** (on notice) asked the Minister of Water Resources: How much has been spent on rehabilitation of the Moorook Irrigation Area, how much was budgeted to be spent on the project in 1987-88, what was the actual expenditure in this period and when is it expected that the project will be completed?

**The Hon. SUSAN LENEHAN:** No money has been spent on rehabilitation of the Moorook Irrigation Area. An amount of $84 000 was budgeted to be spent during 1987-88 but this allocation was directed towards rehabilitation of the Cobdogla Division of the Cobdogla Irrigation Area as a cost-effective opportunity was provided to use pipes which were surplus to requirements from other projects. No timetable has been set for the Moorook project. However, discussions are currently taking place between the Government and irrigators on a joint funding proposal for the rehabilitation of further irrigation areas.

### WOOLPUNDA GROUNDWATER INTERCEPTION SCHEME

17. **Mr OLSEN** (on notice) asked the Minister of Water Resources: How much has been spent on the Woolpunda Groundwater Interception Scheme; how much was budgeted to be spent on the scheme in 1987-88 and what was the

actual expenditure in this period; and when is it expected that the scheme will be completed?

**The Hon. D.J. HOPGOOD:** Expenditure to the end of June 1988 is $2 425 000. The budgeted expenditure for 1987-88 was $513 000 and $521 000 was spent. The scheme will be progressively commissioned in stages. Stage 1 is expected to be operational by June 1990 and the total scheme in May 1991.

## THEFT

18. **Mr OLSEN** (on notice) asked the Minister of Water Resources: In relation to the ministerial statement on 26 February 1986 which revealed that the police were investigating allegations of theft in the Engineering and Water Supply Department—

*(a)* what was the outcome;

*(b)* were any employees charged or dismissed as a result;

*(c)* what was the value and nature of any departmental property established by the investigation to have been stolen; and

*(d)* has there been any review of departmental audit procedures?

**The Hon. D.J. HOPGOOD:** The replies are as follows:

*(a)* Three people have been charged.

*(b)* One was convicted, fined and placed on a good behaviour bond for 12 months. A second person, a former award employee dismissed on unrelated grounds, was convicted without penalty. The case against the third is currently before the court.

*(c)* As the matter is still before the court it is inappropriate to comment.

*(d)* Yes.

## THOMAS PLAYFORD POWER STATION

19. **Mr OLSEN** (on notice) asked the Minister of Mines and Energy: How many people were employed at the Thomas Playford Power Station at 30 June in each of the years 1985 to 1987?

**The Hon. J.H.C. KLUNDER:** The reply is set out as follows:

| As at 30 June | Wages Employees | Salaried Staff | Total |
|---|---|---|---|
| 1985 | 436 | 107 | 543 |
| 1986 | 359 | 99 | 458 |
| 1987 | 362 | 93 | 455 |

## OSBORNE POWER STATION

20. **Mr OLSEN** (on notice) asked the Minister of Mines and Energy: How many people were employed at the Osborne Power Station at 30 June in each of the years 1985 to 1987?

**The Hon. J.H.C. KLUNDER:** The reply is set out as follows:

| As at 30 June | Wages Employees | Salaried Staff | Total |
|---|---|---|---|
| 1985 | 155 | 44 | 199 |
| 1986 | 146 | 48 | 194 |
| 1987 | 153 | 40 | 193 |

## MOBILONG PRISON

22. **Mr BECKER** (on notice) asked the Minister of Correctional Services:

1. What is the total overtime payment for Mobilong Prison since it became operational?

2. Does the prison have a full complement of staff and, if so, are any call back payments made and to what extent to date?

**The Hon. FRANK BLEVINS:** The replies are as follows:

1. The total overtime payment for Mobilong Prison from the operational date until 31 July 1988 was $44 114.

2. As at 14 July 1988 the approved staff establishment for Mobilong Prison was 127 and the actual employees totalled 126. Call back payments are made and, from the operational date of the prison until 31 July 1988, these payments have totalled $132 908.