HOUSE OF ASSEMBLY

Wednesday 5 December 1990

The SPEAKER (Hon. N.T. Peterson) took the Chair at 2 p.m. and read prayers.

PETITION: SWIMMING POOLS

A petition signed by 128 residents of South Australia requesting that the House urge the Government not to require the independent fencing of swimming pools was presented by the Hon. M.K. Mayes.

Petition received.

PETITION: AIDS COUNCIL POSTER

A petition signed by 437 residents of South Australia requesting that the House urge the Government to review the funding for the AIDS Council and the use of the poster entitled 'Touching' was presented by Dr Armitage.

Petition received.

PETITION: VISUAL AND HEARING IMPAIRED

A petition signed by 207 residents of South Australia requesting that the House urge the Government to review services provided for the visual and hearing impaired was presented by Mrs Kotz.

Petition received.

PETITION: RIGHTS OF CHILDREN

A petition signed by 31 residents of South Australia requesting that the House urge the Federal Government not to adopt the United Nations Convention on the Rights of Children before a full public debate was presented by Mr Oswald.

Petition received.

QUESTION

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

WORKCOVER

In reply to **Mr INGERSON (Bragg)** 14 November.

The Hon. R.J. GREGORY: A medical practitioner is able to set his own fee for services due to the operation of the Trade Practices Act. In general, however, a fee as listed by the AMA is charged by the majority of medical practitioners. Under the Federal Health Act, Medicare sets fees for services which reflect specific levels of contribution. The Workers Rehabilitation and Compensation Act 1986 provides for reimbursement of the cost if that cost is reasonably incurred. In the case presented, the account first presented is in accordance with the AMA listing which the corporation uses as its guide for making payment.

The medical practice has altered the charges for the services in the second account to reflect the Medicare fee. The issue of medical charges is being considered by the corporation and the Government and an amendment to section 32 of the Workers Rehabilitation and Compensation Act 1986 has been tabled before this Parliament to enable the corporation to reduce or disallow excessive or inappropriate medical services.

MINISTERIAL STATEMENT: ST JOHN AMBULANCE

The Hon. D.J. HOPGOOD (Minister of Health): I seek leave to make a statement.

Leave granted.

The Hon. D.J. HOPGOOD: Mr Speaker, yesterday in this place the member for Adelaide got to his feet and in an emotionally charged voice told the House that no longer would nursing home residents be transported home on Christmas Day. He indicated that this was part of some diabolical union plot. The honourable member may have been a little surprised that only one of Adelaide's media outlets gave coverage to his story, despite his having given at least one TV interview. However, the problem with his story was that it was just that—a story. If the honourable member had bothered to check, by lifting up the phone, as I did, and called St John he would have been quickly told the truth.

The truth is that for 40 years the St John organisation has taken certain residents home on Christmas Day. This is done on compassionate grounds. The service is provided by both volunteer and paid personnel and is at no charge to the residents concerned. At interesting point which the honourable member would have found out if he had bothered to check was that St John staff were advised of this year's arrangements by a memo issued on 24 October 1990 (which I have with me) and that bookings are now being taken.

Of course, the honourable member may have been misled by a person or persons unknown who may have had the desire, successfully carried through as it happened, to embarrass him. Alternatively, it may have been part of a deliberate campaign of misinformation: ask the Minister a question on a topic potentially embarrassing to the Government but sufficiently obscure that he is unlikely to have the information to hand, then use the period while the matter is being checked out to have a field day in the press. Well, I and my staff moved too quickly for that to happen. When I established the truth of the matter, I was able to advise all the media accordingly and to their credit they did not run the honourable member's story, with the exception, I notice, of today's *News*—and I find that a little strange. Because, if the media had run the story, it would have caused unnecessary alarm to residents and relatives. The Opposition should be thoroughly ashamed of itself for even attempting to make political capital out of the frail aged.

The Hon. TED CHAPMAN: On a point of order, Mr Speaker, I ask that you direct that the paper that was flouted by the Minister be tabled forthwith.

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. HOPGOOD: I suggest that the Opposition has flouted this paper, not me. However, I am only too happy to table it.

QUESTION TIME

The SPEAKER: Before calling for questions, I inform the House that the Deputy Premier will take any questions directed to the Minister for Environment and Planning.

QUEEN ELIZABETH HOSPITAL

Dr ARMITAGE (Adelaide): I direct my question to the Minister of Health.

Members interjecting:

Dr ARMITAGE: I could not; it costs too much after your policies. Has the Minister been made aware of the Queen Elizabeth Hospital's latest surgery list which has 159 people waiting for an operation for at least one year, including 62 people waiting at least two years? Will the Minister explain why this state of affairs continues in our public hospitals when the Premier repeatedly promised before the election significantly to cut hospital waiting lists? I have here the hospital's latest computer print-out which—

The SPEAKER: Order! The honourable member will resume his seat.

Members interjecting:

The SPEAKER: Order! The Leader is out of order. The Standing Orders are very clear on the display of any material or any document in this House. I am not sure whether the honourable member flouted that paper deliberately but, as he is a relatively new member, I will give him the benefit of the doubt. I refer all members to Standing Orders relating to any demonstration or display of objects or documents in this House.

The Hon. Ted Chapman: And that goes for the Deputy Premier as well.

The SPEAKER: Order!

Mr S.G. EVANS: I rise on a point of order. Earlier, the Deputy Premier, who has been here a lot longer than the member for Adelaide, did exactly the same thing with a smaller piece of paper. He held it in one hand and displayed it. He did it quite deliberately.

The SPEAKER: Order! The honourable member has made his point, but the Chair did not consider that to be the issue. I considered that the Minister was responding from that document.

Members interjecting:

The SPEAKER: Order! The Chair does not recognise the point of order.

The Hon. J.P. TRAINER: I have a point of order, Mr Speaker.

Members interjecting:

The SPEAKER: Order! The member for Walsh.

The Hon. J.P. TRAINER: In so far as this Standing Order is partly aimed at preventing members from putting on demonstrations for the benefit of the gallery or the media, will you, Mr Speaker, consider consulting with television representatives in order that such things are not encouraged?

Members interjecting:

The SPEAKER: Order! There is no point of order, but I will certainly consider what action to take. The member for Adelaide.

Dr ARMITAGE: Thank you, Mr Speaker; I take your guidance. My point in doing that was so the Minister could not jump up and claim that these cases were non-existent. The list cites the following examples: a hip replacement, waiting for 386 days; a knee replacement, waiting 431 days; an elbow replacement, waiting 553 days; and a tonsillectomy, which has already been cancelled four times, waiting 494 days. At the end of June, the number of people on all public hospital waiting lists was 7 040, only six patients fewer than for the previous June, despite the Government's election promises in the meantime.

The SPEAKER: Order! As the honourable member acknowledged that it was a deliberate action, and with consideration to perhaps his not being totally aware of the Standing Orders, I advise him that, if there is any display in future in this Chamber, his right to ask a question will be withdrawn immediately. The honourable Minister of Health.

The Hon. D.J. HOPGOOD: I thank the honourable member for either directly indicating to my staff that he would be asking this question today or doing it by thought transference, because it so happens that I have a fairly copious answer to the question that he raised with me. I will spare the House from all the details but, seeing as it is the lead question for the Opposition today, it seems not unreasonable that I should give some degree of detail to the House by way of answer.

The plain fact of the matter is that the total booking list procedures performed at major metropolitan hospitals during 1989-90 increased by 1 733. This increase compares very favourably with the Premier's announcement in June 1989 that 1 300 additional operations would be performed with the $3 million allocated under the metropolitan hospitals funding package for this purpose. Over 55 per cent of people who had elective surgery at Adelaide's major public hospitals in the past 12 months received that surgery within a month of their being added to the booking list.

Dr Armitage: Tell that to these people.

The Hon. D.J. HOPGOOD: It just happens to be the case. In October, the number of people waiting over 12 months decreased from 963 to 941, and the waiting times for elective surgery at the five major general hospitals in October 1990 were as follows: 69 per cent between nought and six months; 18 per cent between six and 12 months; and 13 per cent longer than 12 months. The major problem is clearly in the area of orthopaedics, and that does not get back in any way to only lack of resources: it gets back to a longstanding problem we have had in being able to attract surgeons in this specialty to our hospitals. For a long time, it was not possible for there to be any—

Members interjecting:

The Hon. D.J. HOPGOOD: Here he goes again. He trips himself up every day with this nonsense, but he continues.

Members interjecting:

The SPEAKER: Order! The member for Chaffey is out of order.

The Hon. D.J. HOPGOOD: That is not clear from the *Hansard* record.

Members interjecting:

The Hon. D.J. HOPGOOD: I would be only too happy to do so. For quite some time it proved impossible to attract an orthopaedic surgeon to the Lyell McEwin Hospital. Earlier this year, the Chairman of the Health Commission and I had a meeting with representatives of the College of Orthopaedic Surgeons, where we placed before them our concerns, and I am happy to say that there is now considerable interest from orthopaedic surgeons in performing more procedures in our hospitals.

It is not possible to conscript these people. It is not possible to go and put a rope around them and drag them into the hospitals and make them do it. However, I must say that that initiative has proven successful. If the new surgeon has not yet taken up position at the Lyell McEwin Hospital, he will do so shortly, and that will help considerably in that matter. It is a question that has been asked in this place before, and my answer is substantially what it was previously. Again, I make the point that the money that was specifically earmarked for this purpose, and that will continue, has had its effect—those 1 733 additional procedures that have occurred in our hospitals in that period.

Finally, I point out that what is important in this matter is turnover. I can remember the former Commonwealth Minister for Health, Dr Blewett, making the point to me

some time ago that, if 100 000 people were on the waiting list of the public hospitals around Australia, that would represent only three or four weeks work for them. One has to see the matter in that context. In a time of some shrinkage of public effort, in a time of some drawing back in public activity, I am able to say that this Government showed its commitment to health in such a way that, indeed, there was a slight increase in real terms in the subventions to my portfolio in the last budget. How many other Ministers can say that that was the case? That indicates the sort of priority that we place on the health of our citizens.

MEMBER'S ALLEGATIONS

Mr QUIRKE (Playford): Has the Minister of Correctional Services any further information on allegations made by the member for Bright during Question Time yesterday?

The SPEAKER: I do not believe that that question is allowable under the customs of this House. I do not think it is a specific question. It is a general question, and I do not believe it is allowable.

STATE GOVERNMENT INSURANCE COMMISSION

Mr D.S. BAKER (Leader of the Opposition): My question is to the Treasurer: did the SGIC obtain an independent property valuation on 31 Gilbert Place before voting to support the $4.5 million Bennett and Fisher purchase? If not, does the Treasurer believe that the SGIC vote was appropriate and that, in not abstaining, the SGIC supported the interests of small shareholders as the SGIC's chief executive claimed this morning?

The Hon. J.C. BANNON: I covered this question fully yesterday. I provided all the information about what action the Government had taken and what position was taken by the chief executive, and I said that the Chairman would be issuing a statement in relation to the SGIC's position. I repeat again: it is not and will not be my policy as Treasurer to direct the commercial operations of the SGIC. I do not think that is appropriate. The guidelines under which the SGIC is required to seek specific approvals are all in place. I believe that the loudest protesters we would hear, if, in fact, I did so interfere, would be members of the Opposition. They want to have it both ways, as they do on everything. I happen not to want to have it both ways: I want to support a principle that has been recognised by me and by my predecessors, both Labor and Liberal, since the establishment of the SGIC.

Members interjecting:

The SPEAKER: Order!

WORKERS COMPENSATION LEGISLATION

Mr McKEE (Gilles): Will the Deputy Premier explain why the Government is not proceeding with the workers compensation legislation over the next few weeks?

The SPEAKER: That question is also out of order. It refers to a Bill on the Notice Paper and, therefore, that matter is bound under Standing Orders for consideration as business of this session.

Members interjecting:

The SPEAKER: Order! The Leader is out of order. The Deputy Leader.

STATE BANK

Mr S.J. BAKER (Deputy Leader of the Opposition): Why does the Treasurer continue to fail to answer questions about the State Bank group bypassing Beneficial's 1985 trust deed by creating the off balance sheet company, Kabani? Beneficial Finance Corporation's 1985 trust deed was signed on 29 March 1985, a month before Kabani Pty Limited—

Mr FERGUSON: I take a point of order.

The SPEAKER: Order! I have a point of order. The honourable member will resume his seat. The honourable member for Henley Beach.

Mr FERGUSON: A document was circulated by a previous Speaker in relation to questions that were not to be asked. My point of order is that one of the questions to which the House could take objection is a question repeating in substance questions already answered or to which an answer has been refused. These questions that we have heard are very similar.

The SPEAKER: Order! The member for Mount Gambier will resume his seat. There has been a series of questions in this Chamber for some weeks now. Perhaps they have been similar, depending on one's interpretation. I do not uphold the point of order in this case, even though the questions relate to similar incidents. Did the honourable member refer to a memo that was circulated?

Mr FERGUSON: It was a memo circulated, in fact, by two previous Speakers, and it referred to questions that could not be asked in this House.

The SPEAKER: I will allow the question and would be pleased to peruse the memo in question.

Mr S.J. BAKER: As I stated, the document to which I have referred was signed on 29 March 1985, a month before Kabani Pty Limited was incorporated and well before Kabani began to operate outside the new trust deed. However, in the Treasurer's written answer in October and again yesterday, he refers to Kabani being set up because Beneficial's old 1960 trust deed was overly restrictive.

Mr Duncan Andrews of Australian Ratings has said in today's *Australian* that off balance sheet companies 'ought normally to be frowned upon because they mislead depositors, regulatory authorities and shareholders as to the true financial position of a financial institution', and 'they are therefore a potentially dangerous device, particularly if it is a legal device and the commercial substance would suggest that the vehicle is really a subsidiary of the institution'. This suggests that the Treasurer should produce an answer on the desirability of Kabani bypassing Beneficial's 1985 trust deed.

The SPEAKER: Order! I was reading this memo just to clarify the situation. It is an unsigned document.

Members interjecting:

The SPEAKER: Order! It is an unsigned document, and I do not take it as setting any precedent for the House. The honourable Premier.

The Hon. J.C. BANNON: Whatever may be the opinion of the authority quoted by the Deputy Leader of the Opposition is not the case as far as Kabani is concerned, for the reasons that have been explained not just by me to this House but in great detail in consequence of briefings given to the Leader and his Deputy. In this context, let me remind the House that yesterday I was asked a series of questions by people down the front bench of the Opposition, relating to Beneficial Finance and the State Bank.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: What was not, in fact, stated by any of those asking the questions is that most of the

information asked for in those questions had been provided in consequence of a detailed briefing given to the Opposition by the State Bank—

Members interjecting:

The Hon. J.C. BANNON: —one in October and one in—

Mr D.S. Baker interjecting:

The SPEAKER: Order! I warn the Leader. The honourable Premier.

The Hon. J.C. BANNON: Thank you, Sir. The Leader may shout his dismay at being uncovered in this way, and I certainly was not going to be the person to do so. In fact, it has been made quite clear on the record that some of the matters of direct substance asked in this place have been the result of a detailed briefing by the State Bank on Monday. In relation to other information, the questions involved could have been put directly to those people in the State Bank with authority. If they were not, if they were kept in order to be used in some way in this House, I can only conclude that this is playing politics with the State Bank, and that is absolutely disgraceful of the Opposition.

Members interjecting:

The Hon. J.C. BANNON: Nonsense.

Members interjecting:

The SPEAKER: I warn the member for Heysen and the member for Bragg.

The Hon. J.C. BANNON: They interject nonsense. One member of the Opposition asked about the numbers and nature of off-balance companies and, in view of the complexity of the question and the detailed information being sought, I said that, rather than giving some off the cuff response, I had some information there on which—as I would on any bank or financial matter—I would wish to make a careful and detailed response, and I would refer that question to the bank for information.

Immediately the member for Hanson rose in his place and asked a detailed question, most of which contained the information I was asked in the previous question. How was it in the possession of the member for Hanson? Was it that he knew more than his colleague knew? I am not sure how the honourable member came by that information. I do know that that information was provided in detail the previous day to the Leader and to his Deputy by the State Bank. In fact, what was occurring was some kind of set-up conspiracy, I suggest, or some means of undermining the State Bank and fuelling rumours that are around—

Mr S.J. BAKER: Mr Speaker—

Members interjecting:

The Hon. J.C. BANNON: I have further evidence to produce on this point, Mr Speaker, if I am given a chance to speak.

Members interjecting:

Mr S.J. BAKER: I rise on a point of order, Mr Speaker. The Premier has lost his balance.

The SPEAKER: Order! That is not a point of order.

Mr S.J. BAKER: The Premier has reflected on members on this side of the House by referring to a conspiracy, and I ask him to withdraw.

The Hon. J.C. BANNON: Well may they squeal, but let me put some further deep fact on the record.

Members interjecting:

The Hon. T.H. Hemmings interjecting:

The SPEAKER: Order! The member for Napier is out of order. The statement, as such, the Chair did not hear. The honourable member did say a conspiracy—

Mr. S.J. BAKER: The Premier charged us with having a conspiracy on this matter. He accused us.

The SPEAKER: I ask the Premier to withdraw that remark.

The Hon. J.C. BANNON: I would have to hear the denial that it is a conspiracy, Mr Speaker, and then I would be prepared to withdraw it.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! I have warned several members of the Opposition previously about their conduct. Once again the Leader has raised his voice in interjection. I will take whatever action is necessary if another member interjects and carries on in an unruly manner in the Chamber. I believe that the Chair has been asked to seek your withdrawal of the statement.

The Hon. J.C. BANNON: I comply with the Chair's request and withdraw. Let me continue on this important matter, which has implicatons well beyond the games being played in this House by the Opposition. One might argue whether it is legitimate to ask questions of this nature on information that is already in the possession of the Opposition, because they have been bound in some way by confidentiality in the briefings they received. That is clearly not the position in the opinion of the Leader of the Opposition.

Indeed, he has written an indignant letter and sent a copy to me, to the Chairman of the State Bank and to the Editor of the *Advertiser* in which he says that he rejects totally the implication that the Opposition breached conditions of confidentiality in relation to briefings it has had. The letter states further:

> It goes without saying that, at no time as a result of Monday's meeting or on any other previous occasion—

there you are, there have been previous occasions, and a number of them—

> following information sought from or provided by the bank have the Opposition done anything to jeopardise commercial confidentiality obligations claimed by the bank.

He goes on to adumbrate on that point and say that he did not regard any of what had been said to be part of a confidentiality requirement. In fact, he says:

> Had such a condition been sought, we would have rejected it as possibly comprising our duty to raise matters in the Parliament which were in the best interests of the taxpayers in this State, a point I made during our meeting on Monday.

That is fine as far as it goes. If the Leader of the Opposition regards the information he has been given as not being confidential and as being information that he can use in what manner he thinks fit, at the very least he does not need to ask questions in this place because the information is already in his hands.

There is confusion on this point, though, because the Deputy Leader did not share that view. In fact, the Deputy's view supports the impression that was given in part to those who were giving the briefing. Here we have the Deputy Leader of the Opposition on the *7.30 Report*: first, what were they doing in relation to the briefings? Why didn't they actually ask a number of the questions more appropriate for that briefing than in the House?

Mr LEWIS: On a point of order, Sir, I draw your attention to Standing Order 98.

The SPEAKER: What is the point of order?

Mr LEWIS: Standing Order 98 provides:

> In answering such a question, a Minister or other member replies to the substance of the question and may not debate the matter to which the question refers.

In his response, the Premier is not even addressing the question but rather the statements made by the Leader, the Deputy Leader and other members.

The SPEAKER: The honourable member has made his point. I made the point previously in the Chamber that we have had a series of questions, and obviously the matter is considered very serious by the Opposition. Obviously the Premier and the Government consider it very serious. There has been quite in-depth questioning and responses to questions over quite some time in the House. I do not believe that it is out of order for this matter to be as closely answered as it is to be questioned. Therefore, I do not uphold the point of order.

The Hon. J.C. BANNON: The Deputy Leader of the Opposition admitted on television that certain items were not pursued. We know why they were not pursued: because the Opposition hoped to lay traps or politicise it in the House. Secondly, he said that the matter of Kabani was not canvassed at the meeting on Monday. No doubt that is correct because that has been supported by the Chief Executive of the State Bank but, in doing that, one asks: if members opposite were going to pursue it in this place, why did they not ask these questions? Finally, the Deputy Leader said that he was quite comfortable with saying that the content of the meeting was confidential.

Just what is going on? This is very relevant to the question and the series of questions being asked by the Opposition and the set-ups it is attempting to create and the traps it is attempting to lay. I can express it no better than by reading into the record a letter from the Chief Executive of the bank to the Leader of the Opposition in response to his missive, copies of which were also sent to me, to the Chairman and to the Editor of the *Advertiser*, as was his. It is extremely relevant to this whole issue and the question. The letter from Mr Marcus Clark reads as follows:

I was surprised to receive your letter this morning in which you took issue with my comment in the *Advertiser*. Let me say at the outset that the bank's Chairman, Mr David Simmons, and myself were grateful for the opportunity to meet with you and your Deputy, Mr Stephen Baker, last Monday.

Let me interpolate: as Treasurer it has been my policy always to say to the bank that it must make itself available to the Opposition. It must provide information and details wherever that is appropriate, and indeed that has been done. It is not for me to interfere with the way that information is conveyed. The letter continues:

We most certainly, perhaps naively, approached that meeting in good faith with the view that the matters we discussed would be private.

You are correct to state in your letter that no condition was requested by the bank that any issue raised or information given would not be raised in the Parliament. However, Mr Stephen Baker most certainly held the view the meeting was private and expressed that view publicly on the *7.30 Report* on Tuesday evening when he said in response to a question about the meeting from Ian Altschwager:

> '... Well, we didn't actually pursue individual items, that was just a briefing session, and I'm not going to tell you what went on at that briefing, because it would be inappropriate to do so.'

And secondly:

> '... I can say quite candidly that, one, the issue that we're talking about in the Kabani sense was not pursued at that meeting—

and I ask, why not Mr Speaker—

and secondly is that I am quite comfortable with saying that the ... content of that meeting is confidential.'

I think it important to place on record the purpose of the Chairman and myself seeking the meeting with you and Mr Stephen Baker. We wished to emphasise to you, and we did, that the financial community in Australia is particularly fragile and that South Australians are very concerned at what is happening in our neighbouring State of Victoria.

We emphasised that South Australia was totally different to Victoria and that State Bank was totally different to the State Bank of Victoria. We also advised you that no matter how strong our case, that with the current uncertainty in the community, sufficient questioning in Parliament supported by publicity in the media will exacerbate the uncertainty of South Australians. In particular, we emphasised to you that the bank is losing deposits and we expressed concern.

Your continued program to destabilise the Bannon Government through attacks on State Bank could harm thousands of innocent South Australians and do great damage to the bank. We understand that politicians often live only for the moment or until the next election, but State Bank has a much longer-term objective of helping the economic growth and social fabric of South Australia.

The Hon. Jennifer Cashmore: It was set up by this Parliament; just let them remember that.

The SPEAKER: Order! The member for Coles is out of order.

The Hon. J.C. BANNON: Mr Clark's letter continues:

You have mentioned in your letter and in our meeting that you did not consider you had been fully briefed when you met on 9 October 1990, with executives of Beneficial Finance. I have discussed the meeting with the Managing Director of our Financial Services Group who at the time was Managing Director of Beneficial. He and other executives of the company who were at the meeting say they clearly recall that they advised you of the following:

Appropriate information on Kabani

That in answer to your question 'are there any other similar off balance sheet structures?', the response was that there are similar companies.

That each of these four companies controlled other off balance sheet entities, but to reveal details of those would breach client confidentiality, and you agreed that would be the case.

Although you did not seek information on the number of entities within these four groups, the total including the holding companies, is 38. Similarly, given the matter of client confidentiality, the meeting did not address the question of whether any other form of off balance sheet entities exist and there are in fact nine companies and six trusts.

As you know we have always been apolitical and have enjoyed good relations with the Liberal Party. We trust those good relations can continue and appeal to you not to politicise this State's bank, which has enjoyed very high support from South Australians and since 1984 has contributed $230 million to the State from its profits of nearly $300 million.

Enough said, Mr Speaker.

DEATH OF PRISONER

Mr QUIRKE (Playford): Will the Minister of Correctional Services advise the House of the results of the investigation undertaken by the police regarding the death of Anthony Stone? The death of Anthony Stone and the circumstances allegedly—

The Hon. E.R. GOLDSWORTHY: I rise on a point of order, Mr Speaker. Yesterday Minister Blevins undertook to see that the member for Bright was quizzed by the police—

The SPEAKER: What is the point of order?

The Hon. E.R. GOLDSWORTHY: The point of order is that I believe that the Minister is in breach of the privileges of this place in seeking to intimidate a member by arranging for the police to interview him. That is way out of court.

The SPEAKER: Order! If it is a matter of privilege, a procedure is laid down. I am not aware of the circumstances that the honourable member is raising now. This is Question Time. A question was asked by the member for Playford of the Minister of Correctional Services. There was no mention in that question of any harassment or questioning of an honourable member, and I do not see any relevance to Question Time. Therefore, I rule that there is no point of order.

The Hon. E.R. GOLDSWORTHY: On a further point of order, this question is in response to what I believe was a totally inappropriate action by the Minister yesterday in

arranging to have a member of this place interviewed by the police.

The SPEAKER: Order! The honourable member will resume his seat. The actions of the police outside this place are not the business of Question Time in this House. If the question related to that, that would be a different matter. The member for Playford has asked a question on the results of an investigation. If anything in the question or the response to the question is out of order, the Chair will take action.

The Hon. B.C. EASTICK: I take a point of order. The Minister of Emergency Services is responsible for the police and would normally be expected to bring back reports of the police, not the Minister of Correctional Services.

The SPEAKER: Order! That is not for the House to decide, either. My thought is that it is a decision of Cabinet as to who takes responsibility for each portfolio. The member for Playford.

Mr QUIRKE: Thank you, Mr Speaker. I will repeat the explanation. The death of Anthony Stone and the circumstances allegedly surrounding that death were the subject of a question asked by the member for Bright in Question Time yesterday.

The Hon. FRANK BLEVINS: The answer is 'Yes'. I do have the result of that investigation for the House. The member for Bright gave a statement to a detective sergeant at 5.30 yesterday evening. The statement is here and, if anyone wishes to see it, it is available. I have been advised through the Minister of Emergency Services by the Commissioner of Police of the following:

On 4 December 1990, Mr W. Matthew, MP, Liberal member for Bright, asked several questions in the House of Assembly pertaining to the murder of Anthony Stone, which occurred in the Yatala Labour Prison in October 1989. This murder has been declared a major crime, and is currently under investigation by members of the Major Crime Squad. Three questions relate to the circumstances immediately surrounding the incident. They are:

1. Gaol inmates working as kitchen staff were not searched by the prison officer on duty as they routinely should have been.
2. While the same officer was on duty, cameras keeping this area under surveillance where Mr Stone was murdered were switched off.
3. When a knife was noticed to be missing from the kitchen, no search was undertaken to find it.

Major Crime Squad investigators are aware of these circumstances, and the matters have been canvassed as part of the enquiry. There is nothing arising from these questions/allegations which sheds any new information on the enquiry. In respect of questions 1 and 3, information shows that the knife was noticed missing at about 8.30 a.m. on the day of the murder. Shortly after, a search was initiated to locate it. This consisted of a search of the kitchen area and a physical search of the inmates employed in the kitchen area. In respect of question 2, the information is that the cameras were not operating at the time. However, they were activated immediately a disturbance was noticed. There is no evidence to show that the cameras were deliberately switched off.

It was signed by D. Hunt, Commissioner of Police.

STATE BANK

The Hon. D.C. WOTTON (Heysen): My question is directed to the Treasurer. What is the reason for Kabani Pty Ltd acting as the guarantor of many large loans by Beneficial Finance? Does the State Bank stand behind these guarantees and does the Treasurer support these arrangements? The Liberal Party has been told that Kabani has acted as guarantor for many multi-million dollar loans made by Benefical Finance. We have supporting documentation for one of these Beneficial loans which is for $16 million to the company Stemin Proprietary Limited and which lists Kabani as guarantor of the loan.

The Hon. J.C. BANNON: I will refer that question to the bank and to Beneficial Finance and provide the honourable member with a reply.

Members interjecting:

The SPEAKER: Order!

WATER POLLUTION

Mr De LAINE (Price): Will the Minister of Marine advise the House as to the level of penalities that exist for the owners of ships that pollute the State's waters?

The Hon. R.J. GREGORY: I can advise the House that, as at the commencement of this month, companies that own vessels that pollute local waters face fines of up to $250 000 plus any costs incurred in cleaning up the pollution that they create. Individuals who are held responsible, for instance the master of the vessel, could face penalties of up to $50 000. The new fines follow the introduction of regulations under the Pollution of Waters by Oil and Noxious Substances Act. The previous maximum fine under the old Act was $50 000. The new heavier penalties bring us into line with Commonwealth legislation and international conventions.

The message to ship and boat owners is clear: they have a responsibility to ensure that they do not pollute our waters. Pollution does not pay. The new regulations also require vessels of more than 4 000 gross registered tonnes to keep an oil record book that logs shipboard operations with oil and oil and water, for instance, the cleaning of an oil fuel tank. The Act covers South Australian waters up to 3 nautical miles from the coast as well as Spencer Gulf, Gulf St Vincent and some bays. The waters outside these limits fall under Commonwealth jurisdiction.

STATE BANK

The Hon. JENNIFER CASHMORE (Coles): My question is directed to the Treasurer. Why do foreign currency liabilities of the State Bank exceed $4.4 billion as at September 1990? Can the Treasurer assure the House that these foreign currency liabilities are fully hedged and backed by appropriate assets?

The Hon. J.C. BANNON: That is the sort of question that no doubt has been dealt with, or could have been dealt with, in the briefings that have been provided to the Opposition. As I have said before, I will not go on the record without the fullest detail and explanation because of the situation, atmosphere and environment that has been created by the Opposition. It is interesting that the backbencher has been dragged into this little exercise as well.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! The Minister is out of order.

The Hon. J.C. BANNON: The honourable member reminds us that she has asked many questions on the State Bank. Her mantle has been taken up by people such as the Deputy Leader, and I thought she might have given it away. I shall refer the question, as I will do all others of a similar nature, and obtain a detailed response.

BLUE LAKE RAIL SERVICE

Mr HAMILTON (Albert Park): Will the Minister of Transport inform the House whether, as a consequence of

the Federal Minister's recommendation to close the Mount Gambier Blue Lake rail passenger service, he will be exercising his right to go to arbitration on the future of the service? If so, what developments have occurred?

Yesterday, a South-East resident advised me that she was personally annoyed that this service will be curtailed. This woman stated that the curtailment of this service would deny aged and disabled people a comfortable mode of transport, and she questioned me about the Federal Government's community service obligations.

The Hon. FRANK BLEVINS: I thank the member for Albert Park for his question. All of those who know the member for Albert Park know of his deep interest in trains over about 35 years. The events that have taken place since I was advised by the Federal Minister that he wished to close down the Silver City service, the Iron Triangle service and the Blue Lake service are as follows. I wrote to the Minister (Hon. Bob Brown) on 21 November this year in the following terms:

Thank you for your letter of 15 November 1990 advising of the Federal Government's wish to close the Australian National rail passenger services between Adelaide and the regional cities: Whyalla (Iron Triangle), Broken Hill (Silver City) and Mount Gambier (Blue Lake).

There is a very strong public reaction in South Australia to the proposed termination of these services. The State Government is opposed to the closures and will use all its power to retain rail passenger services to the regional cities. In particular, the State Government wishes to take the Mount Gambier service to arbitration, under the provisions of the Rail Transfer Agreement.

To do that, we need to agree on the person to be appointed as arbitrator, the terms of reference for the arbitration and a deadline for completion of the arbitration. Each party should pay its own costs, with the arbitration to be shared 50-50 by our respective Governments, assuming fee and expense rates will be those current for Commonwealth inquiries.

I enclose draft terms of reference for the arbitration for your consideration, with a view to the process being completed in approximately one month from commencement.

As recently as this morning, I have had discussions with the Federal Minister, whilst attempting to find an arbitrator suitable to both the State of South Australia and the Federal Government. I am confident that that arbitrator will be appointed very soon, and I hope that the matter can be before arbitration very shortly afterwards.

The South Australian Government will be putting up a vigorous case, and at the moment I am investigating whether it is appropriate (and, if so, what means can be used) to enable other groups in the community to put their case—in fact, to facilitate other interested groups in the community putting their case—to the arbitrator.

STATE BANK

Mr OSWALD (Morphett): I address my question to the Treasurer. Why did certificates of deposit liabilities of the State Bank increase from $762 million in January this year to $2 475 million in September, eight months later?

The Hon. J.C. BANNON: I shall obtain that information for the honourable member.

SITTINGS AND BUSINESS

Mr McKEE (Gilles): Can the Deputy Premier report to the House on the contents of the legislative program for the next week? Is he satisfied that there is sufficient time in which to consider properly what he has in mind, and will he indicate when we will rise for Christmas?

The Hon. D.J. HOPGOOD: I believe that the genesis of that question relates to a concern that some members and people outside have about the chance that we will not be proceeding with the workers compensation legislation either this week or next. I welcome the question, because I understand from those who have expressed some disappointment in this matter that the Minister of Labour has copped the blame when, in fact, I solely am responsible for the fact that this legislation will not be discussed until the first week of sitting next year.

I remind members, first, that we are rising later this year than I ever recall in my 20 years in this place and that we will be beginning next year earlier than usual so, in fact, we are setting aside a good deal of time for the discussion of legislation. I also remind members that the management of the House in the past five or six years, largely as a result of the conferences that have occurred between me and successive Deputy Leaders of the Opposition, has gone very well. In that respect, I must compliment the present Deputy Leader and his predecessor, the member for Kavel.

But the problems we have had have always been twofold. First, of course, certain pieces of legislation merit—or, at least, gain—far more discussion than other pieces of legislation; and, secondly, it is almost impossible to predict how long the discussion on a piece of legislation will take. In these last two weeks of sittings, the Deputy Leader of the Opposition and I must admit that we were wrong. We agreed on what we thought was a quite reasonable legislative program. In fact, it ran out to the extent that, at least on one occasion, we had to sit beyond 12 midnight in order to get it all through, given the presence of the guillotine.

So, when my colleagues approached me with the suggestion that we should list 11 Bills for this week, quite honestly, I jacked up, because it seems to me that there are two sides to the coin of the proper management of this House. One is the constructive and positive role that the Opposition can play in this process, and the other is the role that the Government can play in not being over-demanding and not asking for too much.

I understand, for example, that even today there has been an agreement that a Bill, which in fact is not included in the guillotine, should be discussed at the close of our proceedings. That sort of agreement is possible only because we obviously have the elbow room for permitting that to happen. As to the specifics of next week's program, I am only too happy to share this with members, because I think it is important. I make the point that next week is manageable only because of what we have been able to do with this week's program, and it is still subject to a degree of cooperation from members in another place. We have all been there and done that so far as members in another place are concerned.

The Bills that I will be asking members to discuss next week in this place are as follows: the Local Government Act Amendment Bill (No. 31), which is still in the Upper House and which has 25 clauses; the Building Societies Bill, which is still in the Upper House and which has 221 clauses; the Corporations (South Australia) Bill (No. 46), which we will not get until Wednesday next week and which has 96 clauses; the Adelaide Children's Hospital and Queen Victoria Hospital (Testamentary Dispositions) Bill (No. 54), which has four clauses and which I may be willing to rule out if the Deputy Leader tells me everything else is too much; the Housing Cooperatives Bill (No. 50), which it is hoped can go to a select committee with a minimum of debate and which has 107 clauses (but that is not relevant if we are not going to have a Committee stage at that point); and the Evidence Act Amendment Bill (No. 37), which comprises eight clauses.

In those circumstances I invite members to consider whether they believe that the Workers Rehabilitation and Compensation Act Amendment Bill, with 48 clauses, and the Education Act Amendment Bill, which my colleague also wanted me to deal with this week, really could have been put through both Houses in the time we have available. Therefore, what is the point of taking up time in this House with legislation that cannot receive assent until February of next year?

STATE BANK

Mr VENNING (Custance): My question is directed to the Treasurer. Does the State Bank have any plans to close country bank branches and, if so, how many branches is it planned will close?

The Hon. J.C. BANNON: I do not know of the State Bank's plans in relation to its country branches, and I will refer that question to the bank. In doing so, I might say that the bank has been a major supporter and lender—in fact, the major supporter and lender—of rural South Australia for its existence and, indeed, since the re-formation of the combined bank in 1984, it has increased that. It has also had a very good effect in terms of the competition it has provided and the encouragement it therefore gives other banks to be involved in that sector.

It has shown compassion and care in the way that it has looked at the long-term future of South Australia. The most important thing is that it is a bank headquartered here and owned by the people of South Australia. When other banks—and there have been some, as happened, for instance on Eyre Peninsula—have walked away from difficult problems—not all of them, but some have, or they have made life difficult—the State Bank, whose heart and future is here in this State, has made sure that it looks at the long-term interests of that community. So, there have been a few raids in South Australia—

Members interjecting:

The Hon. J.C. BANNON: My colleague interjects with a reminder of what happened to Elders, that great South Australian-based pastoral company, and the way it was seized and taken interstate. Look at what has happened to it now and at what happened to the Bank of Adelaide and various other institutions. Thank goodness we have a headquartered financial institution of the vigour, energy and commitment of the State Bank. I would hope that the honourable member counsels a number of his colleagues—front bench and back bench, and most particularly his country electorate colleagues—on ensuring that the State Bank is able to continue to operate effectively, because the future of rural South Australia depends on that.

FIXED ODDS BETTING

Mr ATKINSON (Spence): Will the Minister of Recreation and Sport say whether individuals or private companies have any proprietary interest in the TAB's fixed odds betting system?

The Hon. M.K. MAYES: I thank the member for Spence for his question and interest in this matter. As a consequence of his signalling this question to me, I raised the matter with the General Manager of the TAB, and I am pleased to advise the House of the following response from the General Manager:

I advise that the software of the system was developed in-house by the South Australian TAB's own staff. The software is the sole property of the SA TAB and subject to copyright. At no time has any staff member or private individual had any interest whatsoever in the ownership of the software.

The letter is signed by the General Manager, and hopefully that clarifies the situation. In further clarification of the matter raised by the honourable member, there is quite a deal of rumour and speculation, particularly amongst the racing community, about fixed odds betting. The Government is not considering fixed odds betting at this point, and I cannot see any reason why it would consider it in the near future, given the events that occurred in this place last year. I want to make that quite clear. Obviously, the honourable member is concerned, as are other members in the community, about the situation in respect of fixed odds betting. In answer to his question, the software is totally owned by the TAB; it was developed by the TAB and remains its property in terms of Australian ownership.

SAMCOR ABATTOIRS

Mr MEIER (Goyder): My question is to the Minister of Agriculture. Why are the SAMCOR abattoirs closing for more than three weeks during the Christmas/New Year period (in fact for 25 days) from 20 December to 14 January—a longer period than normal—when it had been expected that SAMCOR would be endeavouring to remain open for as long as possible after its $1.7 million loss last financial year and when other abattoirs are closing for as little as three days over this period—or is it in fact now more profitable to keep SAMCOR closed?

The Hon. LYNN ARNOLD: I will obtain a report on that question for the honourable member.

PARLIAMENT HOUSE

The Hon. J.P. TRAINER (Walsh): Will the Minister of Housing and Construction confirm that his department has now placed an indication as to the role of this fine building on its imposing exterior so that tourists and passers-by are aware that it is their Parliament, a labelling which was requested during its centenary last year and which was again requested in the Estimates Committee (page 533 of *Hansard*)?

The Hon. M.K. MAYES: I am delighted to be able to respond to the member for Walsh who, over some time, has exhibited an interest in ensuring that passers-by could see and recognise the historic nature of this particular building and its significance on the cultural avenue of North Terrace. I am pleased to—

An honourable member interjecting:

The Hon. M.K. MAYES: There is no intention to sell it. I am pleased to say that the plates were placed at either end of the stairways last week, and I am sure they will add significant interest to the community and clearly identify this building to those tourists and South Australians who are interested in it.

PORT AUGUSTA NEIGHBOURHOOD WATCH

Mr GUNN (Eyre): Did the Minister of Emergency Services have discussions with the member for Stuart before the honourable member told a public meeting at Port Augusta last Tuesday that Neighbourhood Watch would be established in nine areas of that city early next year; will the Minister explain how this commitment will be fulfilled when Port Augusta is not even on a waiting list of more than 200 areas currently seeking Neighbourhood Watch

which will take at least two years to deal with if no queue hopping (which is not allowed by Neighbourhood Watch organisers) occurs?

The Hon. J.H.C. KLUNDER: I can clearly indicate that I did not have any discussions with the member for Stuart.

COMPUTERS

The Hon. J.P. TRAINER (Walsh): Will the Minister of Industry, Trade and Technology inquire into the problem that may arise with mainframe computers in respect of programs that will be unable to cope with the change from the year 1999 to the year 2000? Will he ensure that any such problems in the public sector are appropriately addressed and any necessary guidance and assistance is provided to the private sector? I will explain the question by quoting from an article that appeared in the *Advertiser* earlier this year. The article, which originated from New York, is entitled, 'Computers disaster date', and it states:

Mainframes are going to be troubled when the first two digits of a year change from 19 to 20 . . . the corporate world has not investigated the issue thoroughly. The experts warn that action must be taken immediately because no remedy can be implemented quickly or easily.

Mainframes, the massive computers that handle complex calculations and comparisons with ease, are troubled by simple dates. When programmers set up these systems 15 to 20 years ago they used two-digit date fields to represent the year to save memory and disk space.

Mainframes were programmed to assume the year began with the figures 19. At the time, memory and file storage space was at a premium. Any saving, such as ignoring the first two figures in a year, was a bonus.

The article then warns:

So if you pay your bills on 24 December 1999 (that is 991224 to the computer), when the bill is due on 3 January 2000 (000103), you're in big trouble, the computer program will chalk up 99 years' interest against your account.

A systems analyst points out:

He has always found major companies have more immediate concerns than to be worried about something happening in the year 2000 but warns that procrastination is not advisable because there is no quick fix to this solution.

Another expert states:

. . . the task will be made even more difficult because most computer programs evolve with different programmers leaving their mark on software. Unfortunately, many programmers go through a system without leaving detailed documentation of what they did.

He also pointed out:

Ironically, the systems that may be hardest hit will be the ones that have been most reliable, the ones where the original programmers did such a complete and trouble-free job that no one has had to update the system at all so far.

The Hon. LYNN ARNOLD: I thank the honourable member for his question. I must say that I have seen some press reports on this matter. When I saw the reports I was amazed, because I had thought this problem was associated only with software programs for PCs. I first came across the problem with my private PC last year, when I was doing some private geneological work on my family history and I discovered that, for anyone born last century and who died this century, my computer could not give an exact length of life span because of the year 1900. I had to take the person's life from their date of birth last century up to 31 December 1899 and then start from 1 January this century and combine the two dates. I thought that that was a limitation of a PC and a software program design for a limited-power PC.

As the honourable member identifies, I have now discovered that this problem also affects mainframes. I think it is quite amazing that it affects mainframes, because computers that can get satellites to Neptune and humankind to the moon do not seem to be able to cope with the fact that we operate in centuries, with one year always ending in '00'. As to the effect that it will have on mainframes in South Australia, I will obtain a report from the Information Technology Unit, which is located in the OGMB, and bring back a report for the honourable member.

PERSONAL EXPLANATION: STATE BANK

Mr D.S. BAKER (Leader of the Opposition): I seek leave to make a personal explanation.

Leave granted.

Mr D.S. BAKER: This afternoon the Treasurer of this State tried to stop this Parliament asking questions—

The Hon. J.P. TRAINER: On a point of order, Mr Speaker. This is not a personal explanation.

The SPEAKER: The Leader is well aware of the conditions of a personal explanation. Members are not allowed to debate the matter: it must be just a statement of the facts.

Mr D.S. BAKER: I wish to point out this afternoon where I have been misrepresented by the Premier. He made a fundamental mistake by saying that the opposition did not have any information on the State Bank—he misrepresented me in that fashion. The Opposition has masses of information on the State Bank, and the information that has come out has been nothing to do with the two briefings that we have had with the State Bank. In fact, there have been other meetings with the bank over a long period. The mistake that the Premier makes is that the initial—

The Hon. T.H. HEMMINGS: I have a point of order, Mr Speaker.

The SPEAKER: Order! I assume that the point of order is on the same issue.

The Hon. T.H. HEMMINGS: Yes, Mr Speaker.

The Hon. H. Allison interjecting:

The SPEAKER: Order! The member for Mount Gambier is out of order.

The Hon. T.H. HEMMINGS: Standing Order 108 provides:

By leave of the House, a member may make a personal explanation even if there is no question before the House. The subject matter of the explanation may not be debated.

The SPEAKER: Order! The honourable member has made his point. Once again, I point out to the Leader that the explanation must be very specific and, if it is debated at all, the Chair will withdraw leave.

Mr D.S. BAKER: The Premier accused me of breaching confidentiality, and it is that matter that I want to address. He read into the record a letter from—

The Hon. J.C. Bannon interjecting:

The SPEAKER: Order!

Mr D.S. BAKER: He read into the record a letter from the Managing Director of the State Bank about a confidential briefing that we requested to discuss the information that we had on a company. That confidentiality has been breached by the Managing Director of the State Bank. The second meeting—

Mr FERGUSON: On a point of order, Mr Speaker, I draw your attention to Standing Order 108.

An honourable member interjecting:

The SPEAKER: Order!

Mr FERGUSON: My point of order is that the honourable member is not allowed to debate the subject, which I suggest he is doing now.

The SPEAKER: Order! The honourable member may not suggest any action to the Chair. The Chair will decide what action it will take.

Members interjecting:

The SPEAKER: Order! Once again, I raise the point about debating the issue. The Chair understands that the Leader was referring to a letter and the circumstances surrounding that letter. I do not believe that the explanation was being debated at that stage.

Mr D.S. BAKER: As a result of the second meeting, which was held at the request of the bank, I wrote a letter, which the Premier read selectively into *Hansard.* I seek your leave, Sir, to read into *Hansard* the letter that I wrote to the Managing Director of the State Bank to clarify the position.

The SPEAKER: Order! If it is part of the personal explanation, leave is not required.

Mr D.S. BAKER: It is part of the personal explanation. I will read it into *Hansard,* as follows:

Mr Tim Marcus Clark
Managing Director
State Bank of South Australia
King William Street
ADELAIDE, S.A. 5000

Dear Tim, I refer to your reported comments in this morning's *Advertiser* about our meeting on Monday. I reject the implication of those comments that the Opposition has breached conditions of confidentiality imposed on our meeting and set the record straight from our point of view. The meeting was sought by the bank and readily accepted by the Opposition. It goes without saying that at no time as a result of Monday's meeting or on any other previous occasion following information sought from or provided by the bank has the Opposition done anything to jeopardise 'commercial confidentiality' obligations claimed by the bank.

In relation to our latest meeting, at the time it was requested and subsequently, no condition was requested by the bank that any issue raised or information given would not be raised in the Parliament. Had such a condition been sought we would have rejected it as possibly compromising our duty to raise matters in the Parliament which are in the best interest of taxpayers in this State, a point I made during our meeting on Monday. You are aware that we have, over a period of some months, sought information from the bank about off balance sheet activities.

In October your Chairman arranged for me to be fully briefed with my senior adviser on all matters concerning Kabani and the use of off balance sheet companies. At that briefing on 9 October, conducted by Michael Hamilton and senior executives of Beneficial, we were told several times that Beneficial operated only four off balance sheet companies, including Kabani. We were therefore surprised to be told on Monday that the actual number was 53, and you would be aware from our reaction at that meeting of our concern about the conflict between this advice and previous information we had been given.

This concern was heightened when we were informed after Monday's meeting that you had told a journalist last week that only four off balance sheet companies existed. Given your comments on Monday that the bank had decided last December to phase out such companies, I found it extremely disturbing that both you and the Chairman had apparently only discovered in recent days the full extent of the group's off balance sheet companies. The matter was raised in Parliament not in breach of any confidentiality but to ensure taxpayers are fully informed, as is their right, consistent with the provisions of the State Bank Act, about the activities of their bank.

Yours sincerely
DALE BAKER

I received a telephone call this morning from the Chairman of the State Bank who concurred with my letter.

PERSONAL EXPLANATION: PREMIER'S REMARKS

Mr S.J. BAKER (Deputy Leader of the Opposition): I seek leave to make a personal explanation on the basis that I have been misrepresented by the Premier.

Leave granted.

Mr S.J. BAKER: In relation to the statement made by the Managing Director of the bank cited in Parliament by the Premier, I wish to make four points. First, confidentiality was not requested. Secondly, the information was volunteered by the Chairman because he was aware that the Opposition had been informed of only four companies. In fact, we had been misled, which surprised and shocked me. Thirdly, this matter has zero to do with confidentiality, because the Managing Director said, at that meeting—

The SPEAKER: Order! The honourable member is starting to debate the issue.

Mr S.J. BAKER: I will not debate the issue: I will simply say that, at that meeting, the Managing Director said he intended that all off balance sheet companies shall be listed. He gave us that undertaking. Indeed, there is no breach of commercial confidentiality in the information that was given, and it was never sought to be commercially confidential, given the information. Fourthly, it is not appropriate to canvass the conduct of such meetings in the public arena, as the Premier seeks to do today.

PERSONAL EXPLANATION: NEIGHBOURHOOD WATCH

Mrs HUTCHISON (Stuart): I seek leave to make a personal explanation.

Leave granted.

Mrs HUTCHISON: In relation to the comments made by the member for Eyre about Neighbourhood Watch in Port Augusta, I advise that the information I received was from Sergeant Allan Dennett of the Port Augusta police.

PERSONAL EXPLANATION: DEATH OF PRISONER

Mr MATTHEW (Bright): I seek leave to make a personal explanation.

Leave granted.

Mr MATTHEW: I was aggrieved by statements made in this House yesterday by the Minister of Correctional Services, who implied that I was withholding information from police regarding the murder at Yalata of prisoner Anthony Stone. The Minister threatened and intimidated me by saying:

The proper place to take that information—

The SPEAKER: Order! The honourable member is now debating the subject It is a statement of fact. The threat relates to the implication, to the reading of the situation.

Members interjecting:

The SPEAKER: Order! Members must not debate the issue. The Standing Order is very clear.

Mr MATTHEW: The Minister said:

The proper place to take that information is to the police. I will see that arrangements are made to interview the member for Bright as early as possible.

Without my authority, the Minister did so, and I was approached for an interview by the police at the order of the Commissioner about one hour later. I consented to the interview, which was conducted in this building, and signed a written statement to assist the officers concerned. I did so after having earlier advised the Minister of Correctional Services that all information I provided in this House yesterday had been provided to the police on a previous occasion by other parties.

Further, I was aggrieved today when the Minister read from a typed document purported to have been signed by me when, in fact, I signed a written statement. I have not

yet been provided with a typed version by the police, therefore the accuracy of the typed document is open to question.

Members interjecting:

The SPEAKER: Order! *Members interjecting:*

The SPEAKER: Order! I warn the member for Mount Gambier.

PERSONAL EXPLANATION: BREACH OF CONFIDENTIALITY

The Hon. J.C. BANNON (Premier): I seek leave to make a personal explanation.

Leave granted.

The Hon. J.C. BANNON: The Leader said that I accused him of a breach of confidentiality: I did not do so. If the impression was that I was making such a direct accusation, I withdraw such an accusation. I was drawing attention to the complete discrepancy between the views of certain briefings held by the Leader and those of his Deputy. The confusion has been further compounded by the views of those giving the briefing. All that material was put before the House.

Members interjecting:

The SPEAKER: Order!

The Hon. H. ALLISON: Mr Speaker, I accept your warning, but under such circumstances I advise the House that it is a privilege to be warned for defending the rights of members of Parliament.

Honourable members: Hear, hear!

The SPEAKER: Order! The honourable member is out of order.

The Hon. T.H. HEMMINGS: On a point of order, Mr Speaker—

The SPEAKER: The honourable member will resume his seat.

LOCAL GOVERNMENT ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. M.D. RANN (Minister of Employment and Further Education): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This is a Bill to amend various provisions of the Local Government Act, 1934, relating to elections and to parking and other expiable offences. Most of the changes proposed are technical refinements of the existing provisions which have been suggested by local government and State Electoral Department officers, candidates or legal practitioners.

Amendments have been made to the electoral provisions of the Act between each of the periodical elections held since 1984 when these provisions were entirely reformed. Included in this Bill are several amendments arising out of the experience of candidates in 1989.

The question of whether the omission by an electoral officer to place his or her initials on the ballot paper at the time it is issued renders the ballot paper informal was considered in *Raggatt v Fletcher and others* (C.L.G.D.R. No. 2 of 1989). The Bill reflects the decision of the court which was that such an administrative omission does not itself render the ballot paper informal. In that case the court upheld a petition in which official error was held to have affected the result of the election and costs were awarded both against the council, which had been joined in the proceedings, and against the respondent successful candidate who was blameless but who appeared and presented the argument against the petition. In that particular case the council did make an ex gratia payment to recompense the respondent for his costs, I am glad to say but was under no obligation to do so. It is proposed to amend the Act to provide that where an election is invalidated on account of an act or omission of an electoral officer, any costs in favour of the petitioner must, to the extent to which they are attributable to that act or omission, be awarded against the council.

The Bill also aims to clarify confusion which exists as to whether local government electoral candidates and their agents are permitted to provide transport to the polling booth for electors. The existing relevant provision is section 125 which deals with intimidation and bribery. At present a person who drives a voter to a polling booth commits an offence only if the voter has, firstly, been given a material advantage and, secondly, been given that advantage with a view to influencing his or her vote. This does not reduce to a straightforward rule for candidates and returning officers and is the source of disagreement at every periodical election. The Bill includes a new provision making it an offence for candidates and their agents to generally offer electors transport to the polling place, which has the endorsement of the Local Government Association as the best solution to this problem.

A widely representative revision committee has presented a report recommending a number of amendments to the parking regulations made pursuant to the Local Government Act. As the regulations were last promulgated in 1981, the Parliamentary Counsel considered it desirable to completely upgrade them. Some of the proposed regulations require complementary amendments to the Act. At the same time, the opportunity has been taken to merge sections 748d, expiation of littering offences, and 794a, expiation of prescribed offences such as parking and by-law offences, within the latter section.

Section 794a permits an offender to make late payment of an expiation fee prior to the commencement of proceedings together with a prescribed fee, currently $10. In the case of the City of Adelaide, I understand this provision had the effect of increasing the number of offenders expiating prior to the commencement of proceedings from approximately 35 per cent to 80 per cent. After the commencement of proceedings, an offender can still expiate by payment of the expiation fee together with costs and expenses incurred by the council in relation to those proceedings.

In the case of parking offences, after the expiation period has expired, it is customary for a council to make a vehicle registration search to ascertain the owner of the vehicle and, acting on that information, send a final notice to the owner informing the owner that he or she may expiate by payment of the expiation fee together with the prescribed late payment fee. Until 1989, it was possible for councils to absorb the cost of a vehicle registration search in the late payment fee, which was orginally meant to act as a relatively modest deterrent penalty rather than an added administration charge.

In 1989, motor registration search fees rose from 15 cents to $2 for an on line computer search, from 22 cents to $3 for manually keyed inputs, and from $1.70 to $15 for a manual search. For this reason, I consider it reasonable to amend the Act to authorise the recovery of both the existing

prescribed late payment fee and a prescribed expense, namely, the cost of a motor registration search.

Consideration was given to making the expiation period of 21 days uniform with certain other legislation providing a 60 day expiation period. However, I am satisfied that the Summary Offences Act, 1953 and the Expiation of Offences Act, 1987 which provide for the longer expiation period have significantly different characteristics. Unlike the Local Government Act, they permit the withdrawal of an expiation notice once issued. That is, there is a discretion to issue proceedings notwithstanding that an expiation notice was originally used, they have no machinery where an offence may be expiated up to the court hearing date by means of a late payment fee, etc., and finally, they impose a relatively higher level of expiation fees. In consequence, the 21 day expiation period is not being changed in this Bill.

Part XXIIA of the Act—'Regulation of Parking and Standing of Vehicles in Public Places'—is characterised by the concept of 'owner-onus', meaning that both the owner and the driver of a vehicle parking or standing contrary to the Regulations shall each be guilty of an offence. Thus, in the past, the owner has always been vicariously liable for any parking offence despite the fact that he or she may not have been the driver. This was done for administrative reasons and followed international practice. At present, the owner-onus concept is implemented by regulations but it is now considered timely to locate the concept in the Act and to extend it to other expiable offences involving the use of a vehicle.

Without deflecting from the thrust of the concept, the revision committee has recommended that before a complainant, customarily a council, commences proceedings for a parking offence, it should be mandatory for the complainant to send a notice to the registered owner of the vehicle, inviting the owner, if he or she was not the driver at the time of the alleged offence, to supply a statutory declaration setting out the name and address of the driver. Where an owner supplies an appropriate statutory declaration, it would be a complete defence. This defence also exists in the Private Parking Areas Act, 1986 and in the parking legislation of most other parts of Australia. This revision committee recommendation has been acted upon in the Bill and broadened to apply to all expiable offences against the Act, regulations, and by-laws, involving the use of a vehicle.

Upon receipt of a declaration from an owner naming another person as the driver it will be necessary for a council before commencing proceedings to serve a notice upon the person named as the driver. The notice will set out particulars of the alleged offence and give the recipient the opportunity to either expiate the offence or make out a defence.

In order to protect the rights of a person who after disposing of his or her vehicle is liable for parking offences committed by the new owner prior to re-registration of the vehicle, it will also be a defence for such a person to supply a declaration confirming that he or she had complied with the transfer requirements in the Motor Vehicles Act and setting out the name and address of the new owner.

The new procedure for notifying the owners of vehicles and, subsequently drivers nominated by owners is set out in section 789d in clause 21 of the Bill. Councils will be assisted by the provision of guidelines prepared by the Department of Local Government detailing each step which should be taken prior to commencing proceedings for parking offences, and for other expiable offences involving a motor vehicle where it is not possible to leave an expiation notice on the vehicle. These guidelines will assist councils in the exercise of matters which have been left to their discretion, such as the period which it would, under the circumstances, be reasonable to include in a notice to an alleged driver under new section 789d (4) *(f)*.

Other amendments include an increase in the maximum penalty for a breach of the parking regulations from $200 to $500.

At the request of the Corporation of Walkerville the opportunity has also been taken in this Bill to amend section 886d in a way which will allow the corporation to increase the number of members on the Levi Park Trust Committee of Management.

Other minor amendments will be explained as I proceed.

Clause 1 is formal.

Clause 2 provides for the commencement of the measure.

Clause 3 adds two definitions to section 5, the general interpretation provision.

A definition of 'driver' is added to ensure that the term includes the rider of a motor cycle.

A definition of 'owner' of a motor vehicle is included. This definition currently appears in section 475i in relation to parking offences but the term is used elsewhere in the Act. The definition is altered to ensure that owner includes a person registered interstate as the owner of a vehicle and a person to whom ownership has been transferred whether or not the Registrar of Motor Vehicles has been informed of the transfer. As in the current definition, a person who has hired a vehicle or has possession of a vehicle pursuant to a bailment is also to be considered an owner of the vehicle. In the case of a vehicle registered in the name of a business, the person carrying on the business will be taken to be the owner.

Clause 4 provides for the creation of a Register of Allowances for council members.

Clause 5 provides for the creation of a Register of Salaries for officers and employees of councils.

Clause 6 amends section 99 to ensure that the regulations may make any provision that may be appropriate in relation to the form or content of ballot papers.

Clause 7 relates to the issue of advance voting papers under section 106. It is proposed that a returning officer will not be required to mark the voters roll when he or she issues advance voting papers to a person whose name appears on the roll, but instead that the returning officer will simply be required to keep an appropriate record of the issue of the papers. Furthermore, a returning officer will be able to give notice of the availability of advance voting papers by notice in a newspaper circulating in the area rather than by public notice within the meaning of the Act.

Clause 8 amends section 106a in a manner that is consistent with the amendments to section 106 of the Act.

Clause 9 amends section 107 so that an electoral officer who receives an envelope apparently containing an advance voting paper will not be required by the legislation to rule a line through the voter's name on the roll, or to make a comparable record in the case of a voter whose name does not appear on the roll.

Clause 10 will enable a person who is unable to sign his or her name to make a mark for the purposes of signing any voting material, provided that the mark is identifiable as a signature and is made in the presence of a witness of or above the age of majority.

Clause 11 relates to the operation of section 122. It has been argued that a council cannot change the method of counting votes to apply at elections of the council after a determination has been made under section 122. This is contrary to the true intent of section 122. Accordingly, the opportunity will be taken to counter any possible argument along the lines referred to above.

Clause 12 relates to two matters. The first matter relates to the use of electronic equipment for the purpose of recording and counting votes. Section 123a presently refers to equipment for counting votes. A new provision will enable detailed regulations to be made prescribing the kind of equipment that must be used and the procedures that must be observed if electronic equipment is introduced either for recording or counting votes. These regulations will be able to modify the operation of the relevant provisions of Part VII of the Act. The second matter has been included in response to the decision in *Raggatt v Fletcher*. It is proposed to enact new section 123b to provide that a ballot paper is not informal by virtue of being uninitialled by an electoral officer if the ballot paper is otherwise accepted as being authentic. A similar provision exists in the Electoral Act.

Clause 13 will make it an offence for a candidate, or someone acting on behalf of a candidate, to offer to an elector transportation to or from a polling both, other than in certain specified cases.

Clause 14 will make it an offence for an electoral officer to fail to carry out (without proper excuse) any duty connected with the conduct of an election or poll. A similar provision exists in the Electoral Act.

Clauses 15 and 16 relate to proceedings before a Court of Disputed Returns in a case where it is alleged that an election is invalid on account of an act or omission of an electoral officer. In such a case, a copy of the petition must be served on the relevant council and the council will be able to act as replicant. Costs will be awarded against the council to the extent to which an election is avoided on account of an act or omission of an electoral officer.

Clause 17 amends section 475a to increase the penalty that may be imposed for breach of a parking regulation from $200 to $500.

Clause 18 provides for the repeal of s. 475d. The section is now redundant in view of the new definition of 'owner' that is to apply throughout the Act.

Clause 19 also removes redundant material from section 475e.

Clause 20 strikes out the definitions of 'owner' and 'registered owner' from section 475i. See clause 3 above.

Clause 21 amends section 693 dealing with service of notices. A potential technical problem is avoided by providing that service of a notice may be accomplished by leaving it at the person's residence with someone apparently over the age of 16 years (rather than as is currently provided with an adult living with the person).

Clause 22 amends section 743a which provides for an evidentiary aid in the prosecution of offences against by-laws. The amendment limits the application of the section to offences involving animals. Vehicles are adequately dealt with in new provisions inserted by clause 25.

Clause 23 repeals section 748d which deals with the expiaton of littering offences. The section is amalgamated with section 794a by clause 26.

Clause 24 makes an amendment to section 789a consequential to the inclusion of the definition of 'owner' of a vehicle in section 5. A reference to 'inspector' is replaced with 'authorized person'.

Clause 25 inserts three new provisions relating to offences involving vehicles.

New section 789b provides that where the driver of a vehicle is guilty of an offence against the Act, regulations or by-laws the owner of the vehicle is also guilty of an offence.

New section 789c provides that only the owner or the driver, not both, may be convicted of an offence arising out of the same circumstances.

New section 789d sets out certain steps that must be taken before the owner or, in certain cases, the driver, may be prosecuted. Before prosecuting an owner of a vehicle, the prosecutor is required to inform the owner of the particulars of the offence and invite the owner, if he or she was not the driver, to provide a statutory declaration nominating either the driver or a person to whom the vehicle had been transferred prior to the time of the alleged offence. The latter is only effective if the owner complied with his or her obligations under the Motor Vehicles Act 1959 in respect of the transfer. The owner has 21 days within which to make such a declaration. It also provides that it is a defence for the owner to have provided such a statutory declaration or if it is proved that, in consequence of some unlawful act, the vehicle was not in the possession or control of the owner at the time of the alleged offence.

The section also provides that if, in accordance with an invitation, an owner of a vehicle nominates a person as the driver of the vehicle and the offence concerned is one that may be expiated pursuant to the Act, the prosecutor must, before commencing proceedings against the nominated driver, inform the driver of the particulars of the offence and of the statutory declaration nominating him or her that the offence may be expiated and that he or she may be prosecuted if it is not expiated within the period specified in the notice.

The section also provides an evidentiary aid—in proceedings against a person named in a statutory declaration it will be presumed, in the absence of proof to the contrary, that the person was the driver of the vehicle.

Clause 26 amends section 794a which deals with the expiation of offences. Section 748d dealing with the expiation of littering offences is subsumed within this provision. Alterations are made to ensure that the same approach is taken towards all expiable offences. The section is also amended to make it clear that the fee prescribed for late payment of an expiation fee may include a component for costs incurred by the council in recovering the expiation fee.

Clause 27 amends section 794c to ensure that prosecution for all expiable offences must be commenced within one year. Currently this requirement only relates to offences against the parking regulations.

Clause 28 makes a minor amendment to section 886d so as to allow the membership of the Levi Park Controlling Authority to be varied.

Clause 29 inserts a new section 890. This section enables regulations to incorporate codes and standards as in force from time to time or as in force at a specified time.

Mr MATTHEW secured the adjournment of the debate.

RENMARK IRRIGATION TRUST ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

CITRUS INDUSTRY ORGANISATION ACT AMENDMENT BILL

The Hon. LYNN ARNOLD (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Citrus Industry Organisation Act Amendment Bill 1965. Read a first time.

The Hon. LYNN ARNOLD: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The object of this small Bill is to extend by one year the terms of office of the current grower members of the Citrus Board of South Australia which would otherwise expire on or shortly after 14 February 1991.

As members will be aware, the Government has carried out an extensive review of citrus marketing regulation in South Australia, culminating in the release of the citrus white paper in May 1990. The white paper outlined proposals to restructure the Citrus Board for a strengthened role in developing new markets for citrus fruit and assisting growers in adopting new technology for the production of premium products for export. The policies of the white paper have the general support of growers, processors and industry organisations. As a result of this review, the Government will be introducing a Bill for a new Citrus Industry Act and to repeal the Citrus Industry Organisation Act 1965. That Bill will provide for the establishment of a new, restructured Board to organise and develop the citrus industry and the marketing of citrus fruit, regulate the movement of citrus fruit from grower to packers and wholesalers, set grade and quality standards for fruit, provide for powers to be used to set prices and terms of payment for processing fruit in the event of market failure and increase the flow of production and marketing information throughout the industry.

It is the Government's hope that the Bill will pass in the first parliamentary sittings in 1991 following further consultation with the industry and taking into account any action which might be taken at the national level. It is particularly relevant to review the marketing arrangements for the citrus industry at this time because of the severe fluctuations in world orange juice prices being experienced by the industry and the disruptive effect of these fluctuations on marketing in Australia. The Government is working with the industry in negotiating with the Commonwealth to identify a mechanism for stabilising the import price of frozen concentrated orange juice which would not penalise importers, processors or consumers, and which would not break the rules for trade established under GATT.

It is proposed that the new board will have a broader range of relevant knowledge and skills, particularly in marketing and market development, and will perform functions which are needed to lead the South Australian industry away from being predominantly processing-oriented towards the more profitable fresh fruit export markets.

In view of the imminent introduction of a Bill for a new Act, it is, in the Government's view, eminently sensible for the current grower members of the Citrus Board to continue in office for whatever the transitional period may be, without the need to go through the costly and time-consuming exercise of conducting an election under the terms of the present Act. For this reason, this measure must pass before Parliament rises, as work for a February election would have to start almost immediately.

I commend the Bill to members.

Clause 1 is formal.

Clause 2 inserts a new section at the end of the principal Act to extend by one year the terms of office of the current grower members of the Citrus Board of South Australia. (Should the new board under the new Act come into being before the expiration of that extended term, the old board members must automatically vacate their offices).

Mr MEIER secured the adjournment of the debate.

LAND AGENTS, BROKERS AND VALUERS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 25 October. Page 1446.)

Mr INGERSON (Bragg): The Bill before the House seeks to make a number of changes with respect to cooling off periods for the sales of land and small businesses and to prescribed information required to be given by a vendor to a purchaser prior to the settlement of the sale of land or a small business. The Small Retailers Association, which principally represents small business in this State, was concerned initially by the lack of consultation on this Bill, even though in one section of the second reading explanation it was stated that there had been widespread consultation.

Their concern relates to two areas: the first has now been changed in another place; and the second relates to the definition of 'small business' itself. Again, it seems that, with these important Bills relating to small business, there has not been the widespread consultation we would have hoped the Government would make. I accept that there has been consultation with the people concerned—the Land Brokers Association and the valuers—but the people who are affected by this Bill, small business men and women, in particular, do not seem to have been properly considered when this was first drawn up.

At the same time as this Bill came in, a series of regulations that apply to the Bill was put forward. It is principally in the regulations that the whole gamut of change occurs. As the House would be aware, there has been a considerable drawing up of regulations with the specific parties involved (land brokers and valuers), and the lawyers were involved because of the complexity of some of the changes that need to take place.

The Government says that a significant amount of information from Government departments and agencies will be placed on the LOT (land ownership and tenure) system operated by the Lands Department and, if that is the case and if vendors are entitled to rely on that system, that will reduce the cost, and we support that move. Among the additional information that the Government is proposing to require to be disclosed is the following:

(1) prohibitions or restrictions under the Aboriginal Heritage Act;

(2) mining tenements and private mines under the Mining Act;

(3) past use of land as a waste depot;

(4) restrictions on the height of buildings under civil aviation or defence legislation;

(5) information relevant to farmers and graziers which concerns clearance of native vegetation, destruction or control of animals or plants, transportation of animals, plants or soil, fruit and plant protection, agricultural chemicals and stock diseases;

(6) directions under the Food Act relating to the use of unclean or insanitary premises or equipment; and

(7) financial information.

The Bill proposes a requirement for financial information relevant to a small business to be verified by a qualified accountant. There has been some concern about the definition of 'qualified accountant'. It seems that the concern of individuals in the community is that the word 'qualified' is very broad, and in this Bill it ought to relate to those qualified to carry out the regulations specific to this Bill. Secondly, the Bill proposes to allow the service of cooling off notices by facsimile transmission. In this modern community, that is a very positive move. It is a move

that I, as shadow Minister of Transport, remember was a very important move in relation to the faxing of permits. In this area, we will see the same advantage. The Bill proposes to define 'encumbrance' as any easement other than a 'statutory easement' for the supply of electricity, gas, water, sewerage or telephone. It will also require a vendor of land or a small business to serve a statement in the prescribed form in relation to encumbrances, and to make it an offence not to do so.

The Bill will give more flexibility for a purchaser of land or a small business to proceed quickly by waiving cooling off rights and the rights to a statement of prescribed interests within a particular period, if a legal practitioner has given independent advice and certain other formalities are followed. That clause will have significant benefits for small business, in particular, as this opportunity to consult a legal practitioner will expedite many of these previously time consuming activities.

The Bill requires councils and statutory authorities to provide information within seven clear business days of receiving an application for the information, and prescribes an offence if that is not complied with. Finally, the Bill proposes to give courts wider powers in relation to the orders that can be made in the settlement of disputes arising out of statements by vendors.

The majority of the Opposition's concerns have been dealt with in another place, where significant amendments have been made by both the Government and the Opposition, and I note on file another amendment from the Government which the Opposition will have pleasure in supporting in Committee. The Opposition supports this Bill.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its indication of support for these amendments to the principal Act, a measure which has served this State very well. It came into being in the early 1970s and brought order and respectability particularly to the area of the sale of property, when there was a great deal of community concern about the law and about the profession involved in the sale of real estate in this State.

That legislation brought about a new set of standards and procedures, and provided very fundamental rights to purchasers, particularly of family homes, in this State. That law has been amended and improved from time to time, and the confidence of the South Australian community has grown in this area of activity within in the State. The amendments before us, as described by the member for Bragg, make substantial improvements to the rights of purchasers, particularly of land or of small businesses.

It is interesting that over 60 000 of the prescribed forms are used in this State each year. The amendments to the prescribed forms 16 and 19, which are outlined in the second schedule of this legislation, are the subject of the amendments now have before us. I give notice to the House of an amendment I propose to move during the Committee stage, as has been alluded to earlier in this debate. The Legislative Council passed an Opposition amendment to insert a new paragraph in new section 91h to provide an additional defence, and the Government had a good deal of sympathy with the intention to give users of the LOT system that information that was provided so that it could be relied upon.

However, the Government strongly opposes the particular amendment and will move for its deletion and replacement with a more effective legislative structure to provide for the intent of the original amendment.

As pointed out in the speech of the Minister of Consumer Affairs, the section 90 statement includes a copy of the title, the accuracy of which is guaranteed. The statement also includes information from other departments. The Department of Lands guarantees the fact that the other departments have an interest, but details of that interest are guaranteed by those other departments.

It should be noted that there is no general disclaimer on a section 90 statement. There is, however, a disclaimer on one page that is not actually a part of the section 90 statement as required by the Act and regulations, but which is provided by the Department of Lands together with the statement as extra information for the benefit of inquirers. This page lists items such as the capital value of the property. This is not the sort of information which the Government could reasonably guarantee.

The effect of the amendment would be that a person (usually an agent) who gained information from the LOT system, the database kept by the Department of Lands, would have a defence to an offence or to civil proceedings if that information had been relied upon and turned out to be inaccurate. However, it is also, and has hitherto been, possible to get much of the section 90 information directly from Government departments and agencies, rather than from the Department of Lands. These other departments and agencies supply information to the Department of Lands, to be placed onto the LOT system.

The effect of the amendment, therefore, would be to give an agent no defence when the original (primary) source of information is used, but to give a defence when the secondary system is used. Clearly, that situation is unacceptable. It is analogous, for example, to recognise that a photocopy of a document is deemed to be accurate but the original is not. The amendment is silent on whether reliance on information from local councils can be a defence and on the status of information gained directly from the vendor. This is relevant as, for example, the vendor alone of all the parties involved in supplying information is likely to have knowledge of a notice under the Fences Act 1975.

Furthermore, a court examining the proposed amendment together with section 91h *(a)* would probably hold that it was the intention of Parliament to give a special status to information from the LOT system, but not to that from other sources. There are broadly two alternative ways of dealing with the problem of reliance on information. The first would be to specify that a defence exists if inquiries required by the legislation were made from the sources specified in the Act or the regulations, and that information was relied upon. The second would be to simply rely upon the proposed section. The provision gives an adequate defence, as it is difficult to see how an inquirer could be negligent if the inquiries required by the legislation were all properly carried out. The Government believes that the second alternative will provide a satisfactory defence.

I do not have with me precise information on the extent of the consultation process that was carried out by the Government in the preparation of this measure, but I understand that this Bill has been supported by the Real Estate Institute and has been the subject of discussions with all the other key interest groups. Obviously, it is not possible to gain everyone's approval on every piece of legislation that comes through the system, and people opposed to any particular measure will always claim that they have not been sufficiently consulted on the matter. It is the practice in the Department of Consumer Affairs to engage in wide-

spread consultation on matters of this nature. I commend the measure to the House.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—'Substitution of ss. 90, 91 and 91a.'

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

Page 8, lines 26 to 30—Leave out paragraph *(b)* and substitute—

(b) that the alleged contravention or non-compliance was due to reliance on information provided by a person or body to which an inquiry to obtain the information is, in accordance with the regulations, required to be made;.

I have given the Committee an explanation of the Government's intention in moving this measure, and I am sure that members will see that it improves substantially the Bill as it arrived from another place.

Amendment carried; clause as amended passed.

Remaining clauses (7 and 8) and title passed.

Bill read a third time and passed.

LAND ACQUISITION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 22 November. Page 2208.)

Mr LEWIS (Murray-Mallee): This is an interesting little piece of legislaton and one that the Opposition supports. It covers the circumstances in which money is paid into a court where there is a disputed claim. Presently, that money is credited with interest every six months. When a disputed claim is resolved by agreement or by court order for an amount larger than originally offered and paid into the court, that further amount of compensation is increased by simple interest pursuant to section 33 of the principal Act. In the past that has been prescribed by regulation as the long-term Commonwealth bond rate.

However, as members know, and as the Minister pointed out in his second reading speech, the long-term Commonwealth bond rate no longer exists. Therefore, it is a problem for us to find an appropriate yardstick in terms of the rate of interest which ought to be paid on such funds when the time comes for them to be disbursed according to that agreement or court order. The Bill makes the interest rate on any additional sum the same as it would have been had it been paid into the court in the first place, and we agree with that: it makes good sense.

We also acknowledge the good sense contained in the measure which was really contributed by the Real Estate Institute as a consequence of some consultation undertaken before the measure reached this place. The institute provided for us the insight whereby such interest and conditions should apply as would be attractive in the marketplace. Given the amount of investments involved, the institute believes that the compound rate should therefore apply, being calculated at least monthly. By this means, instead of spreading it over a longer period, a more realistic accrual to the sum involved is obtained.

It was very sensible and reasonable for the Real Estate Institute's proposal to have been adopted as the way in which we determine accrual of interest to the capital sum. We do this and understand that the amounts of money involved are quite often very large these days. Certainly, by any ordinary wage earning citizen's standards, they are large, and, where any citizen involved in having their land taken from them against their will finds that they are losing interest at a rate quite significantly to their disadvantage by having the money in court rather than in their charge and, at the same time they have lost their property, they are obviously reasonably entitled to complain and would have done so in the event that we have been remiss enough to impose that additional unwelcome penalty upon them.

In circumstances where compulsory acquisition is involved and the owner of a home or farm is completely dispossessed, and while the court decides the matter, under this proposal, sensible and effective rates of interest compounded monthly will accrue to the capital sum which is ultimately paid, thereby ensuring that the aggrieved former owner or citizen is not so much aggrieved or disadvantaged. Of course, there is the other consideration apart from the two I have already mentioned, and that is the period of time over which the money is held in court. This can often be quite protracted and, in those circumstances, the difference between the amount of interest accruing to the capital is quite significant. The longer the time, the greater the rate of accrual if the interest is compounded monthly. All other similar forms these days credit interest accrued at a monthly rate, that is on a monthly basis. The Government is to be commended for its acceptance of that very sensible inclusion in the legislation by the other place.

Aside from those remarks, the Opposition has a concern about the rights of appeal which presently should be included in the legislation but are not. They will form part of the more detailed proposition put by the member for Eyre who has seen this deficiency in the legislation for a very long time. I share his concern, and I know that he speaks with a passion about it, clearly illustrating his understanding of how a citizen can be disadvantaged, otherwise than financially, when compulsory acquisition provisions are invoked. I will leave him to eloquently and adequately explain the precise nature of the amendments which he proposes quite properly and wisely to the legislation. I assure the House that we will use our best endeavours to have the House consider as part of the Bill the new clause which I believe it is his intention to move.

The Hon. G.J. CRAFTER (Minister of Education): I thank the Opposition for its indication of support for this measure, although I note that the member for Eyre has circulated an amendment on a matter not related to the matter we currently have in the Bill before us. The Upper House did attend to one area of concern as the member for Murray-Mallee has indicated. Clause 4 repeals section 33 of the principal Act and substitutes a new section 33. Existing section 33 provides:

Where an authority eventually agrees or is ordered to pay a greater amount of compensation for the acquisition of land than that originally offered and paid into court by that authority, interest is payable on the difference betweeen the two amounts at a prescribed rate from the date of acquisition.

New section 33 is to the same effect except that the sum payable on the difference between the two amounts is calculated not by reference to a prescribed rate of interest but by reference to the additional amount that would have accrued had the correct amount—that is the greater amount—of compensation been paid into court in the first place. That was the subject of some debate in the other place and has now been resolved in that way. I commend the measure to members.

Bill read a second time.

Mr GUNN: Mr Deputy Speaker, I draw your attention to the state of the House.

A quorum having been formed:

Mr GUNN (Eyre): I move:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider a new clause relating to the rights of appeal against acquisition.

Motion carried.

In Committee.

Clauses 1 and 2 passed.

New clause 2a—'Right of appeal against acquisition.'

Mr GUNN: I move:

After line 13—Insert new clause as follows:

Substitution of s. 12

2a. Section 12 of the principal Act is repealed and the following section is substituted:

Right of appeal against acquisition

12. (1) A person who has an interest in the subject land may—

(*a*) within 30 days after service of the notice of intention to acquire;

or

(*b*) within 30 days after an explanation and details are funished under section 11,

whichever is the later, or within such longer period as may be allowed by the Court, appeal to the Court against the acquisition of the land.

(2) An appeal may be made on one or more of the following grounds:

(*a*) that in view of the relative value of the land to the appellant and the Authority, or of any other relevant circumstance or combination of circumstances, the acquisition would be harsh or unreasonable;

(*b*) that the acquisition and the execution of the undertaking on the land would—

(i) seriously impair an area of scenic beauty;

(ii) destroy or adversely affect a site of architectural, historical or scientific interest;

(iii) create conditions seriously inimical to the conservation of flora or fauna that should, in the public interest, be conserved;

or

(iv) adversely prejudice any other public interest.

(3) Upon hearing an appeal the Court may do one or more of the following:

(*a*) confirm the notice of intention to acquire with or without variation;

(*b*) direct that the Authority must comply with conditions specified by the Court if the Authority proceeds with its acquisition;

(*c*) direct that the Authority must comply with conditions specified by the Court if the Authority proceeds with its acquisition,

and

(*d*) make ancillary orders as it thinks fit.

The purpose of this amendment is to give citizens whose property is acquired by the Government the opportunity, within a 30 day period, to lodge an appeal to the land valuation section of the Supreme Court in relation to the acquisition. During my time as a member of Parliament, a number of cases have been brought to my attention where I believe that, if the citizens concerned had had the right to go to court to have a particular acquisition examined by an impartial body, the acquisition would have been overturned.

In my view the current law is quite deficient: we do not have any administrative appeals mechanism in this State. When land is the subject of compulsory acquisition by the Government, citizens have no effective right of appeal. I clearly understand, as I believe all members of this House understand, that from time to time it is necessary for the Government, in the public interest, to acquire private property. However, in doing that, the person whose property is affected ought to have the ability to go to the court for it to determine whether that acquisition is in the public interest.

Currently, it is far too easy for public servants to recommend to their Minister that an acquisition take place; the Minister then signs the appropriate document and the person loses all rights to the title of that land.

All members have had cases where constituents have come to them and explained in great detail how they have been treated. Land was acquired on Burbridge Road, and I have had other acquisitions brought to my attention. We often have cases brought to our attention where public servants, on behalf of the Government, have negotiated whereby they say to people, 'Well, if you do not agree we will compulsory acquire it anyway.' That in itself is a very bad principle in a decent and democratic society. My amendment is not designed to frustrate a legitimate attempt by the Government to take actions in the overall interests of the community and I do not believe that it will do that.

I suggest to the Committee that any fair or reasonable person would accept this amendment. I had intended to bring it in by way of a private members' Bill, but when this opportunity presented itself, I thought that I ought to raise it. I am hopeful that all reasonable members—and I include the Minister—would accept what I believe is a measure that does not go over the top, but is just a course of action that will give citizens a right that already exists in other pieces of legislation. There are very few pieces of legislation that so violenty affect people's rights and do not offer some right of appeal. The existing Act was brought in in 1969 by His Honour Mr Justice Millhouse (as he was then) who, as I understand it, was complaining today about Parliament I am now complaining about his actions in 1969, because I think that this legislation is quite deficient and, perhaps, we could have complained about his actions as he is now complaining about our lack of action.

There is a right of appeal back to the authority, but it is really a 'from Caesar to Caesar' appeal, which is of no value whatsoever because the authority that has determined that it will compulsorily acquire someone's property will certainly not admit that it is wrong. One of the unfortunate things is that often, when a person's home is acquired, we are dealing with probably the most important financial and commercial undertaking in which that person has ever been involved. Suddenly, within a few weeks, an authority can evict that person—because there is power within the Act to actually evict people where they object. We all know of some of those cases.

Clearly, I am of the view that the time has long since passed when the Government ought to look very carefully at this legislation, and it ought to agree with this amendment. It does not prevent compulsory acquisition; it does not in any way prevent the Government's going about its business; and it does not prevent the Government from negotiating with individuals. In fact, the amendment puts both parties on an even keel—and currently that is not the case. For example, some years ago in an area that is now in the member for Flinders' district some negotiations took place in relation to acquiring certain land for park purposes. The officer concerned discussed the situation with the farmer, who objected to what was being put to him. The officer said, 'If you continue to argue, I will put the peg another 150 yards down the hill.' That is the sort of arrogant attitude that has been displayed and continues to be displayed, unfortunately, by people who think that their Minister will agree with whatever they put forward.

If we have this provision in the Act, it will give those aggrieved people the opportunity to go to court and, if it is shown that they have no case, the court will determine that. In my view, that is the proper course of action that should be available to citizens in a free and democratic society. I commend the amendment to the Committee and to the Government. I sincerely hope that the Government will respond by accepting this provision, as I believe that it is in the long-term interests of all citizens, particularly those who own properties that the Government may, from time to time, determine that it has to acquire.

The Hon. G.J. CRAFTER: I certainly understand the concerns that the member for Eyre has expressed with respect to the Land Acquisition Act. He has spoken on this issue many times in this place since I have been here. In the period that I was employed in the Attorney-General's office, I recall reading *Hansard* reports containing his comments. He is undoubtedly very consistent on this matter. His suggestion that he may have an alternative in dealing with this matter by way of a private members' Bill may have been a better course of action to deal with this matter. It is really a matter that goes to the very root of the compulsory acquisition of land legislation.

The amendment that we have before us would, in a sense, make the whole Act defunct. In fact, it transfers the powers contained in the compulsory acquisition of land from the administrative arm of Government to the judiciary. I believe that that is a blurring of the whole separation of powers principle, and also takes the court into an area of administration that is inappropriate. This is a matter properly for the administrative arm of Government, and the Government itself is answerable to the people through the democratic processes for the decisions that it takes in areas like this.

The compulsory acquisition of land is always controversial and it is invariably hurtful to the proprietors of the land. Therefore, it is often the subject of litigation or, indeed, protracted negotiations with the authority that is acquiring the property for one public purpose or another. However, to have this amendment carried would, in fact, obstruct in a very real way important activities being conducted by Government in the interests of the community at large.

The honourable member's amendment provides for there to be an appeal, which amounts to a stay of the acquisition order on the ground, for example, that it will seriously impair an area of scenic beauty. It also gives the court the power to direct the authority not to proceed with the acquisition when that acquisition may be related to some important public purpose, such as an ancilliary defence purpose in our State or some other matter that requires the compulsory acquisition of land for an economic advantage to the whole of the State. I refer to such issues as the building of a road, a pipeline, or the development of some other installation of importance. In that case, clearly the powers vested here are very wide indeed, are open to abuse and are able to see these projects of importance to us all deferred or, indeed, overturned. That is the matter at the very heart of the Land Acquisition Act: it grants very substantial powers to Government to acquire property and to have works then proceed on that property in the community interest.

If there is an excess of power or if there is a breakdown in the process of administration of this Act, remedies are available. Prerogative writs are available to persons who believe that this is not being conducted according to the law. So, avenues of redress are available to them. However, this amendment goes to the other extreme and provides for a complete breaking down of those powers. The ultimate power is to overturn the decision that the Government has taken.

It has certainly been my experience as a Minister in the Government that no compulsory acquisition is ever taken lightly. There may be a rare instance in which some officer has acted in excess of powers or in a way that is contrary to the best interests of the administration of the legislation. Each of those matters should most certainly be brought to the attention of the respective authority or Minister responsible, and I think that from time to time the member for Eyre has raised concerns about allegations of improper conduct or excessive use of power, not only in the area of compulsory acquisition of land but also in the administration of a number of other statutes of this Parliament, whether it be in the field of agriculture, fisheries or the like.

It is the right and, indeed, the duty of members of Parliament and other people in the community to bring these matters to public attention and to have them sorted out administratively. However, that is not the basis for overturning the whole thrust of this legislation which, I believe, has served this State and every other common law jurisdiction very well so that the business of Government can proceed. It must always be treated as a very serious matter. It must be attended to responsibly and it is always subject to the scrutiny of the electorate at large.

Mr GUNN: I am disappointed that the Minister has adopted that line.

The Hon. G.J. Crafter: But not surprised.

Mr GUNN: I am not surprised. It is obvious that there will have to be an election of a Liberal Government in this State to ensure that there is some justice in this legislation because, in my judgment, it is fundamental to people's rights that they can appeal against an administrative decision that can deprive them of the roof over their head or the ability to continue in business.

In view of the fact that this State does not have an administrative appeals tribunal (which in my judgment is a disgrace and is long overdue, yet the Government, particularly the Attorney-General, has been lax in this matter) I have attempted to put into legislation the ability of an aggrieved citizen to hold up proceedings for 30 days. It is amazing that the Government has rejected my measure because acquisitions are made years in advance of highways being constructed, roads being widened and pipelines or powerlines going through.

The real problem is that a large number of Government statutory authorities and others can exercise the power of compulsory acquisition. That is what is so wrong about it: that they have such a power. The average citizen is at a complete disadvantage when dealing with the Government, because the Government can always threaten people with compulsory acquisition. If they are threatened with compulsory acquisition and they know that they do not have an adequate right of appeal, they are completely disadvantaged. If this provision were included in the legislation, it would make officials and Governments a little more sensitive. Surely in a decent society there is nothing wrong with giving an appeal to a court which is set up to deal with the valuation of land.

I cannot understand how the Minister can construe that this measure will take away the power of the Government of the day to administer. It does not seek to do that, because the Government can signal its intention, and under my proposal the person has only 30 days to hold up an action. The Government allows appeals in many other areas. For example, the planning laws of this State are subject to appeal, and some of those appeals can be enacted by a third party who is not even directly involved. That seems to me to be a contradiction.

Parliament has before it a provision which will mean a slight improvement for people affected by an acquisition. It is also an improvement in the protection of their rights. Why does the Government not have an administrative appeals mechanism for people to use if they are dissatisfied with an administrative decision of the Government? It is long overdue. I cite the case at Burbridge Road and various other cases in which people's property has been acquired and they have been treated in an absolutely disgraceful fashion. Another example concerns a gentleman from Mile

End who came to see me when property was taken from him at far below its correct value.

The problem with dealing with the Government is that it has unlimited resources and legal assistance and advice. The ordinary citizen simply cannot compete. The Minister knows that it is beyond ordinary people. My provision would not be exercised on many occasions but it would make those people who make recommendations to Ministers far more careful, and it would make Minister far more responsible when agreeing to acquisitions. I understand that, under certain conditions, local government has the power to compulsorily acquire land to sell for commercial activity. That is far too wide and unnecessary a power, and, in many cases, the power has not been used wisely.

Will the Minister give an assurance to the Committee that he will have this matter further examined? What action does the Government intend to take to ensure that persons so aggrieved by these provisions can seek redress, prior to an adequate appeals mechanism being put in place?

The Hon. G.J. CRAFTER: I can add little to what I said earlier, that is, wherever there is an aggrieved party, the matter should be brought to the attention of the authorities and it should be investigated. I also said that, invariably, people are aggrieved by the very fact of the compulsory acquisition process. It is a last resort in terms of the acquisition of property for public purposes and, usually, the matter of acquisition of land can be negotiated without resort to this legislation. However, where it is necessary to use compulsory acquisition powers, a dispute often arises. If there has been an excessive use of power or there has been a breakdown in the application of the law as provided in the legislation before us, that matter ought to be investigated and the facts ascertained.

The Government rejects the thrust of this measure which, as I have explained to the Committee, really takes the decision away from the Government of the day and places that final decision or power with an authority outside the Government, that is, the judiciary. The amendment moved by the honourable member states clearly that the court may direct the authority not to proceed with the acquisition, and that situation is not acceptable to any Government, I would think, which has to act in the public interest in these matters. I cite the example of a development ancillary to a defence establishment or some other very important public purpose for which works need to be carried out quickly for the State or national interest, the only recourse available for that to proceed being through the compulsory acquisition of land. To have a matter of that type tied up in the courts and the subject of dispute and further appeal for a long period is simply not an acceptable position for the Government.

The honourable member's grounds for the court making such a decision, that is, to deny the Government the right to compulsorily acquire land, are very broad. As I said, it may be in the view of the court that an area of scenic beauty would be seriously impaired or a site of architectural, historical or scientific interest would be adversely affected.

That is certainly a broad power indeed, where there are conditions which affect the conservation of flora or fauna which, in the public interest, should be conserved. Once again, it is a very broad area of discourse for a court to resolve. Indeed, it is a very broad power where the court believes that the acquisition would adversely prejudice any other public interest, which I think is possibly about as broad as we could cast the net in an area of this type. The honourable member believes that that may resolve some of the hard cases that he has raised in this area, but he must also reflect on what is proper and responsible public administration and the difficulties that would be caused to that aim, to that fundamental responsibility, of Government if this measure was passed.

Mr S.G. EVANS: I support the amendment. I believe gross injustices have occurred in relation to land acquisition. Some members of this House will remember the Carclew land acquisition. The land was required from a family for a purpose, and it was never used for the purpose for which it was acquired. Members will recall that, when the Hilton Hotel was built in Victoria Square, under the Government of which I was a member, the property of W. D. Angliss, butcher, was compulsorily acquired by the city council and sold to private entrepreneurs, who were allowed to get away with less than the required amount of car parking. That was an injustice.

The Hon. B.C. Eastick interjecting:

Mr S.G. EVANS: Also, as my colleague the member for Light says, there is the house on Burbridge Road, as members would recall. I know that the conditions for lodging an appeal are quite narrow in some cases, but it does not mean that the appeal will always win. That is the interpretation that the Minister is putting on this matter. The ways in which Government departments and local government can acquire people's property are quite draconian. They do not worry about the individual, for example, they will take a piece of land to achieve a short cut for a service because it saves them a few dollars but, in doing so, they destroy another person's quiet life, such as occurred in the case of a house block at Hannaford Road, Blackwood. I could cite many other cases where an injustice has occurred.

There was a lot of flack about at the time of a fire, but the truth that was never told to the public was that the council had moved to acquire the property at that time against the wishes of the family. That point was never made, because it did not suit those who wanted to be hypocrites. An injustice quite often applies in the case of acquisition. I think the individual should have the right to appeal to make sure that the department or the local government authority that is acquiring the land has a genuine reason for doing so, and will not ruin the quality of life of some person or future generations.

I will go further than the member for Eyre and say that authorities should have to use the land for the purpose for which it was acquired and, if they do not, they should offer it back to the family or the person they took it from at the price paid for it, and not at the inflated price that might have occurred as the years went by. Under our system, we have always said that our home is our castle and our land is ours. Gradually, we are being told that the freehold title is not a freehold title, and that it can be taken away from the owner at any time. I support the amendment.

The Hon. P.B. ARNOLD: What surprises me about the attitude that the Minister has adopted in this instance is his lack of confidence in the courts system and the judiciary to make a sensible decision. What he is really concerned about is that the Minister's decision or the Government's decision will be paramount and that other considerations will not come into it. In this country, we supposedly live in a democracy. I suppose that that word means different things to different people but, in this instance, it would appear that the Government's view of the word 'democracy' is that the Government's will will prevail, and I think that is a great pity. We have all seen examples such as has been referred to by the member for Eyre and the member for Davenport. It is a great pity that the Government is refusing to accept a position where the individual in a democracy has the right to challenge a decision of Government.

The Minister, nine times out of ten, will automatically support the position that is put down by his department. The departmental officers will make the decision, they will put it to the Minister and the Minister will naturally support it. So, the person concerned is behind the eight ball right from the word go and, without any appeal provision, there is virtually little opportunity for that member of the public to appeal, other than through the member of Parliament who may take up the issue in this place on his or her behalf.

If that person is not served by a member of Parliament who is extremely diligent and who will pursue that matter to the end on their behalf, they have nowhere else to go. I think that the right of a person to take that action on their own behalf is one that should and must be maintained and protected in this country. The fact that it does not exist is an omission that should have been corrected many years ago and, as the Minister said, the member for Eyre has been pursuing this matter for many years. It is now before the House, and I believe that the measure should be supported.

Mr GUNN: I am disappointed at the attitude of the Government. I will not be put off. This is not the last time this matter will be before the House. Again, I ask the Minister, as the Minister representing the Attorney-General, why we do not have, as do most other States, the United Kingdom and New Zealand, a system of administrative appeals which would give some rights of appeal against these administrative decisions. Perhaps, then it might not be so necessary to insert this provision. However, whilst we are in the quite disgraceful situation of having no effective administrative appeal processes, I believe that provisions of this nature are paramount, and I will continue to debate and make representations to endeavour to have some justice written into this quite draconian legislation.

It is one of those Acts of Parliament which Ministers like to use. Their officers tell them—like the Sir Humphrey situation—'Minister, you must have this authority so that we can properly administer the affairs of State.' Of course, that is a provision to protect only the bureaucrats when they make these arbitrary decisions. They say the same thing about taxing measures; they must have the power to ensure that the maximum amount of revenue is collected. We all know that in many cases that is not necessary. People's rights are arbitrarily taken away. I think this whole exercise is deplorable, I am disappointed. I certainly will not give up. I can assure the Committee that when there is a Liberal Government I will be more than vocal to ensure that there is a decent, sensible and responsible appeals mechanism under this legislation. What disappoints me is that the Minister has been critical of this provision, but he has not put forward any adequate alternative that would serve the interests of the long suffering public, and everyone of us could be subject to these provisions.

If my amendment is not satisfactory to the Government or to the Attorney-General, there may be some other way of ensuring that people's rights are protected. However, without the Minister coming forward with those suggestions, I can assure the House that I will continue to pursue this matter.

The Committee divided on the new clause:

Ayes (21)—Messrs Allison, Armitage, P.B. Arnold, S.J. Baker, Becker, Blacker and Brindal, Ms Cashmore, Messrs Eastick, S.G. Evans, Goldsworthy, Gunn (teller) and Ingerson, Mrs Kotz, Messrs Lewis, Matthew, Meier, Oswald, Such, Venning and Wotton.

Noes (22)—Messrs L.M.F. Arnold, Atkinson, Bannon, Blevins, Crafter (teller), De Laine, Ferguson, Gregory, Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Messrs Klunder, McKee, Mayes, Peterson, Quirke, Rann and Trainer.

Pair—Aye—Mr D.S. Baker. No—Ms Lenehan.

Majority of 1 for the Noes.

New clause thus negatived.

Remaining clauses (3 and 4) and title passed.

Bill read a third time and passed.

MOTOR VEHICLES ACT AMENDMENT BILL (No. 5)

Adjourned debate on second reading.

(Continued from 14 November. Page 1852.)

The Hon. D.C. WOTTON (Heysen): The Opposition supports this legislation but will be very anxious to move amendments and we hope that the Minister and the Government will be sympathetic to those amendments when introduced. The Bill aims to give effect to Government decisions arising from the 1990 South Australian budget and, if implemented, would result in an estimated $2.97 million additional revenue for the Highways Fund in a full year.

I believe that all members of the House will recognise the need for substantial sums to be made available for the Highways Fund. Currently, we are told that a total of some 162 000 vehicles are registered at either a reduced registration fee or no fee, amounting to some $14.2 million per annum that would otherwise be paid into the Highways Fund. It would seem that the Minister is keen to ensure that that money be made available in future for the purpose of highway construction and maintenance.

As I said earlier, the Opposition supports the need for appropriate funds to be made available for this purpose, but we have extreme concerns about certain provisions in this legislation that would deny assistance to some sections of the community that previously have been helped under the existing legislation. The first matter I want to bring to the notice of the House involves local government vehicle concessions, and I refer to clause 10, which amends section 31 of the Act. The Bill seeks to discontinue the practice of registration without fee for trucks and utilities used for the maintenance and construction of roads and for the collection of household rubbish by local councils.

In his second reading explanation, the Minister argues that councils should pay registration fees on such vehicles, as do all other organisations and bodies undertaking similar road and rubbish work. For example, I refer to private contractors in the Department of Road Transport. I support the proposition that local government be assisted in some way. It should be noted that council vehicles specifically adapted for road making—and I refer to vehicles such as graders, tractors, rollers, bitumen layers, etc.,—will continue to be registered without fee, as are all similar vehicles engaged in road work.

The rationale for this fees exemption is that such vehicles are deemed to improve rather than damage road surfaces. It is estimated that the total cost of the proposed changes to local government, if the legislation is effective, will be about $932 000 per annum. The Government estimates that the additional cost for a typical—it is difficult to define 'typical'—metropolitan council will be $20 000 in a budget of $17.9 million, and for a typical rural council about $6 000 in a budget of $1.4 million.

I am very much aware that there are differing points of view about this provision in the legislation. Over a period concern has been expressed by local government and those

who would support its cause about the continuing transfer of responsibilities between State Government and local government. More and more we see through legislation, regulation and through arrangement between the two tiers of government that the responsibility for matters previously dealt with by the State are being handed to local government.

On many occasions that is happening without enough recognition being given to the cost to local government of taking that action. There is a feeling on the part of many of my colleagues, whom I support, that State Parliament and the State Government should be supportive of local government and should assist it wherever possible. It is believed that through legislation dealing with this matter it might be one of the areas where assistance could be provided.

As I said earlier, I am conscious that the funds we are talking about in this legislation would go to the Highways Fund. In some circumstances—but not many—local councils use the vehicle in question, as well as for making roads, etc., for other purposes. There is competition between local government, and in many cases State Government, and private enterprise in undertaking various forms of outside construction work. I do not support that—I never have. I do not believe that it is appropriate, unless there are special circumstances, that local government should become involved in competing with private enterprise for road construction works and the like.

The general attitude is that by amending this legislation or supporting the Bill it is not just a matter that would be affecting local government but the buck would rest with the ratepayer who would be required to pay extra rates to cover the resultant costs. The Opposition has received a number of letters from local government in this State expressing concern about this provision. I will refer briefly to just one such representation from the District Council of Central Yorke Peninsula, which wrote to my colleague the member for Goyder, as follows:

> Re: Change in Policy Concerning Fees for Registration of Council Plant
>
> Further to our discussion regarding council's serious concerns at the very likely possibility of the Government introducing legislation requiring local government to pay registration fees for its road plant, I have set out hereunder a schedule of the fees required from this council if the proposal proceeds:

It lists clearly the schedule of fees, which is indeed substantial. It is not my intention to read all of that into *Hansard*, and it is not set out in a form that I could table, but the schedule indicates clearly the additional costs that would have to be met by the district council if this legislation proceeds in its current form. The District Clerk goes on in the letter to say that he is confident that the calculations set out by the council are correct. He points out that he is alarmed that local government could be called on to contribute in this way towards State Government taxing. He states:

> Local government contributes heavily towards the development and maintenance of the roads system and we are amazed that the Government would consider such a charge on our road construction and maintenance plant; this further reducing the very limited funding we have available for road purposes.

Further, he states:

> Local government's financial base is very limited and with the current downturn within the community we are having to reduce our commitments and still endeavour to provide a reasonable level of service. Council respectfully requests that you make every effort to persuade the Government not to proceed with this proposal as it will have a very significant influence on communities already hurting quite substantially from the downturn in the economy and further limit the funds available to local government for road construction and maintenance.

My colleague in another place, the shadow Minister, has received correspondence from the Local Government Association. The Hon. Ms Laidlaw wrote to the association to determine whether there had been consultation about this legislation and seeking other information as well. I am concerned to learn from the letter received from the association that there has not been consultation with local government on this matter. The letter states:

> Our executive has not had a chance to consider this issue.

At the time of writing—that was 4 December—they did not have a formal position on this issue. They indicated that they had not been consulted and were concerned about the cost transfers. They asked the question:

> Was stamp duty considered when the estimates of what the change would cost were considered?

The association pointed out that the registration would mean a loss of stamp duty exemption. It questioned whether the old exemption including firefighting vehicles would continue. It asked whether they would be exempt by regulation or would the CFS board be required to register firefighting vehicles; and, if so, would the CFS be seeking to recoup costs through local government? I understand that this matter has been clarified with local government and that these vehicles will continue to be exempt. The Minister may care to comment on that matter later.

Certainly, there is concern on the part of local government. I have referred only to the association and to one council, but a number of councils have taken up this matter with the Opposition and expressed concern about it. The Opposition will be seeking to amend the legislation to provide for a 50 per cent reduction in fees in respect of vehicles owned by local government.

The next matter that I will refer to is one that I know many of my colleagues will wish to speak to, and it relates to the primary producer vehicle concessions that are dealt with under clause 11. The principal Act provides that commercial vehicles registered by primary producers gain a 50 per cent reduction in fees. The legislation before us proposes to discontinue this concession with respect to light commercial vehicles of less than two tonnes mass—and that would mainly relate to utilities and small tray tops—on the basis that the vehicles are often used for purposes other than in connection with primary production. Again, it has been estimated that there are some 25 000 vehicles in that category in this State.

It is proposed that the concession will continue to apply to a number of commercial vehicles with a mass of two tonnes or greater. Also, primary producers will continue to receive a 75 per cent rebate on the registration fee for tractors and a reduced third party insurance premium irrespective of the mass of the vehicle. A lot of representation has been made with regard to this matter. As I said earlier, many of my colleagues will wish to speak on this issue. The United Farmers and Stockowners (UF&S) is adamantly opposed to the discontinuation of the concession for light commercial vehicles. It argues that the Government has identified no rorts and that primary producers have come to view the concession as the final straw from a Government which refuses to listen and fails to understand the financial and emotional traumas experienced by people on the land today.

The UF&S rejects the Premier's decision, in response to its representations, to review the fee in 1991-92. I am sure that many members in this place would have seen the article that appeared in the *Advertiser* last month in the section 'On the land' under the heading 'Farmers ready to fight for vehicle concessions.' It is worth referring to some of the information provided in that article, as follows:

South Australia's farmers have branded a State Government promise to review the 1991-92 budget its decision to remove registration concessions on farm vehicles 'totally unacceptable'.

The Premier, Mr Bannon, told the UF&S that the decision to drop from 1 January next year the 50 per cent registration concessions on smaller vehicles owned by farmers had been taken because many of these vehicles were being used largely for private purposes.

The concession remained for farm vehicles of two tonnes or more and there was no limit to the number of vehicles an individual primary producer could register.

UF&S chief executive officer Mr Michael Deare said the Transport Minister Mr Blevins and Mr Bannon had claimed the decision could not be reversed nor the introduction date postponed. 'But we won't accept this decision even for one year,' Mr Deare said.

The UF&S had just completed with the Bureau of Statistics a survey of South Australian primary producers to determine exactly hom many farm vehicles there were in the State, their type, on and off road usage and other data.

Once these facts and figures were collated and analysed they would form the basis of a new approach to the Government to have its decision changed before the legislation was enacted.

Much of that information has now been provided to the Opposition, and I am sure that the Minister responsible would have received much of it as well. It spells out very clearly the concern of primary producers and gives the lie to the problem referred to in the Minister's second reading explanation whereby it is suggested that the need for this provision to be introduced is as a result of rorts that are taking place and those who quite wrongly, according to the Government, take advantage of this concession. Again, a considerable amount of information has been made available and I hope that the Minister, if he has not had the opportunity to look at it, will take into account these statistics.

I have a copy of a letter dated 16 October addressed to the Minister from the Chairman of the Farm Resources Division. The letter, which spells out very clearly the division's concern with regard to this matter, states:

United Farmers & Stockowners has already intimated to the Premier its concern at the planned removal of the primary producers' concession on light commercial vehicles. However, in the absence of a reply to date from the Premier, I consider it is important to bring the matter directly to your attention as the responsible Minister.

UF&S believes that the original rationale for the concession given to primary producers in respect of light commercial vehicles is that such vehicles spend a considerable proportion of their time off the highway and within private property. UF&S is unaware of any discussions between the Government and the farming community which would support any modification to the policy, or indeed erode the rationale in any way. Consequently UF&S is totally suprised to have been advised through the vehicle of the budget speech of an apparent Government decision to remove the concession.

The letter goes on to spell out that, subsequent to the announcement, the UF&S was advised informally that alleged abusers of the concession scheme were playing a part in the Government's decision. The letter further states:

UF&S will wholeheartedly support a decision to tighten up on abuses of the scheme, but can see no merit in using such abuses (if any) as an excuse for total elimination of the scheme.

The Chairman further states in the letter:

A meeting of the Farm Resources Division of UF&S directed me to seek from you a clear statement on the nature and extent of the alleged abuses of the concession, in order that UF&S can evaluate the evidence and work with the Government towards the eradication of such abuse.

As I understand it, no such information has been made available by the Minister's office or by the department to substantiate the fact that there is concern that such rorts are occurring. With that in mind, it is totally inappropriate that the Government should be going down this track at the present time. I do not think that any one of us in this place needs to be reminded that it is currently an extremely difficult time for the rural community.

The Premier has reported on many of the problems that he saw during his recent visits to rural areas. It is particularly insensitive on the part of the Government to be withdrawing this concession at this time. At the appropriate time, the Opposition will be moving to amend the legislation to take into account the wishes of the UF&S and the rural sector generally who have expressed very strong concern with respect to this matter.

The legislation also deals with prospectors' vehicle concessions, and we learn that a small number of commercial vehicles owned by prospectors are registered at a 50 per cent concession. It is proposed to discontinue this concession. However, prospectors who operate their vehicles wholly or mainly outside a local government area may apply for a 50 per cent concession fee available on vehicles operated in remote areas. I believe that that is totally appropriate.

The Bill provides for the introduction of an administration fee, proposed to be fixed by regulation at $15 and to be paid on application to register or renew the registration of a vehicle entitled to registration without payment of a registration fee. Many people have no objection to this initiative, which is calculated to recover the costs of the processing and recording of applications and, particularly, the issuing of registration certificates and labels.

I now refer particularly to the matter of the regulations. Currently provisions relating to the registration of motor vehicles at a reduced fee are contained in the Motor Vehicles Act, while provisions relating to registrations without fee are contained in both the Act and the regulations. The Government proposes to rationalise the systems by placing all provisions in the regulations. Whilst the Opposition agrees with the rationalisation argument, we believe that all of the reduced fee and no-fee registration provisions should be in the Act, and not in the regulations. It is totally appropriate that any future adjustments should be able to be debated on their individual merits.

While the amendments that we will move at the appropriate time to place the reduced fee and no-fee provisions in the Act do tend to add bulk to the Act, the Opposition would certainly be prepared to have these provisions transferred from section 31 and sections 34 to 38b to the new schedule. In fact, the Opposition would very strongly support that move. Time has not permitted the Opposition to take that action in this place, but I strongly urge the Minister to give consideration to such action being considered in another place at a later stage. The Opposition will be moving to amend the legislation to place all reduced fee and no-fee regulations within the Act, including paragraphs 14 and 62 of the regulations.

I turn now to clause 4, which deals with veteran, vintage, classic and historical vehicles. A number of concerns have existed for some time on the part of owners of these vehicles. Currently, owners of such cars in South Australia have two options: first, to register their vehicles at the full fee, thereby gaining unrestricted use of such vehicles or; secondly, to apply for a permit under section 16 for the duration of one to three days, which can be a costly exercise. The permit provisions satisfied owners while the fees remained relatively low. However, the Government has trebled the fees in as many years, with the fees increasing again in November from $10 to $15. This latest increase will mean that owners of old cars who choose to take part in just 10 rallies per year will now have to pay $150 for the privilege of using the car for between 10 to 30 days. That is totally unacceptable. That is the area of most concern to owners of such vehicles.

All other Australian States provide the owners of old cars with the option of obtaining an annual permit at a reduced fee. I refer to a national comparison of car club permits. In South Australia the cost of a permit (which, as I said, is for one to three days) is $10, and that will rise to $15 in November. In Victoria an annual permit costs $71; in Western Australia it is $34 (or $25 for six months); in Tasmania the annual permit fee is $62; in Queensland it is $68; and in New South Wales it is $60. It is worth noting that the owners of these cars in South Australia are required to obtain a $10 permit even if they want to drive their vehicle to a nearby mechanic for maintenance purposes or for a short road test to check on repairs. In most other States, the annual permit provides for club-authorised road testing and transfer to garages.

Representatives of antique clubs in South Australia—and there are some 942 in all—are keen for the same option to be made available in this State. The Opposition would very strongly suppport that move. To be entitled to an annual permit at a reduced fee the owner must be a member of an approved car club—I see no problem with that. Other restrictions on use could also apply. Again, the Opposition will be seeking to amend the legislation to provide for the owners of veteran, vintage, classic and historical cars to apply for an annual permit at a reduced fee. I can assure the Minister—and I presume that he would be aware of this already—that such a move would be supported very strongly by the owners of such vehicles.

I have been provided with a great deal of information and I know that my colleague in another place, when she speaks at a later stage, will refer to some of this. However, in particular, it refers to the issue of car club permits under the Victorian legislation. I believe that it would be very easy for the Government in this State to mirror the Victorian legislation to enable the same provisions to apply in this State. Such a move would be very strongly supported by many of the organisations that the Hon. Miss Laidlaw has written to and and that have expressed support for such a move. At this stage, the Opposition supports the legislation, but at the appropriate time we will certainly seek to move what we regard as very important amendments for which we will seek the Government's support.

Mr VENNING (Custance): I agree with the Opposition's stand on this Bill and with the amendments that we hope the Government will accept. I will direct most of my comments to that part of the Bill relative to primary producer vehicle concessions. The actions of this Government or any Government, for that matter, in placing a further impost on the rural sector at this time by discontinuing concessions can be described only as totally insensitive. What a time to do this! We have heard various comments from the Government in respect of how bad the rural situation is, and about how much rural people are hurting, yet it turns around and dishes up a Bill like this.

No-one in this House disputes that our primary producers, our industries and our economy generally are in crisis. These are the worst conditions since 1930. I find contemptible the Minister's comments on the radio that it is always a bad time for the rural people to undertake change. As I said, the conditions are the worst since 1930, and they are deteriorating. Last Friday, the Premier visited Clare, and was apparently very sympathetic to the farmers to whom he spoke. However, those words ring very hollow when one considers this measure.

I am not arguing about the amount of money involved so much as the principle. It is a 'hit them while they're down' attitude. The $60 per vehicle fee for vehicles under two tonnes is just another impost which will not have a contraentry on any farmer's books. It will be on the growing list of expenses, which appear against a much depleted income. It has been suggested that this is a money Bill, and I know that some members will argue that. However, I do not accept that. I will quote the definition of a 'money Bill' from Butterworth's *Words and Phrases Legally Defined* 1987 edition, as follows:

> A money Bill means a public Bill which in the opinion of the speaker of the House of Commons contains only provisions dealing with all or any of the following subjects, namely, the imposition, repeal, remission, alteration, or regulation of taxation; the imposition for the payment of debt or other financial purposes of charges on the Consolidated Fund, or on money provided by Parliament, of the variation or repeal of any such charges; supply; the appropriation, receipt, custody, issue or audit of accounts of public money.

It is not a Bill to raise taxation; therefore, it is not a money Bill. As I understood from the State budget, it is a Bill designed to prevent abuses of a concession scheme. It does have revenue implications, as do most Bills in this place. Both the Minister of Transport and the Minister of Agriculture have referred in this place to the rorts in the scheme. I am not aware that that is the case but, if it is, I challenge the Minister to investigate and prosecute. The overwhelming majority of vehicles subject to this concession fit the lawful requirements. I am sure that the UF&S will assist to make sure that all are *bona fide*, to protect those it is designed to assist.

Why should a full registration be levied against vehicles that are used only two or three months a year, if at all, and are used predominantly on private property? Why should it be levied against vehicles which come into contact with bitumen roads only when they have to cross them on the farm and are usually used only on unmade roads maintained by local government? Why should full registration be levied when farmers pay more for the fuel they use in those vehicles and the vehicles are used expressly for primary production? Many of the vehicles are used only as emergency vehicles, for example, for fire-fighting and water cartage in drought. The use of these vehicles is governed by seasonal conditions and they are driven only occasionally on roads on which the Government has not spent a cent for decades. Why should full registration be paid?

There is no convenient facility to register or cancel vehicle registration on a short term or seasonal basis. I am sure that, if farmers could register their vehicles for one or two months of the year, easily and without a lot of fuss, that would be the way to go. The department does not recommend that registration be cancelled because part of the fee is forfeited.

I was annoyed by the Minister of Agriculture's answer to one of my questions, when he said:

> This Government is not in the business of subsidising off-road recreational vehicles.

That answer was contemptuous and not in keeping with the Minister. It is also of interest that more vehicles are listed than there are farmers. I am not concerned by that—

Mr Atkinson: Make up your mind.

Mr VENNING: I am not concerned about that at all, because my family has three vehicles: a farm utility, a boom spray and a fire unit. Sometimes, the fire unit does not leave the farm for the whole year, but I have to have a permit to go to and from a fire scene. We do not need to have registration but, should an employee of mine deviate going to or coming from the fire, I would be legally liable for his action, so the vehicle must be registered fully for insurance and legal purposes.

There is wide support for the retention of the concession. The UF&S has been very active with its support. Yesterday

I led delegations to speak with various critical players in this debate, and the rural media is taking more than a casual interest. If this Bill is successful in imposing this impost, what will be next? Will farm tractors, farm machines and everything else have to be registered?

Mr Lewis interjecting:

Mr VENNING: Yes, what about dogs? Eventually the fuel rebate for primary production will come under threat, because it appears that the vote of people involved in this industry does not count any more and they are getting less and less attention. We have all heard the expression that South Australia finishes at Gepps Cross, and this sort of Bill gives credence to that argument. All it will do is cause farmers to cancel their registrations and use restricted on-farm permits, thus breaking the law, knowingly or unknowingly.

I say again, despite all that has been said in this place about the rural crisis, that this is totally insensitive, discriminatory, unprincipled and almost deceitful. If ever there was a 'kick in the guts', for want of a better word, this is it, especially when the rural industry is so far down, as it is today. If this legislation is passed, it will surely be seen as the final straw.

I support the Opposition's amendments to give local government a 50 per cent concession, particularly in relation to vehicles used for road making. It is unfair of the Government to increase registration from nothing to a full fee. After all, the money must be recovered from ratepayers. How does the Government think that local councils will balance their budgets this year, especially given the rural recession? It is just another impost. At the very least, the Government could concede and go half way.

I have an interest in veteran, vintage and historic cars because I am an owner. I was foundation president of the Northern Automotive Restoration Club, one of the State's biggest car clubs, and I know what this impost means. It started 10 years ago as a $3 waiver fee. Then it became $5, $10 and $15. As the shadow Minister said, if that is multiplied by 10, that means an average use fee of $150. As the member for Stuart would know, I have participated in various processions, particularly the Port Pirie Jaycee's Christmas parade, but it is getting too expensive to participate. I will compare the South Australian fee with that in the other States. In Victoria it is $71, Western Australia $34, Tasmania $62, Queensland $68, and New South Wales $60. It is just totally unfair.

Most people use these vintage and veteran vehicles only occasionally, such as a trip to the mechanic or to car club events, at most six times a year. The rest of the time the cars are used for charity events, town centenaries and other community activities in which we participate happily. It is the car clubs that make these events. I am sure that the member for Stuart would realise that. Indeed, there is a very active car club in Port Pirie, the Port Pirie and Districts Automotive Restoration Club. I hope that the Government will be sympathetic. Most of the people who own these cars are not the so-called rich, elitist people. Some members of the community own a fleet of vintage Rolls Royces. However, one has only to watch the Bay to Birdwood run to see the type of people who enter that event, and I have been in that parade several times, as have the Premier and the member for Adelaide.

These are the younger working class Australians who enjoy the outing and who enjoy going back in history and participating in these events. I urge all members to have compassion and to support the amendments to the Bill. I do not know what the rural communities will say. It is a kick in the guts.

The Hon. P.B. ARNOLD (Chaffey): There are three aspects of this Bill to which I want to refer, and they have been referred to by the member for Heysen and the member for Custance. They are principally parts of this legislation that affect country people and, in particular, people in my own area. I refer to the Government's decision to remove the 50 per cent registration fee for primary producer vehicles. Both the previous speakers said that those vehicles in the main are used seldom indeed on the roads of South Australia. In the main, they are used on what may be described as local government roads and not State Government roads. However, these vehicles are an essential part of the operations of most primary producers in this State. Many of them are small, being used as runabouts by farmers to get from one property to another, and in and out of the town for the commodities that are necessary on a day to day basis for the effective operation of that horticultural or primary producing property.

For the Government to proceed in this direction, as the member for Custance said, at a time like this, when the agricultural and horticultural industries are in the worst state they have been in for probably 50 years, indicates the lack of real understanding by the Government of the overall position of country people. Of course, next year will see that situation spread to the major cities throughout Australia. Then the reality of this recession will really hit home. When family after family comes to the electorate office, their property having been sold up by the bank or any other financial institution with which they had been dealing looking to the local member to offer advice as to how they might be able to put a roof over their heads, it really brings home the plight of people in the present financial sitution in this country.

The situation is made worse by the Government's increasing the registration fee on primary producing vehicles under two tonnes to the full fee, even though these vehicles cover a very small distance. One only has to draw a comparison with the car that every member of this House owns. Depending on the area from which they come, many members in this House would cover 40 000 to 50 000 kilometres per annum in their motor vehicle, travelling to and from their place of residence to Parliament and around their electorates. For a vehicle that covers 50 000 kilometres a year, exactly the same registration fee will be paid as for the vehicle of a primary producer that may cover 2 000, 3 000 or 4 000 kilometres on local roads. Of course, there is no equity in that whatsoever. We have often heard the Government talk about the user-pays principle. Certainly, the user-pays principle does not exist in this situation, and we will strongly oppose that clause of the Bill which does away with the concession for primary producers.

The member for Custance referred, at some length, to the permit for vintage, veteran and classic cars. Unlike the member for Custance, I have only one classic car, and that is fully registered, so I do not stand to benefit in any way by the concessions provided under this legislation. Certainly, in the name of uniformity, the Government should accept the proposal that the Opposition is putting forward and bring South Australia into line with all the other States of Australia; there should be a 12 month permit at a concession rate, so that these vehicles could be used in recognised car club events at any time during the year. The one to three day permit must be retained. That is essential, because certain car owners may want to go in only one or two events in the year, so a 12 month permit would not be in their interests. However, most members of those recognised clubs use their cars on a number of occasions throughout the year. Most clubs put out a program, and one is able to work

out in which events during the year one can particpate. As I said, it would be well worthwhile the Minister looking at the Opposition's proposal from the point of uniformity—and that is a word that he has used on numerous occasions in trying to convince us to adopt measures existing at present in relation to blood alcohol levels, speed limits and so on in other parts of Australia. I would be surprised if the Minister was not prepared to consider seriously this proposal and to adopt what the Opposition is putting forward.

In relation to the Government's removing the local government concession, particularly for its road-making vehicles that are used for other purposes, I point out that, in small country council areas, most of the equipment is used for a multitude of jobs. For example, a heavy truck that is used for road-making is used for many other purposes whether for collecting rubbish or a multitude of other jobs. To deny local government the concession it has always enjoyed will not put a greater burden on local government, because local government will be forced to pass it on to the ratepayers and, of course, it comes back to a further impost on virtually every South Australian. To go down this path at a time like this is absolutely absurd.

The Government in its budget that was introduced earlier in this session clearly indicated it has absolutely no understanding or appreciation of the problems in the real world. It finds itself with a $240 million shortfall in revenue so, rather than trying to address that problem and reducing that shortfall, it merely solves its problem by increasing taxes and charges to the tune of $240 million. This Bill is part and parcel of that total package. I can appreciate that, people who earn a salary and who have never actually lived off what they produce would have no understanding of that whatsoever. All of us in this place have advantage of being paid at the end of every month, and that makes life easy but it is different for people who have only the income they derive from producing wheat, wool, citrus, wine grapes and so on. Many of us on this side were in that position for many years and are still involved in that situation.

That is why I accept that it is difficult for Government members to appreciate what we are talking about and for that message to get through to the Government. I only hope that if we keep trying to bring it home to the Government, one day it will see the light.

Mr LEWIS (Murray-Mallee): In the process of making these remarks I wish to encourage members opposite to do likewise. I am sure that they do not really understand what they are doing by supporting this legislation in its present form. They are alienating many of their friends and supporters outside metropolitan Adelaide and outside provincial towns. Indeed, they are even alienating supporters who have urban lifestyles, because they are alienating people who are hobbyists in motor vehicles of various types.

Mr Atkinson interjecting:

Mr LEWIS: That is not what it is about. This is about removing the concessional registration costs on certain classes of motor vehicles used for the purpose of simply preserving for prosterity a model of considerable age. I know that the member for Napier will soon need to be so preserved: if there is anything to be left when his time comes, we will have to do some preservation work on him!

The Hon. T.H. HEMMINGS: On a point of order, Mr Speaker, whilst I do not have the relevant Standing Order—

The SPEAKER: What is the point?

The Hon. T.H. HEMMINGS: The member for Murray-Mallee has been making a personal reflection on me.

The SPEAKER: The Chair is in some confusion over the action the honourable member seeks from the Chair. Does he ask for a withdrawal?

The Hon. T.H. HEMMINGS: Yes, I do.

The SPEAKER: The Chair did not hear the remark. I am not sure what the remark was that the member for Napier asks to have withdrawn. The member for Murray-Mallee.

Mr LEWIS: I will withdraw and simply say—

The SPEAKER: No, just withdraw and continue your remarks.

Mr LEWIS: The member for Napier is not worth preserving for posterity.

The SPEAKER: Order!

The Hon. T.H. HEMMINGS: My point of order is that you, Sir, in your capacity as Speaker, requested the member for Murray-Mallee to withdraw. He withdrew, and then again reflected on me.

The SPEAKER: The honourable member will resume his seat. The point being made is correct. I ask the member for Murray-Mallee to withdraw unequivocally.

Mr LEWIS: In the event that it is unparliamentary—

The SPEAKER: Order! What is required is a withdrawal—just a straight withdrawal.

Mr LEWIS: May I seek your clarification, Sir? Is the remark I made (that the member for Napier is not worth preserving for posterity) unparliamentary?

The SPEAKER: The honourable member will resume his seat. The Chair is not saying that the remark is unparliamentary.

Members interjecting:

The SPEAKER: Order! I am saying that the term is not unparliamentary. The member for Napier requested a withdrawal, and I asked for the withdrawal.

Mr LEWIS: I have no wish to embarrass the member for Napier, so I will let the matter rest and proceed. In our array of possessions in the society in which we live, we have things that we judge to be worthy of preservation. In this case, many motor vehicles of one kind or another so preserved are then put on display by their owners for the benefit not just of the owner but of others in society.

In no other circumstances do we require the owners of such pieces of antiquity to pay a penalty on an annual basis for the purpose of having preserved such artefacts. When we require our citizens interested in dealing with motor vehicles to pay a fee, it is understandable that there can be misadventures and that that is a prudent course of action for us to follow in law.

However, it is really not legitimate for us to impose the full penalty of a registration fee equivalent to that which we would pay on a vehicle in regular personal or commercial use. The risk is not as great and the damage done by the motor vehicle to the roadway upon which it will travel is insignificant. This measure is unfair and unnecessary. It provides no benefit to the registered owner that was not already provided. The State defrayed its costs by the small fee it used to collect in providing proof of ownership, which protected people against theft and enabled them to identify and recover the item in the event that it was stolen.

There was a State record of the fact that a person had owned that piece of property—in this case, a motor vehicle. We will now penalise those people. This is what I call an illustration of what the Bannon Government must have been talking about when it sought re-election and said, 'We are going to show some flair and light.' The Government is really light in the sense that it is lightweight, and there is a great deal of 'flare' in it, in the sense that it is burning up incentive. It is almost as bad as the kind of policy Stalin

pursued when he was retreating in the face of the German advance during the Second World War. The Government does not want anything left when it loses office at the next election. It will drive everyone it can out of the State with this kind of community charge.

Mr Atkinson: Finish the metaphor.

Mr LEWIS: Was there one?

The SPEAKER: Order! The member for Spence has contravened the rules quite considerably during this debate. I caution him on his actions.

An honourable member interjecting:

The SPEAKER: Order! The member for Custance is out of order. He is out of his seat, and interjections are out of order, anyhow. I ask backbenchers to behave. The member for Murray-Mallee.

Mr LEWIS: Let me now turn to the implications of this measure for primary producers, having looked at the implications it has for collectors of vintage and veteran vehicles of one kind or another. Clearly, it is the Government's intention simply to raise revenue regardless. It is part of the scorched earth policy. It is driving more farmers further into a debt ridden situation from which they currently suffer in consequence of the effects of this Government's Party policy here and in Canberra. It shows no understanding whatever, as has been pointed out by members who have already spoken, including the lead speaker for the Opposition, the member for Heysen, and as I am sure will be pointed out by members yet to speak on this measure, the member for Custance and the member for Chaffey.

It is simply not necessary to remove existing concessional registrations, especially in these circumstances. Members in this place, particularly members opposite, need to know that more than 50 per cent of people deriving their incomes principally from rural enterprises this year will have negative incomes, which means that they will end the year's work with less money than when they started out, and that is net of household costs. Leaving household costs out, they will not have put one crumb on the table or poured out one cup of tea to be enjoyed: they will simply have worked in futility.

The only benefit that they can possibly expect to derive from their year's work is that they will not lose their skills by keeping them practised, and they will have held in check their weeds, pest plants, pest animals, and so on. Their properties will still be available for the same kind of exercise next year, and the enterprises of those others who are not farmers but who supply farmers with many of the goods and services they need will also have suffered the same fate. Why the hell does the Government bring in a measure like this? Clearly, because it does not understand the implications for the people whom it is proposing to hit by the removal of the concession.

An honourable member: What about hobby farmers?

Mr LEWIS: That is quite a legitimate point. I would be quite happy for the Minister to introduce a measure that identified people who receive less than half their principal income from rural enterprise, as being unable to procure any concessional benefit for their motor vehicles, if those motor vehicles were found to be in use more than five kilometres from their property. There would be a stiff penalty. If hobby farmers so defined as those people who have received less than half their income from their farming enterprise, make a statutory declaration stating that and also make a statutory declaration that, where they sought concessional registration they would not take the vehicle more than five kilometres from the property, clearly it would be legitimate to remove the concession. It is all right for them to have a concession and to use the vehicle on the farm for the purpose for which it is needed and to cross roads and so on, where it is legitimately a farm vehicle.

Mr Quirke interjecting:

Mr LEWIS: I do not mind. I am telling you what I believe to be a legitimate approach if that is what the Government really wants to do to stop what is says are rorts. I have not seen any and the Minister has produced no evidence of any. I cannot see any other validation or reason for this measure than the fact that the Government wants the money and be damned for the consequences on the people who have to pay it.

Having made those points, I hope that the Government will relent in the name of compassion and commonsense. I hope the Government recognises that it has no legitimate reason or cause to impose this greater cost burden on those people and their enterprises by requiring them to pay these punitive increases in registration costs.

Mr MEIER (Goyder): The two key measures in this Bill relate to the abolition of the concessions on primary producer vehicles less than two tonnes and to the requirement that councils—both rural and metropolitan—pay registration on most of their vehicles. Those two items will hit rural communities more than any other sector in South Australia. The Opposition made its view clearly from the day after the budget was delivered, and I quote from the press release I put out on 24 August this year in which I said:

> The abolition of the 50 per cent motor registration concessions for primary producers is completely heartless when diesel and fuel prices are set to explode and farmers' costs are getting out of hand.

Further on I stated:

> Rural councils will pay more than $6 000 because registration concessions disappear—this means rural rates have to increase again.

Later I stated:

> Put these cost increases on top of the Federal budget's disincentives, such as the 40 per cent increase in export inspection charges, plus the $21 million extra to be paid for slaughter fees, and the total cynical approach of Labor Governments toward rural areas is clearly seen. At the time when the economy of this country and State is in a mess, there was a real chance to provide a boost both to the rural sector and in turn to the living standards of all people. Instead, new taxes will keep inflation high and create more unemployment in the country.

I remind members that that was said on 24 August—over three months ago. It was blatantly obvious and clear that the rural sector was in for a bad crisis. We did not know then just how bad it would be. Some time later, at the end of September but released on 1 October, the Opposition again made its view clear on this matter. A five point plan was released to help overcome parts of the rural crisis. The fourth point in that plan provided:

> Reverse the decision made in the recent State budget to—
> (*a*) double registration fees for primary producer vehicles under two tonnes;
> (*b*) make rural councils pay registration and insurance costs on all vehicles

Again, the Opposition was saying that the Government must, among other things, realise that this is going to have a negative effect on the rural sector. What sort of response did I get from the Government when I put out that five point plan, including the recommendation for abolishing the Government's proposal to increase registration fees and the requirement for rural councils to have to pay registration costs? It was branded as political point scoring. That is what the spokesman from the Minister of Agriculture's office said about that plan. This is at a time when we needed the Government and Opposition to come together to recognise that a crisis existed.

That was the Government's response to the Opposition's responsible plan put forward. It was a totally irresponsible response, it was disgraceful and rural people recognised that, too. It was hypocritical that a short time later, on 10 October, the Minister decided to put out a statement and called for bipartisan support. That was too late. The Minister had the opportunity some weeks earlier but then he referred to the idea as political point scoring. It was disgraceful, and it certainly reflected this Government's true attitude towards the rural sector. We well remember the Minister's statement made to this House on 10 October when he did not even mention the removal of registration concessions for primary producers on motor vehicles of less than 2 tonnes. He did not even mention the effect that rural councils would feel from having to pay all registration fees.

So, the saga continued. Last week, Friday 30 November, the Premier himself visited the electorate of the member for Custance for a few hours and released a new rural aid package in Clare. At least he acknowledges that there is a problem out there, remembering that the Minister said in October that people had talked about a rural crisis or rural depression. He said, 'These terms are dramatic.' However, they have come to pass. Even the Federal Government has allowed the R word—'recession'—to be used. I wonder whether it will get to the stage where the D word might have to be used. Anyway, the Premier came out with this new rural aid package. I thought, 'Hooray, at long last. After the Opposition and the farming communities have been pushing, he will come up with something really positive.' What are some of the things he said? Time does not permit me to go through all of them.

Members interjecting:

Mr MEIER: The member for Napier can go through them all. He will have time. I look forward to his contribution in this debate. I know that he has rural dwellers in his electorate—he lets us know that often. The Premier said that there would be a distribution of cash flow budget sheets and rural assistance information to farmers State-wide. Cash flow budget sheets for those who have a negative income of up to $40 000—that will be a marvellous aid package! They will really appreciate that! The farmer can say to his wife, 'Guess what, dear, we are not negative $35 000; we are negative $37 000, thanks to the Government's cash flow budget sheets that have come out.'

I look at the cash flow budget sheets, and if you, Mr Speaker, had not made a point this afternoon about displaying things, I would have held one up, but I know that I cannot do that. I know that similar type budget sheets have been released for many years through the *Stock Journal* which is where I obtained the cash flow sheet. It is not a new initiative at all. It has the Minister's photograph on the outside—that is new; we have not had that before—but probably that is because the Government is losing support at such a rapid rate.

This new rural aid package, which contains nothing new, states that rural stress seminars are to be held. What is a rural stress seminar? Is it where people gather in a room to share their experiences and problems? Someone might say, 'My problems are really bad,' and they might break down as well. Another person might say, 'But yours could be worse.' The response might be, 'Yes, mine is worse still'. Yet another might say, 'Mine is not quite as bad.' It is ridiculous beyond belief. A one-to-one basis is necessary—it is essential, and there is no question about that.

This Bill gives the Government the opportunity to provide some real rural assistance and remove an impost, but it will not do it. Of course, we remember that the member for Custance asked the Premier whether he would remove the concession. The Premier said 'No.' I asked the Premier whether he would visit country areas, and also whether he would reinstate the 50 per cent concession. In relation to the 50 per cent concession, the Premier said, amongst other things:

> As regards the concession, I point out that the various budget measures were part of a carefully constructed package in which we tried to have regard to the impact on particular sectors of the community, and none more so than the rural sector.

Absolute trash, Mr Speaker! The Government could not have cared less about the rural sector, and it is no wonder the rural sector is receiving the brunt of the crisis and recession that we are currently in. So, we have a situation that demands action. We are waiting for action. Only yesterday, in answer to a question from the member for Napier, the Minister of Agriculture identified that the rural sector has gone from bad to worse. He acknowledges it, but he is not having any effect on his colleagues. He is not able to convince the Premier or the Minister of Transport to change this. The members opposite who sit at the back smile and laugh, but they will not be laughing for too long—certainly not at the next election.

The Minister identified that there will be a decline of 39 per cent in respect of income from wool, but I have heard figures considerably worse than that. In fact, it is not unusual to hear of a 50 per cent reduction in the income from wool. The Minister said yesterday that there will be a 52 per cent decline in the income from wheat, 30 per cent from barley and 36 per cent from sheep meat. He did not even indicate what it would be for the citrus industry. All these people use farm vehicles—

The Hon. T.H. HEMMINGS: On a point of order, Sir, albeit reluctantly, under Standing Order 127—

The SPEAKER: What is the point of order?

The Hon. T.H. HEMMINGS: Standing Order 127 provides:

> A member may not digress from the subject matter of any question under discussion,

My point of order is that—

The SPEAKER: Order! The Chair has listened to the subject of the debate. There were some digressions earlier. As I understand it, at the moment the honourable member is talking to the Bill and I disallow the point of order.

Mr MEIER: Thank you very much for your ruling, Sir. I am amazed that the member for Napier should have brought up that point of order—

The SPEAKER: Order! The member for Goyder is now digressing and I ask him to speak to the Bill.

Mr MEIER: I am amazed, because for the whole time I have been referring to the rural concessions for vehicles of less than two tonnes. I have been talking about the farmers who use these vehicles. I thought the member for Napier was on the side of these farmers, but I have now learnt that that is not the case. That is tragic. The Minister referred to the citrus industry but was not able to give a percentage figure concerning the drop in income because he probably realises that there will be a 100 per cent drop in income. In many cases there will be no income because the citrus growers have nowhere to take their produce. It is a total shambles.

Members interjecting:

The SPEAKER: Order!

Mr MEIER: We see the Government determined to press ahead and the rural sector suffers as a result. It has been very heartening to have one of the key rural bodies, the UF&S, arguing this for some time. In fact, the President of the UF&S, Don Pfitzner, released to the public on 15 September an open letter dated 3 September addressed to the Premier, highlighting many of the things that the Opposition

has been highlighting also. Amongst other things, at the very end he asks the Government to reverse various decisions contained in the State budget. His key request is that the Government reinstate registration exemptions that apply to farm vehicles of less than two tonnes. He says:

> Such a decision is essential to assist the farming community of South Australia over one of the most critical periods in recent history.

I can only give Don Pfitzner of the UF&S full support on that. In fact, I received a reply myself when I wrote in a similar vein.

I was interested to read in the *On the Land* column of today's *Advertiser* an article by the rural editor, Jim McCarter, who said:

> The UF&S was due to put the survey results to Transport Minister Frank Blevins yesterday afternoon while pressing for the concession to be retained. It also intends approaching the Premier and the Opposition Parties with the same demand.

The survey was a study of vehicle concessions. As the UF&S well knows, we have been fighting for this since the day after the budget and tonight, in this House, we are dealing with the key area that can be changed.

Mr Speaker, as one of the members here, I must direct my remarks to you because your vote is very significant, as is the vote of the member for Elizabeth. There is no doubt that you, Sir, have to weigh up whether the Government should be giving real aid to the rural sector by restoring the concessions that have applied for countless years. If there were an argument at all for it to be removed—and I do not believe there is one—then, at the very least, it should be delayed for some years until the current rural crisis ends. However, as is often pointed out, if one opens Pandora's box or if one puts in a wedge, there is a chance that more concessions will disappear and these vehicles are invariably not used on the roads.

Let us remember that tough provisions exist for people who abuse these measures. Once again, the Government could not care less about trying to police the laws. In fact, the Minister himself says that it is because of the abuse of these things that we are trying to remove them. That is absolute rubbish. Members should look at section 41 of the Motor Vehicles Act, which provides:

> *(a)* In the case of an offence arising out of the use of a vehicle registered under section 33—two thousand dollars and
> *(b)* In any other case—division 9 fine.

A division 9 fine is less than $500. That will soon stop people! But the policing is not occurring, and the Minister has not replied to letters from the UF&S asking for figures on the incidence of abuse. How many people have been apprehended for abusing the rules? I do not think that figures are available. I will refer very briefly to rural councils and their—

An honourable member interjecting:

Mr MEIER: I will be interested to hear the honourable member's contribution. I now refer to the feeling of councils in relation to the abolition of free registration for council vehicles. I have two letters; one from the District Council of Minlaton and one from the District Council of Central Yorke Peninsula. Both councils are in my electorate. In fact, I live in the District Council of Central Yorke Peninsula. In the case of the District Council of Minlaton—

Members interjecting:

The SPEAKER: Order! If the member for Custance and the member for Playford wish to have a discussion, I ask them to leave the Chamber.

Mr MEIER: I am well aware that the member for Custance feels as strongly about this as I do. It is perhaps a pity that there is not a reciprocal feeling on the other side of the House. The District Council of Minlaton points out that preliminary calculations indicate that this increased impost would result in a cost of more than $10 000. That is an annual cost of $10 000 for that council alone—an extra $10 000. The District Council of Central Yorke Peninsula, estimates that this impost will cost it an extra $14 380. In case anyone questions these figures, I spoke with the CEO of the Central Yorke Peninsula District Council himself because he wanted to know exactly which vehicles this would apply to. I told him that if he wanted a real answer he should contact the appropriate person in the Motor Registration Division—whom I had contacted earlier—because he would brief him in respect of which vehicles it would apply to.

I then told him to do his sums and to work out his figures. He did that, and he has identified them all. The extra cost totals $14 380. The Government says that this will not have any effect on the rural sector and that it has taken all of this into consideration in budgeting. That is a lot of rubbish—absolute trash. I know that the rural sector will make its feelings known; it will vent its anger on this Government more and more.

Never before, in the eight years that I have been the member for Goyder have I been approached by so many people seeking ways to rid us of this Government. I told them that the Government was re-elected only 12 months ago. They say that they do not care, that the Government is ruining the economy and that there must be something in the Constitution that will allow an extraordinary election so that the Government can be thrown out. I wish there were such a mechanism. It is a great shame that we do not have that provision in our Constitution.

Members interjecting:

Mr MEIER: In fact, as the member for Eyre says, it is a minority Government. We remember that the Government received only 48 per cent—

The SPEAKER: Order! The honourable member is now digressing. He must get back to the Bill.

Mr MEIER: It is very hard not to digress when this Government has mucked up things in the rural sector so much. I plead with the Minister to re-think this whole situation. I believe that a veiled threat has been made that, if the other place should knock this out, the money will simply come out of the highways fund. If that is true, that shows how this Government works. It is not interested in helping; it will simply take money from wherever it can get it. It is totally unrealistic in its thinking. I appeal to you, Mr Speaker, and to the member for Elizabeth, to weigh up the consequences of supporting this legislation relating to concessions for primary producers, in particular, and rural councils, because it will have a significant effect on the rural sector. Certainly, I do not believe councils are aware of what is going on. I have made my points clear. I urge the Government to reverse its decision. The Opposition certainly does not support this measure.

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

Mr GUNN (Eyre): I want to take part in this debate briefly because it has been a particularly lengthy discussion to this stage. However, I believe that it is important that those of us whose electorates will be affected by the provisions of this Bill explain clearly to the House some of the difficulties which will be caused by it. This Government has the unique skill of increasing charges far beyond anything that this House has experienced in recent years.

The Hon. T.H. Hemmings interjecting:

Mr GUNN: That is correct. The honourable member has taken on the role of the joker or the clown in this place in

recent times, and he makes some rather offhand comments, to which one is reluctantly forced to respond. I do not wish to do that on a regular basis, nor do I make a practice of it.

The SPEAKER: Order! The member for Eyre is well aware that interjections are out of order and should be ignored. The member for Napier is well aware that interjections are out of order.

Mr GUNN: As you know, Mr Speaker, I am usually a person of few words and easily put off. However, this proposal attempts to remove a provision which has been in place for many years and was initiated in recognition of the fact that primary producers spend the majority of time offroad. In my electorate, many vehicles which are registered with a primary producer's concession rarely, if ever, see a bitumen road, and only on very few occasions do they see any road at all. However, for the convenience of operation and the few occasions when they are onroad, they have to be registered. However, the overwhelming number of kilometres which those vehicles travel in the course of a year are on the property.

This Government has not only attacked primary producers financially in this way but it has increased the pastoral rents quite dramatically and it seems intent on making life as difficult as possible for primary producers. If there were any ounce of commonsense in this Government, it would recognise that it has been given very poor advice in this matter. I am led to believe that this recommendation was put forward by a junior officer from the Motor Registration Division, some fellow who has had no experience in the real world and has no understanding of the difficulties that people are facing.

Unfortunately, the Government accepted that advice and the Minister has found himself locked into the situation. I always believe that, if you make a mistake, the best way to resolve it is to admit that you are wrong and correct it. However, Governments do not appear to want to operate in that fashion. I say to the Minister that this will lead to many more vehicles not being registered. People just will not register them. That is a fact.

I will declare my interest and say that I am involved with a group that has a number of vehicles which receive the primary producer concession. I make no apology for that. I am not speaking because I am personally involved: I am speaking in this matter because I am concerned that another unnecessary charge will be imposed on those people who can ill afford to pay. The Minister ought to know but, if the people advising the Minister do not really understand what is happening in the real world, it is about time they did.

This is similar to the circumstances that occurred recently in Canberra, and that is the best way to explain what has happened. As I understand it, the only area in Australia in which there was an increase in consumer demand in the past few months was Canberra. That is where bureaucracy is paid by the long-suffering taxpayers. It does not matter what happens in the real world, and that is one of the problems with the Public Service. Public servants know they will get paid, so it does not matter whether the ship goes down. They drive around in Government motor cars, but they are ineffective. I sincerely hope that you, Sir, and the member for Elizabeth understand clearly what the real position is in the agricultural or pastoral world.

I will give another example of how the Government has increased charges. It is fortunate that this afternoon I received a fax from constituents of mine about the increase in numberplate prices. In reference to the Registrar of Motor Vehicles, the fax states:

> We refer to your circular advising increases in various charges and in particular numberplates and feel a rise of 243 per cent, repeat 243 per cent, in the price of a single plate and 220 per cent in a pair of plates is absolutely ridiculous and after ringing one printer we offer to supply to your department at a far reduced price to you. We are continually told inflation rate per annum has been around 8 per cent for the last few years and we seek your explanation for the above increase and also whether we can source the plates from our printer for any new plates we require rather than be ripped off again by your department.

A 243 per cent increase is an Argentinian exercise. I do not want to say any more, because that demonstrates what is taking place. It is my view that, if it were necessary to increase prices that much, that would mean that there are far too many public servants and we should start getting rid of some people in those departments. The State can no longer afford them, because the charges are going over the fence.

Primary industry in this State is at an all time low, and we have not really seen the effects yet. Just wait until February and March when people have to do their annual reviews. That is when the State will know what economic difficulties are. We will not need to worry about a few schoolteachers racing around the country causing trouble. We will really see what economic chaos is. The Government should have more commonsense and the foolish people advising it should have enough courage not to put forward recommendations of this nature. I am very concerned about and opposed to the provisions that will remove the rebate currently available to people engaged in the pastoral, mining and agricultural sectors.

Mr Atkinson: How are you going to pay for all the teachers you want to keep on?

Mr GUNN: The honourable member is not living in the real world. If he wants to make a contribution, I invite him to do so, but he ought to have enough commonsense to know that we cannot continue to milk the cow the way we are. If he does not understand that, heaven help this Parliament and this Government, because we are now facing a situation in which people will not be able to meet their obligations. If the honourable member thinks that the way to resolve those problems is to continue to raise taxes and charges unnecessarily, he is a fool.

Mr Atkinson: You are the one who wants to raise expenditure.

Mr GUNN: I do not want to raise any taxes and charges. All I want to do is see a bit of commonsense in place, and the honourable member and his colleagues have taken the crown for increasing taxes and charges. No-one else in the world could beat this Government. It has set a fine example! It is well out in front.

The Hon. H. Allison: They lead the world.

Mr GUNN: As my colleague, the member for Mount Gambier said, the Government leads the world. I do not want to be involved in delaying this debate any longer, because enough has been said. I put on the public record my concern not only about the charges but also about the attitude the Government is displaying. Obviously, it does not understand and, if it does understand, it does not care. I hope that is not the case, but I am very concerned at what will take place in the next few months with respect to the economy of this State. It is no good if the Government continues to accept this foolish, ill-conceived advice which has been served up to it by a class 5 public servant. The Government should know better and it should not be conned in the way it has been. I oppose the provisions.

The Hon. T.H. HEMMINGS (Napier): Like the member for Eyre, I will be fairly brief in my contribution. I make perfectly clear from the outset that, although I represent a

city seat, I am well aware of the rural crisis. In fact, members know that my record is pretty clear with respect to my concern for people in rural communities. To be quite honest, with the exception of the remarks from the member for Eyre, from listening to the member for Custance and the member for Goyder one would think this particular measure represents Armageddon for the rural community.

We are told that that will be the straw that breaks the camel's back. I find that very hard to believe. In his second reading explanation the Minister cited two examples that would be fairly indicative of a rural council and a metropolitan council. This will cost a metropolitan council with a total budget of $17.9 million an additional $20 000 per annum. If the member for Custance and the member for Goyder are saying that, if this measure is passed, it will cripple local government, either they have got it all wrong and got rocks in their head or they are saying that local government is being so mismanaged that an additional cost of $20 000, based on a budget of $17.9 million, will kill them. They do not really know what it is all about. For a typical rural council with a total budget of $1.4 million the additional cost will be $6 000. And quite a few councils, perhaps not so much in the District of Custance but certainly in the District of Murray-Mallee and the District of Eyre, have budgets around that mark. Are members opposite saying that that additional cost of $6 000 in the rural community will break local government? They know that is not correct; they know it is not true.

Let us consider the cost to the individual country person who is receiving a concession. I will not refer to those people who are using the concession as a rort. The cost would be an extra $60 a year. In his contribution, the member for Goyder talked about the rural crisis, the implications of that rural crisis and his five point plan, which was rejected by the Government. He poured scorn on the contribution of the Minister of Agriculture as to what the Government will do to ease the crisis in the rural community. Mr Speaker, you allowed those comments; you said they were relevant to the whole debate on concession, and I think that was a correct ruling.

So, I think it is also fair for me to say to members opposite, especially those who represent purely rural seats, that they have embraced a consumption tax. What they are saying is that on the one hand $60 a year will cripple their rural constituencies but, on the other hand, a consumption tax which they embrace and which they are trying to urge this State Government to support and the Federal Government to endorse as part of its own policy is okay. Yet, we know a consumption tax in some areas of the rural community could cost a person between $25 and $27 a week more. On the one hand members opposite are grizzling about $60 a year but on the other hand they are quite happy to embrace a concept that will cost their constituents between $25 and $27 a week. I am a fairly understanding man; I listen to most arguments with a fair degree of—

An honourable member: Tolerance.

The Hon. T.H. HEMMINGS: —tolerance (especially from the member for Custance). But on the other hand the member for Custance and the member for Goyder want a consumption tax, which will cost their constituents between $25 and $27 a week, yet they are grizzling that the Minister—

Mr VENNING: On a point of order, Mr Speaker, I have been misrepresented. I have never said in this place that I have been in favour of a consumption tax.

The SPEAKER: There is no point of order.

The Hon. T.H. HEMMINGS: I am pleased at long last that it is on record that there is one member of the Liberal Party who opposes a consumption tax. Let me tell the member for Custance that, of the 23 Liberal Party members in here, and those secret members who belong to the H.R. Nichols Society, he is on his own. That measure eliminates some of the concessions that have been in place since registration fees were introduced many years ago. I believe, notwithstanding that in many areas four-wheel drive vehicles which were not being used on the farm at all but were used purely for private and personal use but which were subject to the concessions—and I am pleased to—

The Hon. D.C. Wotton: What evidence do you have of that?

The Hon. T.H. HEMMINGS: I had better not respond to that interjection. However, I suggest that the member for Heysen write to the UF&S and find out exactly what it found out. Maybe the member for Heysen will find that he is in agreement with the Minister—and I know he would not like that. I do not intend to speak for too long in this debate. All I can say is that members opposite, especially those who represent the rural districts, protesteth too much. I am completely convinced that Armageddon is not just around the corner as a result of this Bill. I urge all clear thinking members to support this legislation.

The Hon. H. Allison: Why let people think you are silly when you can stand up and prove it?

The SPEAKER: Order! The member for Mount Gambier is interjecting, and is out of his seat.

Mr BLACKER (Flinders): I will take up a couple of points that the member for Napier raised. I note that he was trying to draw a parallel between various aspects of local government and some of the figures that the Minister cited in the second reading explanation. He said that the Adelaide City Council could well afford the $22 000 additional revenue it would have to pay as a result of this legislation. He also said some of the rural councils would have to pay an extra $6 000. But he did not mention that the machinery referred to is only road making machinery; the full registration fee has had to be paid in relation to all the small vehicles used for gardening, landscaping and tasks such as that.

I am totally opposed to the legislation, because it is a disincentive to producers. It is a disincentive to anyone hoping to earn some primary production income for this State. In my electorate alone about $480 million was earned from exports, and that is no mean amount: it is a significant amount. Something like 10 per cent of Australian grain was produced in that area. We are now arguing about an aspect that is directly related to primary production income. In years gone by Governments have encouraged primary industry: they have encouraged exporters to earn income for the State. Other people are not doing that; other industries are not doing it. This legislation does the reverse; it is another small chink, as the member for Napier said. It is relatively small in the overall scheme of things, but it is nevertheless significant in so many areas.

The member for Napier and a couple of other Government members made, by interjections, various references to the consumption tax and, therefore, talked about the user-pays principle. I should like to link the user-pays principle with what we are talking about. I understand that full registration for a four-cylinder car is about $160. In the country area that car would do approximately 40 000 kilometres, which is not an unreasonable figure. Many people do more and many do less.

Working out the registration component on a per kilometre basis, we come to 0.4 c per kilometre. The vehicles we are talking about in this debate are those involved in

primary production. The vast bulk of their time is spent on private land, not on public roads. In any event, they would only do 5 000 to 8 000 kilometres per year. When we work that out on a cents per kilometre basis, we come to 3.2 c as opposed to the 0.3 c stated previously.

As approximately 1 600 kilometres of that 5 000 to 8 000 kilometres would be travelled on public roads; we are looking at a figure of 7 c per kilometre purely for registration for that component of the vehicle's use on public roads. If we take that one step further, we include fire units, boom sprays and other sorts of vehicles used only for special purposes, although occasionally it is necessary to take them on public roads; therefore, they have to be registered, together with public liability insurance.

I venture to say that less than 1 per cent of farm-owned fire units that go on public roads would do more than 160 kilometres a year—and I use that figure quite specifically. To those persons who have a registered fire unit, we say that they must pay $1 per kilometre to have that unit registered to use the public road for such minimal use, in the interests of protecting people's life and property. That is where the system is unfair. The Minister and the Government must look carefully at the principles they are using when approaching this subject.

I heard the member for Custance talk about the Vintage Car Club. I, have seen a letter from the Vintage Car Club in my area, which is quite offended by the Government's approach. If one relates this scenario back to the dollars or cents per kilometre that these vehicles would involve, basically in the interests of a community activity—admittedly they would be used in three or four rallies per year—the bulk of their use is involved in showing them at centenaries, festivals, and so on.

The Vintage Car Club attends the Tunarama Festival, and it is all done in the name of charity. Now we are asking them to cough up 50c to $1 per kilometre so that the owners can take their cars on the public road in the interest of a public service. That is where I believe the whole system is wrong. No way can Government members talk about consumption tax, relating it to this type of tax, which is iniquitous in what it attempts to do. The Minister says that the money is to be used for highway purposes. That is fine, but it should be only that portion of the registration involving the use of public roads, as against climbing around hills, mustering sheep and things of that kind. Obviously, some members of this House represent pastoralists. The member for Eyre has already spoken. I, too, have a few pastoralists in my electorate, in the true station country, but many of their vehicles (or the types encompassed by this legislation) would never see a public road. What worries me is what will happen if it is to be costly for a person to register his fire unit and boom spray. Will he do that and say, 'I'm prepared to pay my 50c or $1 a kilometre', or will he say, 'No, I will take a risk.'

An honourable member interjecting:

Mr BLACKER: What the member for Custance says is correct—more people will take the risk. That is the thing the Government should be trying to avoid, because the problems associated with that would be more serious than the problem the Government is attempting to combat via this legislation. I cannot accept that the Government is genuine in this. On the one hand, it claims a large abuse of the system. I do not doubt for one moment that people have abused the system and claimed wrongly for primary producer registration, but they are the people who should be stopped, not the people who have been carrying out a legitimate purpose in primary production and earning an income for themselves.

As I mentioned before, approximately $480 million came from my electorate by way of export earnings, a very large percentage of which went purely into bank coffers, so the banks now may have to look at putting some of that money back into that area.

We could go on and on. With the advent of computers, more and more people are putting every cent they earn into computers. The extent of Government charges is beginning to startle people. I showed my farm accounts to my bank manager, listing 12 aspects of banking fees and charges that have been levied on me over the past three or four years, and the bank manager said, 'Why did you do that?' I said, 'Just so that I can show at the end of the year how much you are charging me to be your client.'

I am getting off the track, but the thing I want to refer to is the number of Government charges that have been applied to so many people, particularly those in the producing sector. Those persons who have abused the system are those who should be caught. After all, we should not apply the principle that, because we cannot police the matter, we should let all the more criminal activities go unheeded. That is, effectively, what the Government is doing, and I cannot accept that it is doing it in a fair manner.

I mentioned briefly the effect that this has on local government. Two or three of the councils in my area will be affected in the amount concerned. I have a concern that local government itself has not gone into the matter for its ratepayers, but has just adopted the view that it will increase the rates by 0.001c.

An honourable member interjecting:

Mr BLACKER: It is much easier, rather than going in and fighting the Government on behalf of the ratepayers, to increase the rates. So, we are not getting that wall of resistance from local government that we should be getting. Local government should be in there battling the State Government on this very issue. I mentioned the effect this measure will have on road making. I understood that the purpose of this legislation was to earn money to put back into roads. On the one hand, we are putting it back into roads via the Highways Fund; on the other hand, we are taking it away from local government via the component that is specifically for road making, because the council has been paying full registration on all vehicles under the two tonne category used for landscaping and other aspects of local government.

Only the road making component has had the concession. On the one hand, we are taking it away allegedly to give it to highways: on the other hand, we are taking it away from that component of local government that uses those vehicles for road making. Although there is an inconsistency there, that is not explained very well. I spoke about the Vintage Car Club, whose members are deeply concerned, as are many other people. That is an important hobby for many people, but those vehicles will be priced off the road, and more is the pity.

I am sure we all appreciate attending a festival or function of that kind and seeing the vintage cars. That applies especially to people involved in restoring the cars. It would be my great wish at some time that I have the opportunity to restore a car of my own, because the pride and satisfaction that people have in doing that would be great to experience. Having done that restoration work, people will then effectively be priced out of taking that vehicle onto the road because of the system we are considering, and that to me is all wrong. I oppose the Bill.

The Hon. TED CHAPMAN (Alexandra): A fair bit of rubbish has been peddled around on this subject. I am the

first to admit that I was rather misled during the early discussions on this matter outside the Chamber. I was led to believe that the outer areas of South Australia, that is, the pastoral regions of the State and Kangaroo Island, would not be affected by this legislative move by the Government. However, tonight I am informed that that is just not true, and I want to put the real position on the record.

For example, I will refer to a vehicle the size of a Holden or a Ford Falcon utility, because all members understand the size, weight and horsepower of such vehicles. I refer to Kangaroo Island for the purpose of convenience and parochial interest. Currently on Kangaroo Island a primary producer is required to pay $60 registration, $3 stamp duty and $43 compulsory third party insurance on such a vehicle.

In the same community, that is, in the category of 'outer area', a non primary producer enjoys a registration fee on such a vehicle of $60 a year, plus $3 in stamp duty but pays a third party insurance fee of $144. The difference is a cost of $106 in total for the primary producer and $207 in total for the non primary producer in the same outer region. The Bill proposes to leave everyone, other than the primary producer, in those outer areas on the same registration fee of $60 per annum, with the same stamp duty fee and the same third party premium.

Schoolteachers, storekeepers, bank managers, council staff and employees of similar institutions, that is, everyone other than in the primary producing category, will pay exactly the same registration in the outer areas, including mainland pastoral regions of the State, such as Coober Pedy, Roxby Downs and beyond, as they have paid previously.

However, primary producers in both areas will be subject to a doubling up of the registration factor. They will enjoy the same third party policy premium and they will be subject to a slightly adjusted stamp duty fee, but they will pay $120 per vehicle rather than the present $60 if this Bill is passed. That example demonstrates an even greater insensitivity to the rural community by this Government than has been demonstrated even by those members on this side of the House who have already addressed this matter.

Certainly, it shows a greater degree of insensitivity than I had realised was the Government's ploy. Few other factors need to be cited, which is why Opposition members unhesitatingly support the rural communities of South Australia, encompassing those in the general agricultural areas and beyond the outer areas of this State, in their plea for a reduced registration rate as against metropolitan rates.

For a start, it cost considerably more per kilometre, per year or per whatever other measure one wants to adopt, to maintain a vehicle in the outer areas of the State than in the metropolitan area. I again refer to Kangaroo Island for parochial reasons and convenience to highlight the differential in the petrol factor. In Adelaide this week, last week and the week before one could buy super petrol in a multiple number of outlets at 75.5 cents a litre. On mid-Kangaroo Island, to refer to a central part of that community, last week, the week before and the week before that, petrol cost 95.5 cents a litre. That is a 15 cents differential, and costs 2.67 cents a litre to transport fuel from Port Adelaide to Kingscote on that much maligned *Island Seaway*. In this instance we cannot blame the *Island Seaway* for the massive differential, but the cost of maintaining and providing services in those outer areas is demonstrated in that situation to be ever so much greater than it is in the case of service stations and suppliers within the metropolitan area.

I refer to spare parts, tyres, the rust factor and vehicle deterioration, which relates to capital investment by vehicle owners. All these costs are astronomical in comparison with costs involved in maintaining a vehicle in the city. Above all, those people out in the big paddock do not have the STA, metropolitan rail services or access to a whole heap of buses and other forms of public transport and convenience. To a man, woman and child they are reliant on travelling from A to B in their own vehicle.

Mr Atkinson: Have you been on a bus since the 1960s?

The Hon. TED CHAPMAN: Have I been on a bus since the 60s? Yes, I have. I go on a bus whenever I can. Unfortunately, I have difficulty driving a vehicle, whether it happens to be on mainland South Australia or on Kangaroo Island, for the information of the smart-alec on the backbench who does not know what he is talking about. The honourable member should just hold his tongue or talk about something he knows about and not try to interject on subjects about which he knows nothing, because he has demonstrated that here tonight.

Let me get back to this sensitive subject, one that is close to home, because it is a cost that people will not be able to afford to meet. My colleagues on this side of the House have already raised that point. What the Minister and the Government are doing in this instance is setting up a scene to encourage cheating. They are going to force people to the wall and into situations where they break the law, take the risk and not register their vehicles if they believe there is a chance of getting away with it.

It is not a matter of choice or desire by these people because, by and large, irrespective of what might be said about those who are rorting the system (there are only a handful anyway, I believe) people out in the bush are honest and straight people who pay their way, and they have that attitude from birth. That is the way they are in the bush: they are not there to rort the system, not deliberately so. What the Government is doing in this instance—and this is only a sample; in itself it is not going to send these people broke—is adding yet another burden when country people have more weight on their backs than they are able to carry at the moment.

Whether, as has been suggested, it is a matter of delay until a relatively sensible time to reconsider it or drop it altogether, and I favour the latter, the Government should not proceed with this measure. When we look at this maintenance factor and at the conditions under which vehicles have to travel—and I do not mean on private farms, because that is the business of the owner of the farm—the road surface conditions in the bush just cannot be compared with those in the metropolitan or near metropolitan areas. When one compares bitumen roads with gravel, sand, limestone and rough metal roads or in many cases where there is little evidence of a road at all. The difference in maintenance costs per kilometre is significant. I know that, because I use a vehicle in the metropolitan area when I can drive one—and I have done so for the past 20 years—and I have used vehicles for 30 or nearly 40 years in the bush where roads are just as bad as I have described. Certainly, I understand the difference between trying to maintain vehicles in those two situations.

Not much else needs to be said about this piece of legislation except that it is unjustified; it is crook in concept and it is absolutely unnecessary. It will not make the Government a fortune; as the member for Flinders indicated earlier, it will only shift some funds from one bag to another bag as far as local government funding for roads is concerned. It is only peanuts to the overall budget, but it is of some help to those who are in the big paddock.

I think that, even if the monetary side of it is only minimal, which it is, it is a symbol. It can act as the Government's signal that it recognises the plight of people in those outer areas. If nothing else, it serves as a moral

booster to those who have their tail on the ground. As the member for Eyre said earlier in this debate, the people in the metropolitan area are in two categories at the moment: there are some who have absolutely no idea of what is going on out there in the big paddock, and they do not understand the pressures that the people in the rural communities are under at the moment; and there are others who do understand the difficulties that those people are experiencing. However, people in both categories have no idea what the position will be in 12 months or 18 months—they have absolutely no idea. But, by hell, within a couple of years they will know because the situation out there will roll into the corridors of the metropolitan arena and everyone will suffer the consequences.

An honourable member interjecting:

The Hon. TED CHAPMAN: It already has, says the honourable member. Fair dinkum, those people out there are glad to have bread without butter—

Mr Atkinson interjecting:

The Hon. TED CHAPMAN: I am sorry; I cannot remember the honourable member's district—he has been here for only five minutes. The honourable member on the back bench opposite continually interjects. Why he does not get up and address the subject, I do not know. He has become an expert interjecter and has had very little of commonsense to say in this place so far. I challenge the honourable member to participate in the debate.

Mr Atkinson: At least I can speak English.

The Hon. TED CHAPMAN: Well, you might be able to speak English better than I. The honourable member challenges on all sorts of things. He has a touch of the tongue disease; he has a crack for everything, and he has a great capacity to interject on a whole range of subjects. I am envious that the boy had a chance to go to school, that he had an education.

The DEPUTY SPEAKER: Order! The member for Spence will cease interjecting, and the Chair would be obliged if the member for Alexandra would return to the topic of the Bill.

The Hon. TED CHAPMAN: I agree, Mr Deputy Speaker, that that should be the tenor of the debate and not the other carry on.

Mr Atkinson interjecting:

The DEPUTY SPEAKER: Order!

The Hon. TED CHAPMAN: Now, if we can have a bit of decorum in this subject and get back to the seriousness of the issue. It is just by the way that I make no apologies for my difficulties in handling the English language because, unfortunately, I barely had the opportunity to go to school at all. My situation was similar to that depicted in *Sunday Too Far Away,* if you like. We did not have access in the big paddock to those facilities like that cheeky so-and-so in the back seat, although I appreciate that I cannot talk about that now. The situation is that—

An honourable member: Spence.

The Hon. TED CHAPMAN: Spence—that is it. Perhaps it should be suspense. I make no apologies for contributing to the debate on behalf of people in rural sector communities. I know the sort of difficulties that they face in the ordinary course of events let alone in the extraordinary circumstances under which they are trying to operate at the moment. I would have thought that it would be a show of feeling and sensitive regard for others for the Minister to proceed with his Bill in this place and possibly signal to his colleague in another place that she might back off a little regarding this particular aspect of the Bill.

We are not asking the Minister to throw out the whole lot. We are simply requesting that he sees a little bit of reason in respect of those clauses that deal with the cancellation of the rebate to people in the outer area in particular. It would be a credible and publicly justifiable move for the Government to make.

I do not know that the Liberal Party or any member of it should boast of their win in such a situation, and far be it for the UF&S or any such organisation to try to take credit for their activities in this matter. It should be quietly acknowledged, as a non-Party political basis, that there is a very real problem out in the bush, and the people out there should be recognised in this somewhat meagre but reasonable way. I support the principle of the legislation generally but, in particular, signal my opposition to the cancellation of rebates to the primary producer sector of the outer areas, recognising that others than the primary producers in the outer areas will not incur any further charges on their registration fees and third party insurance collectively under the new legislation than they do presently.

In summary, the Government is setting up legislation as far as the out of town areas are concerned that will have a great financial impact on primary producers. At the same time it will not touch those non-primary producers in rural areas, most of whom are on fixed salaries, such as the school teachers, storekeepers, bank officers and all the other people who service these areas. The exercise as far as that outer region is concerned needs addressing a little more than it appears it has received so far.

Mr McKEE (Gilles): I want to make a couple of points on this issue. The farmers' lobby is the largest, most articulate and powerful lobby in this country. There is not a person in Australia who is not already aware of the plight of the farmers, and I will tell you why, Mr Speaker. There are 140 000 farmers in this country out of a population of 17 million, and they own one political Party, the National Party. They also own half the Liberal Party. So, 140 000 people out of a population of 17 million have one and a half political Parties to lobby on their behalf in this country. It is no wonder that everyone is fully aware—

Members interjecting:

Mr McKEE: This Government has expressed some sympathy towards the farmers. The only point I wish to make is that farmers support the National Party and half the Liberal Party, and they raised $15 million as a lobby fund, which I mentioned previously in this House, to sack trade unionists in the rural area. The former leader of the UF&S (Ian McLaughlin) would not release that fund, and I suggest that members opposite ask Ian McLaughlin what he has done with that money. When they get an answer, I would like to know what it is. If farmers can support the National Party and half the Liberal Party and contribute $15 million to that fund, this paltry argument being put up about increases in registration fees is non-existent.

Mr S.G. EVANS (Davenport): First, I wish to refer to a couple of matters that have been raised. Earlier an honourable member questioned where the power lies in this country, and he referred to Mr McLaughlin. Mr McLaughlin is no longer involved in the organisation that raised the $15 million. That organisation had to raise that money to fight a callous, ruthless union organisation in this country that backs the ALP to the hilt and compulsorily takes funds through trade union fees from individuals who do not wish to contribute to the ALP. We know that, and every member on the other side knows it, and the people in the street know it. It is just a shonky deal.

Farmers belong to various political Parties. Some of them belong to the Democrats; some belong to the Labor Party

(as members opposite know); some belong to the Liberal Party; some belong to the National Party; and some may even belong to the Communist Party, and that is their choice. If they are able to raise some funds as a trade organisation to fight for a cause, so be it.

The other point raised earlier, and it took up a considerable amount of time in the member for Napier's speech, was that of a consumption tax. I point out to the member for Napier that his Party promoted this option for nigh on 18 months. Members opposite said that, if ever a consumption tax was introduced, there had to be a trade-off. So, as every other political commentator or person who has promoted the thought of a consumption tax has said, there should be a trade-off against income tax. That is all I want to say about that matter, because it was a sham and a diversion by the member for Napier—nothing else.

I turn now to the rural sector and the actions of the Government in taking away a rebate that has been available to the genuine rural producer. Like all members of this House and all rural producers and those close to them, I know that there are people who have rigged the system over rebates with registration as long as it has applied, but so have a vast majority of the people in this country with respect to income tax. As with any other issue in this country, if people think they can avoid a payment, they will attempt to do so. We all know that but, if somebody is cheating, we should find them. It would not be too difficult to find them if we know how they are doing it. Why penalise the genuine people who deserve some benefit, or are members opposite saying that these people do not deserve consideration in respect of the registration of their motor vehicles? Is that what they are saying to rural producers?

As the member for Alexandra said, those residents of Kangaroo Island and other rural areas who are not farmers will continue to receive a benefit, but the farmers will not. The rural producers will not receive a benefit. Why does the policeman, the schoolteacher or the commercial traveller who might live in a rural area receive the benefit? What is the justification for that? Is it because the person who is not a rural producer drives their vehicle at a slower speed? Is that the reason why people on Kangaroo Island and other remote areas, who are not rural producers or pastoralists, will receive a benefit—because they will put their car on a sled and drag it along the edge of the road but not drive it on the road? For what reason? It is not justice. Maybe it was an oversight.

I return to the general concept of the rural producer. There are approximately 1.2 million people who live in metropolitan Adelaide, and $120 million each year is lost on the STA alone in respect of those 1.2 million people. With an average of three people per family, a $300 subsidy goes to the STA from the taxpayers' funds for each family. Yet, we are going to deny the rural producers, who might have one, two or three vehicles, $60 per vehicle. That is the truth of it. The honourable member speaks to his colleague and says that travel on school buses is free. Of course it is free; nobody said it was not. But, when it comes to the rest of the STA, what happens? There is a subsidy of $120 million for people in urban Adelaide. However, we take funds away from those involved in genuine rural pursuits at a time when they are suffering the worst financial conditions that they have faced for decades. We all know it.

The Premier tramps around the State shaking hands and telling people that the Government will look after them because it knows that they are in trouble. He tells them that the Government will give them a benefit—a helping hand—and the Minister of Agriculture does the same. Every Government member who goes out into the country—whether a member of this place or another place—says the same thing; they preach the same thing. Yet this Government brings down this callous, cruel decision.

It is only a small amount of money in overall terms; that is agreed. However, if it is small for the individual paying it, it is small as far as the overall State is concerned. If the State cannot afford it, who says that people, either individually or collectively, can afford it? Are we saying that these people, many of whom we know will go to the wall, and in many cases have gone to the wall, or others who are still struggling, are better able to pay than the State—the collective body of people—for a benefit that has been there for years? We should look at the roads. City people would not be prepared to drive on many of those roads because they would be worried about the dust or the pebbles chipping the chrome work or the paint work of their car. However, people out there are expected to live with those roads. Their tyres are cut at a more rapid rate and they wear out more quickly. Yet, we say that we are going to take that benefit away from them.

In some places people are paying over $1 a litre for road fuel. Some of that $1 goes to the State and Commonwealth coffers by way of a charge. The same thing occurs in relation to tyres. If rural people wear out their tyres more quickly, money goes to the Federal Government by way of sales tax more quickly. We all know that. In many areas—-

An honourable member: What else have you discovered?

Mr S.G. EVANS: The honourable member asks, 'What else have you discovered?' Many young persons who reach the age of 17, gain their matriculation and want to go to university or take up a trade, do not get scholarships or have enough money to pay for their board in the city. Yet the Prime Minister says that people with that training are needed if we are to achieve 'the clever country'. Country people are not compensated. Families are disadvantaged and quite often go into debt to put their children into boarding homes. We know that. Is any consideration given to that? None at all. In many cases it is harder on the young females than on the young males when they are sent to the cities to front up to city life and all the consequences that go with it if they do not have reasonable homes to go to where people understand them and can work with them and at least ensure some control. Each and every one of us in this Chamber knows that.

Rural people suffer disadvantages, no matter what area we look at; their only benefit is the open space and the quality of life of which many of us dream. But, if we went out there we could not stand the work that is associated with it. That is about the only benefit they have; the rest of it is hard yakka. Rural people have to take what they can get for their produce; there is no guaranteed price and no guaranteed wage per week. Very often they deal with perishable items that do not keep for a long while and they have to take what they can get. They are also subject to the elements of the weather.

It is a callous, cruel and ruthless decision that this Government is imposing on these people; it should not even be considered. Rural people are disadvantaged in terms of the help which city people receive in many areas, but which country people do not get. We all know that. I would like the Minister to tell me why those people in the remote areas who are not rural producers will still get a benefit that other rural producers will not get.

Mr BECKER (Hanson): I would like to protest, on behalf of metropolitan people and consumers, about what the Government is doing to the rural community. I have about

2 300 relatives in the Mid North of South Australia and I have had several phone calls from them.

An honourable member interjecting:

Mr BECKER: We had a family reunion recently and there are about 2 500 of us. It is a very large family.

An honourable member interjecting:

Mr BECKER: Yes, we are a pioneer family, so I appreciate the difficulties and the problems that are experienced by my relatives in the country. Several of them have contacted me and I even saw a couple of them in King William Street the other day. They asked me what is going on. They wanted to know what the Government is doing to them. They pioneered and developed the country; they have expanded and helped our country in every way; and they have answered every call. Every time there has been a conflict they have been called up and have sent their relatives overseas. Many of them have died to protect this country. What they get in a time of rural crisis is a further miserly, penny-pinching deal from the State Government. Of course, they get no help or assistance from the Federal Government. But, right at the crucial time, this State Government gives them another belt.

One of my relatives grows barley and the price at the moment is $77 a tonne. He has to pay levies to the Barley Board and the Government and goodness knows what other charges to a total of $21. He gets $56 for the tonne and is therefore losing $4, because it costs him $60 a tonne to grow it. It is time this Government woke up to the fact that one cannot keep running a business or a farm—indeed any type of activity—if one has to keep drawing on capital. People have to go to the bank to borrow money—if they can get any money from a bank at the moment, given that the assets have reduced because of the poor earning capacity of properties—and they are faced with this type of legislation that will knock off a few more dollars here and there. To the people in the metropolitan area, $65 or $70 is no great hardship. However, for people living on a farm in an isolated area, that could represent a month of groceries, or whatever, something that they cannot produce. By golly, there are plenty of people in the country who are living a pretty poor existence and who are surviving the best way they can.

I think that the Government's timing is absolutely pathetic. The Minister also throws in another red herring: he talks about councils and council vehicles for which registration fees are not paid. The Minister stated (page 1851 of *Hansard*, 14 November 1990):

> One metropolitan council and one rural council were taken as samples to examine the effect of these changes. For the metropolitan council, the effect is estimated as an additional $20 000 per annum in a total budget of $17.9 million.

To me, that works out at 0.0125 per cent. The Minister continued:

> The rural council would pay an estimated additional $6 000 in a total budget of $1.4 million.

That works out at 0.05 per cent. This legislation discriminates against the rural people and rural industry. It does nothing to enhance this Government's consideration of the plight of farmers in this current rural crisis. I oppose this legislation; I think it is a disgrace.

The Hon. FRANK BLEVINS (Minister of Transport): I thank all members for their contribution. I acknowledge the degree of emotion in this debate. Whether it is appropriate is really not for me to say. There is a great deal of emotion for what is $1.15 a week, putting my response to the second reading debate in context. That is what we are talking about. Various members have acknowledged that they have an interest in this matter because they have enjoyed the concession that is to be removed. I respect their frankness. There is nothing particularly wrong with that. If some members of Parliament consider themselves to be primary producers rather than members of Parliament, under the legislation, they have the right to do that and to take that concession. The member for Custance, for example, told us that he had three vehicles.

Mr Venning: My family has, not me.

The Hon. FRANK BLEVINS: I assume that the honourable member is part of the family. The member for Custance said that his family has three vehicles. Therefore, they will be able to share the additional cost, which will be $3.45 a week. I am trying to make a point: let us put the debate in some kind of perspective. I know that, apart from two notable exceptions on this side of the Chamber, namely, the member for Stuart and me, by and large, members opposite cover all the non-metropolitan areas, so we are really into parish pump stuff.

I have noted that this debate has been closely and quite properly observed by the UF&S, of which many members here, I would hope, are members. I hope that those who still consider themselves to be primary producers are members of the UF&S. I would not respect them very much if they were not. Those members have had to play, clearly and properly, to that constituency. However, I make the point that we are talking about $1.15 a week. No-one likes to lose a concession. It does not matter how small or trivial that concession might be to the individual: no-one likes to lose a concession. There is no doubt about that, and I understand it.

However, the same members opposite, who do not want to lose this concession, write to me almost on a daily basis for additional road funding for their area. Although I am not singling out the member for Custance (I think he is one of the finds of the Liberal Party), I point out that he identified that he has 23 vintage cars. Next time I drive past, which I do frequently, I will call in and have a look. He also said that he or his family company claimed this $3.45 a week concession for three vehicles. In his maiden speech, he mentioned the Blyth to Brinkworth road, saying that we have to seal the road. It costs a fortune to do that, given the number of people who use that road and roads like it—there are very many more. I assure the member for Custance that it would cost more than $3.45 a week. That is the kind of thing that we have to balance. Everyone here knows that, but I appreciate that various constituencies, local papers and local organisations have to be shown that they have caring members of Parliament.

Mr Venning: Come on, Frank!

The Hon. FRANK BLEVINS: I actually believe that the member for Custance does not realise that yet, but he will. I thank the member for Heysen for his contribution on behalf of the Opposition. He made a number of points, as did all members who spoke. I do not want to go through every point that was made by each speaker, because I think that members will agree with me that there was a certain sameness about the various speeches, and that is understandable. However, I do have a couple of points to make.

In my view, the primary producer concession was badly targeted and was open to abuse. I do not want to mention names, kick heads or give any concrete examples, because there would not be one person in this Chamber who does not know of examples of abuse of this provision. Although not within the spirit of the law, but quite within the letter of the law, primary producers registered their vehicles and obtained concessions, and it is fair to say that, in a number of cases, those vehicles seldom saw the farm, never mind

went off the road. I do not think that anyone in this House would deny that.

If the provision was a real help to the sections of the community that enjoy the concession, one could put up with some abuse. However, it must be accepted that, on some occasions, to get a benefit that is needed by a substantial group of people, one has to concede that some people will rort that system, and one just has to wear that. In a western democracy, nothing else can be done. A police state would be a different story. However, to the individual, this concession is so trivial that I do not believe that we have to tolerate those people who consider themselves to be primary producers and who are primary producers within the meaning of the Act—although on many occasions they are something else—and who obtain a registration concession for vehicles that do not work very often on the farm, if they see the farm. For $1.15 a week, I do not think that we have to tolerate that.

The Government has a road building program, which was announced in the budget without discussion. I advise the member for Heysen that we do not normally discuss budget measures with the UF&S, the LGA or anyone else. The budget is announced when the Premier stands up to bring it down, so that is by the by. Nevertheless, the road building program is on the other side of the budget, that is, on the expenditure side, and this money will assist in that program. It could be argued convincingly and cogently that the road building program is too extensive, that as a nation we cannot afford a program of that size. I happen to believe that, but very good, cogent arguments are made for that proposition in the main by people and economists who support the other side of politics. As everyone will concede, this State has the best roads in the Commonwealth and we are trying to maintain them at that level and expand them wherever we can. In a financial climate in which the State Government has a declining income, that is not easy. It is not made easier by every single member opposite writing to me requesting more roads, alterations to roads, and so on.

I respect those who do, I am not knocking it. However, there is another side to that equation, and all members must realise it—and privately they all do. In this budget, it would have been possible to increase the price of fuel. Every other State did that in its budget—apart from Queensland which does not have a levy—but we did not, we chose not to. That was for the same reasons that we chose, in the last increase in fuel prices, to create a zonal system, so that those areas more than 100 kilometres from Adelaide now enjoy a 2 cents advantage and those areas 50 kilometres from the metropolitan area enjoy a 1 cent advantage.

For the overwhelming majority of people in this State, that price advantage is more than the cost of carting the fuel. I pay much more for my petrol than almost anyone in this Chamber because of where I live and it always annoys me that the fuel franchise levy is actually 2 cents cheaper; it only costs 1 cent to take the petrol 400 kilometres and yet I still pay up to 10 cents a litre more than I would in Adelaide. So, people should not blame the Government.

All those options were open to the Government when it framed the budget. The Government chose not to take some of those options, which would have had a far larger impact on primary producers and other people who live in the non-metropolitan area of this State. I point out that there are people living in the non-metropolitan areas of this State other than primary producers, and in extremely difficult circumstances. Many of them are in far more difficult circumstances than primary producers. They do not get a concession: not at all.

Again, I do not want to single out the member for Custance (I seem to be doing so; he is such a nice chap and I know he will not mind) but the member for Custance's family company ability to pay the $3.45 a week concession on his vehicle is far greater than many families I know who live outside the metropolitan area of this State. They would welcome the concession. They pay exactly the same amount of registration as people in Adelaide. Let us not forget that, for the primary producers, there is still a $100 concession on third party insurance. A number of things could have been done to maintain the road program when this budget was framed, but we chose not to do them. This was a very minor measure on the primary producers.

In relation to what the member for Alexandra said about the unincorporated or outside areas, as they are called, the Premier has given an undertaking to the farming community and to the pastoralists that this matter will be considered in next year's budget, as we look at all measures in the budget. It might well be that the suggestion of the member for Alexandra is one that we could consider. I look forward to a submission to me or to the Treasurer from the member for Alexandra particularly saying that the pastoralists and farmers on Kangaroo Island, in the outside areas, ought still to maintain this concession. That will be considered seriously, because I believe there is something in that point. I am not saying that we will agree to reinstate the concession now: I have no authority to do that. But the point was well worth making and was well made. Even if the member for Alexandra does not write to me, I will certainly bear that in mind when next year's budget is being put together.

There is no doubt that, apart from any other questions that might arise about this legislation failing, the Highways Fund will be close to $3 million worse off in this financial year, which means that there will be a significant halt to a number of projects we were anticipating we would do. On balance, for $1.15 a vehicle, I believe the program is a good one. It particularly favours Kangaroo Island, I might add just for the benefit of the member for Alexandra, and we want to maintain it. I know that, at the end of the debate, the House will agree with me.

A number of members opposite said how expensive it is to live in the country. I was quite surprised that some of the most impassioned pleas come from members who would not know the country if they saw it. But they, I suppose, were trying to impress either their fellow members of Parliament or others who may be taking—

The Hon. Ted Chapman interjecting:

The Hon. FRANK BLEVINS: I am the only one whose—

The Hon. T.H. Hemmings interjecting:

The Hon. FRANK BLEVINS: I will say no more. As I say, as one who lives a lot further away from Adelaide than almost anyone else in this House, I have never really wanted to do a calculation on who benefits from Government spending: people in the metropolitan area or people in the country areas. I have never really wanted to draw up that balance sheet to consider the cost of supplying power and water to country areas, for example. It is a third more expensive to supply those to the non-metropolitan areas.

The Hon. D.C. Wotton interjecting:

The Hon. FRANK BLEVINS: I am not trying to score a point here.

The Hon. D.C. Wotton: No, I wasn't either.

The Hon. FRANK BLEVINS: I did not interject on the honourable member and I would appreciate it if he didn't interject on me. I bear a higher cost than the member for Heysen ever will or ever has. He would not know about the country. Nothing! When he goes home every night he is there in 35 minutes or something. He would not know.

I think he has a cheek even entering the debate. Those of us who do live outside the metropolitan area do get annoyed from time to time at the apparent losses in the STA. I hear that dragged up all the time. But I know about the cost of power, the cost of water, the cost of supplying medical services and education to our areas, and I never want anyone to do the balance sheet because I feel I will come out on the wrong side.

A couple of other things were said with regard to council plant. Certainly, the member for Flinders was not quite right. There is still a fair amount of council plant specifically built for road making, such as bitumen laying plant, tar kettles and so on. The position will not be changed. As to all the other plant, everyone else who is involved in road building pays. The State Government pays. We pay to register those vehicles. All those in the private sector who are involved in making roads, repairing roads, and so on, all pay. The only people who do not pay are local councils. Why? It has no rationale as far as I am concerned—none whatsoever. Apparently, although the Local Government Association has certainly made representations, it has not been like the emotional representation that was made over this $1.15 per week by the UF&S and its supporters. Nevertheless, it has made representation. But the position is absurd; it is an anomaly, and I am happy to stand up here and remove it.

Mention was made of stamp duties and third party insurance. All that remains the same. Nothing in that area has altered at all. The question about fire trucks on properties was raised by the member for Flinders, amongst others. The position has not changed. A fire truck does not have to be registered. It can be driven on the road going to fight a fire, coming back from a fire, going to training, coming back from training, and certainly in relation to measures to prevent fires, making fire breaks and so on. That has not changed.

You do not have to register the fire truck. It does not have to be done now, and this is not changing one iota the situation of destroying noxious weeds, etc. It is not changing. I know that members opposite have an emotional argument against this legislation, but there is no need to overstate it, and particularly if it is reported in their local papers that people are fearful that all these things have changed, I stress that they have not changed at all. It is just $1.15 a week extra for the ute.

Mr Lewis interjecting:

The Hon. FRANK BLEVINS: That is very simple: we can do it— even you can. The question of veteran and vintage cars is a thorny one. My position on this is very clear: there is a certain cost to the Government in licensing, registering and making provision for insurance of these vehicles. In my view, the owners of these vehicles ought to pay that cost. If they are not going to pay it, someone else is—and I do not see why anyone else should.

If anyone here can put up to me a case as to why someone else ought to pay that cost for them, I will listen to that, but to date I have not heard one. What I have said to the Veteran and Vintage Car Owners Association, after discussion with it, is, 'You come up with a system that, first, cannot be rorted and, secondly, recovers the cost of administering the system without putting the burden on someone else who may be in a far less financially advantageous position.' I mention again the member for Custance with his 23 vintage cars. That must be marvellous, but I cannot see why a farm labourer, through his registration fee, ought to subsidise the costs associated with registering and insuring the vehicles owned by the honourable member. Neither, I am sure, can he. He can well afford to register and take care of his vehicles as he wishes.

All I have said is, 'Come up with a system and I will have a look at it.' I will be very happy to do that. I believe that within a very short time we will have an agreement with that association that ensures that owners can use their cars in the way in which they wish, when they are registered and insured at their expense rather than at ours. I believe that that can be done far more efficiently than it is done now, as I do not believe that the present system is all that good.

Mr Venning interjecting:

The Hon. FRANK BLEVINS: That is right: there are systems in the other States. It may well be that one of the other States has a system that we will choose.

Mr Venning interjecting:

The Hon. FRANK BLEVINS: You have not been listening. I will go through it again for the honourable member.

Mr Venning interjecting:

The Hon. FRANK BLEVINS: Then don't interject if you haven't heard the argument.

The SPEAKER: Order.

The Hon. FRANK BLEVINS: I am quite sure that we will have a far more efficient and equitable way of dealing with these classes of vehicle. As soon as we have that, that will be done. It will be done by regulation, provided that the two Houses do not insist that these things are done by Act and not by regulation. We will sort that out as the Bill goes through.

One way or another, I have covered almost everything raised by members opposite. I cannot think of any issue I have forgotten. If there is one, I am sure that, during what will be a long night, members opposite will remind me of anything I have forgotten. I thank all members on both sides of the House who have contributed to the debate. It is an important debate. Our road building program depends on it. It is an integral part of our budget and, as such, I expect the House to support the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Interpretation.'

The Hon. D.C. WOTTON: I seek your advice on this matter, Mr Chairman. I presume that the first amendment to clause 3, page 1, that the clause be opposed would be seen as the amendment on which a couple of more significant amendments are based. I refer particularly to the matter of the primary producer concession and the local government concession. I believe that it would be appropriate for me to debate those two issues at this time, as I believe that other matters are consequential on that decision.

The CHAIRMAN: The honourable member is opposing the clause rather than moving any amendment to it, but it would suit the Committee to have a broader ranging debate on clause 3 and not some of the other subsequent clauses, if that is the honourable member's intention.

The Hon. D.C. WOTTON: That is my intention, although the opportunity is there for any member of this Committee to speak on any clause, and I am sure that many members will take that opportunity. The two major areas to which I wish to refer are, first—

The CHAIRMAN: If the honourable member adopts that course, it will have to be with the agreement of the Committee. If the Chair hears no dissent from that viewpoint, I assume that it is agreed by members of the Committee.

The Hon. FRANK BLEVINS: I do not believe for one minute that the member for Heysen can deliver. I believe

that, if that consent is given, we will have two debates. However, I will not oppose it. I hope I am wrong.

The CHAIRMAN: The Committee has proceeded along those lines in the past. The Chair intends to continue that practice unless there is strong opposition from members of the Committee. At this stage, I have not heard that. In the absence of that opposition, I call the member for Heysen.

The Hon. D.C. WOTTON: I will continue on that basis. The two sections of legislation we seek to amend are, first, clause 11 where, at page 2, line 27, the Opposition would oppose that clause and, in its place, insert a new clause relating to registration fees for certain vehicles owned by councils, and other matters. Members who have the amendments in front of them will realise that this is a very complicated and extensive area. The clause we wish to substitute relates to the registration fee payable in respect of an application to register:

(a) any motor vehicle owned by a municipal or district council and used solely or mainly in connection with the construction or maintenance of roads, or

(b) any motor vehicle owned by a municipal or district council or by a controlling authority under the Local Government Act 1934 and used solely or mainly for the collection and transport of household rubbish.

Such fee should be 'one-half of the prescribed registration fee'. The proposed amendment goes on to provide:

(2) This section does not apply to or in relation to any motor vehicle in respect of which a reduced fee is payable pursuant to any provision of this Act other than this section.

This provision was canvassed widely during the second reading debate. I was able to indicate to the House then that there has been strong representation from local government. I was able—

The Hon. Frank Blevins interjecting:

The Hon. D.C. WOTTON: There has certainly been strong representation to members of the Opposition. I referred to letters, and I know that other members have received letters. Also, I received representation from the Local Government Association. It is totally appropriate for the legislation to be amended to provide for a 50 per cent reduction in fees for vehicles under local government control. As I pointed out, in some cases some councils—and I would imagine only a minority of councils—would use these vehicles for other purposes. The majority would use such vehicles particularly for the construction of roads and, as such, should continue to receive some assistance by way of a concession. We believe that it is not appropriate to give councils a total concession, as was the case previously, but that we should look at a 50 per cent concession, which is why we believe strongly that the amendment should be supported.

Certainly, it would have the support of local government in this State and, as such, I would have thought it appropriate for the Government to consider that need. The other clause that I wish to deal with is clause 14, where we believe that paragraph *(a)* should be struck out. That paragraph removes the concession for primary producers. I have spoken at length on this matter as have many of my colleagues. The principal Act provides that commercial vehicles registered by primary producers attract a 50 per cent reduction in fees.

If the Bill passes in its present form, that concession in respect of light commercial vehicles less than two tonnes mass would be discontinued. The Minister claims that these vehicles are often used for purposes other than in connection with primary production. In replying to the second reading, the Minister referred to rorts that are carried out by some primary producers. As I did in the second reading debate, I remind the Minister that, when the UF&S sought some detail from the Minister and the Government as to the rorts that were being carried out, the Minister was unable to provide any such information to back up that claim.

As has been pointed out, particularly by the member for Alexandra, on a few occasions such rorts might have occurred. However, in the majority of cases the concession is needed, especially as it has been accepted over a long period. In my second reading speech I referred to the strong support the Opposition has received from the UF&S in attempting to have this concession retained. The UF&S has corresponded with both the Minister and the Premier in attempting to ensure that this concession continues. We believe that it is important because of the financial difficulties that presently confront rural producers. For that reason it would be totally insensitive on the part of the Government to proceed with the legislation at this time.

Therefore, I urge the Minister to support the point of view that has been put forward by the Opposition in regard to both of these matters and the other matters that relate to this provision. For local government and for primary producers in this State the concession is essential. Opposition members have attempted to make the position clear to the Minister, particularly in respect of primary producers in this State, and I urge the Committee to support our amendments.

Mr VENNING: I was amazed at the tone of the Minister's speech during the second reading debate. In fact, it put my mind back about 10 years when I heard the Minister addressing a farmers' march in Elder Park. I heard the same tone, care and thought as I heard tonight. Sometimes I wonder whether the Minister has a prejudice against rural people. The Minister claims that it is only $1.26 a week—18 cents a day, if the Minister wants to be that pedantic—but it is still a cost that has to be found at this time. However, there has not been a worse time since the 1930s. I object to my personal application being raised here.

The Hon. Frank Blevins: You brought it up.

Mr VENNING: I gave it as an example. I pay my income tax, which is a fair tax and which we pay according to our ability to earn. Whether I can afford $3.86 a week on my three vehicles has nothing to do with it. I am here representing the people of my electorate, the majority of whom are primary producers. The Minister sits there most callously and cruelly and says, 'You can afford it. The people in the country can afford it. It is only $1.26 a week. What is that?'

I would like to show the Minister farm books which indicate a negative income by 35 to 40 per cent. People are asking for answers. They ring me up and ask what they can do about the situation. Certainly, I cannot sit in this place and allow the Government to apply a further impost. I know that it is not substantial, but it is another impost and a principle is involved. I had hoped for some sympathy in this debate. I thought that most members opposite had a conscience and some feeling. Contributions from the other side, particularly from the member for Gilles, were a shock. I knew the honourable member's father well. Mr David McKee came from the Port Pirie area and I am sure that the farmers from Wandearah and the Napperby area would not be at all happy to hear his son's speech tonight. The honourable member talked about the fighting fund, but that has nothing to do with this subject at all.

What has the fighting fund to do with primary producer registration in South Australia in respect of a local State tax? That comment was crazy. I am sure the people of Wandearah and Napperby will wonder about that. I am sure that Mr McKee, as the then member for Port Pirie, would not have dished that out. I refer to the speech of the member for Napier. His speech was completely contempt-

ible. He is the rural rump of the Labor Party. Back in the days when Tom Casey was on that side of the House—

Mr Quirke: A top bloke.

Mr VENNING: He was a top bloke, as the interjector suggests. He was a good fellow, and I saw him here last week. Mr Casey would not have sat over there as coolly and as callously as members opposite. This is an instance when, more than ever before, I as a Liberal can say whatever I like. I suffer the consequences in my Party room. I know that there are four or five of you people opposite—

The CHAIRMAN: Order! The honourable member must refer to members by their districts.

Mr VENNING: I am sorry, Sir; my inexperience shows. There are honourable members over there who would like—

Members interjecting:

The CHAIRMAN: Order! Members will cease interjecting.

Mr VENNING: —to vote with their conscience and agree that this is not the place or the time to be heisting a cost on to a sector that is reeling; a sector that probably does not realise how bad the situation is. Come 30 June when it is tax time we will see the true result and, as Mr Keating has said, things are worse than he thought and we are now in a recession. Last Friday we had the Premier in Clare. I was pleased to see him there; I hope he comes again. The Premier had a sympathetic ear for the many farmers who came along last Friday, but what the Government is doing tonight just smacks of a double standard. It is hypocrisy to say the least!—hollow rhetoric!

Personally, I have a high regard for the Minister of Agriculture. He is a man of morals and courage whom I have heard speak in the country on many occasions. I would presume that he is not particularly happy with this Bill. But, the Labor Party being what it is, the decision is made in the Caucus room—and that is it.

The Minister of Transport then comes in here and callously serves up a deal like this. I honestly feel that the Minister spoke with a fair amount of indignation tonight, as he did when he addressed the second farmers' march. If I remember clearly, I think at the first march he was very sympathetic. At the second march he was a brave man, and he spoke about what was required and received a bit of a serve for it.

The Minister of Transport seems to have a prejudice against rural people. I honestly wonder how rough things would have to get before the Minister of Transport would act. The Minister of Transport represents the district of Whyalla so, as he drives through the country, he must see the vehicles out there in the paddocks; he would see what they are used for. Old prejudices die hard, but I acknowledge the professionalism of the Minister. I acknowledge and appreciate the dealings I have had with his office as being very professional. However, I wish he were a little more sympathetic in his dealings with things like this. Tonight I will dream about this $1.26 a week—

An honourable member: It's $1.15.

Mr VENNING: Sorry, $1.15—I did not catch it. That money has to be found. As I said before, I object to my case being used to cloud the issue. My family now runs that farm business; my son runs it and I am divorced from it completely. If members opposite think that I am not, they do not realise that this job is far more demanding than it was for my father 12 or 15 years ago. To do it properly, it is a full-time profession. I do not want my past position and the situation on my farm to be used against my constituents, the people I represent. I am here to represent the people of my electorate. I was hopeful this afternoon that in this debate there would be members opposite who had a conscience. I am sure members opposite would not agree with the sentiment of the Minister or the tone of the speech he gave here a few minutes ago.

I am disappointed. I had hoped that the two members who are critical of the Government's position would have listened to the debate today to compare the speeches from either side of the House. I hope that they heard the difference between the two sides. Were members speaking with conviction, were they speaking with emotion, or were they saying what their peers wanted them to say? I am very disappointed that there is not a member opposite who can speak on this issue. I feel that is probably where we have been let down. I hope that the Government will accept the Opposition's amendments.

The CHAIRMAN: Order! I have to point out to the Committee that there are no amendments to clause 3 before the Chair. The member for Heysen is simply opposing the clause.

The Hon. TED CHAPMAN: The very point you raise, Mr Chairman, is the matter that I wish to address briefly. In my limited experience in this place, when dealing with clauses in the Committee stages the opportunity is provided for members to ask questions—it is not to extend the second reading debate. I acknowledge the licence that was given to the member for Custance who spoke before me because he was continually provoked by the Minister.

Mr Ingerson interjecting:

The Hon. TED CHAPMAN: No, I am just pre-empting my question to the Chairman as to when it might be appropriate for me to raise a question in relation to this clause.

The CHAIRMAN: Immediately.

The Hon. TED CHAPMAN: Thank you. How does the Minister or his department justify increasing the current $60 registration fee for one resident in the outer areas of this State and doubling it for another, simply because those people happen to be in separate professions? If the Minister needs any further explanation to that question, I cite my neighbour who is a schoolteacher and my son, each with vehicles registered on the same road side, side by side, property by property. Under the new legislation, one will be required, for a vehicle of less than two tonne mass weight to pay $60 registration while the next door neighbour with exactly the same vehicle but of a different profession, being a resident and ratepayer in the same district, will pay $120. Why?

The Hon. FRANK BLEVINS: Well, I will deal with the comments in order. I promise both the member for Custance and the member for Heysen that I will come back to their contributions shortly. If the member for Alexandra is saying that the concession for everyone who lives in what is known as the outside areas ought to be removed and ought to be the same as that for primary producers, he should say so. He should move an amendment to that effect. Primary producers will still be better off. His son will still be better off than the teacher, even with the removal of this concession, because the concession of $100 on compulsory third party insurance will remain for the primary producer, but it will not apply to the person who is not a primary producer, lives next door and parks their vehicle alongside the son's vehicle. His son will still be better off. He may not be quite as well off as before, but he will still be better off.

The Hon. TED CHAPMAN: I seek to pursue the Minister's answer because my question related specifically to the registration component. I was proposing to come to the other components in order: to clarify that the stamp duty figure is not to alter, accepting what the Minister said in the latter stages of his second reading reply, and finally to come to the component which covers the third party insur-

ance premium. I deal specifically with the registration factor first. It is the factor for which the Minister's registration office is entirely responsible. The SGIC is another department, albeit under the canopy or portfolio of the Minister or one of his colleagues, or both—I do not know and I do not mind.

The Hon. Frank Blevins: The Treasurer.

The Hon. TED CHAPMAN: There you are, it is a separate department, even though it is charged in conjunction with the registration of the motor vehicle. However, dealing specifically with the registration fee, we will have two levels. Currently, a resident of Kangaroo Island pays $60 registration fee, irrespective of their profession or age. The registration component of their certificate is $60 on the vehicles that we referred to earlier—a six cylinder Holden utility or a Ford Falcon utility of a similar weight capacity.

However, it is proposed to increase the primary producer's registration to $120, and I want to know the Minister's justification, without trying to tie it to the cost of the tyres or the petrol, which a primary producer can buy at one rate and someone else can buy at possibly another. I want the Minister to tie it not to capacity to pay, respective incomes or anything that is unrelated, but specifically to the justification of how one registration fee for exactly the same make, capacity and age of vehicle as that owned by a neighbour can be increased by 100 per cent. It is fair that this Parliament be informed of how that can be justified.

The Hon. FRANK BLEVINS: Again, I will deal with the question, whilst not forgetting the member for Custance and the member for Heysen. The questions of registration and compulsory third party insurance are inexorably linked. They cannot be separated. There is no option. I think that the constituents of the member for Alexandra would be quite alarmed at the direction in which this debate is going because he is drawing the situation to the attention of the Government and others who happen quite by accident not to live in an unincorporated area, such as the member for Flinders who straddles the two, as does the honourable member's district and my district.

Now that it has been drawn to our attention by the honourable member, we may have to look at it, but we would look at them together. We would not look at them separately, because it may well be that SGIC does not consider that the concession—a very large concession to primary producers—is warranted. I do not know. In the interests of the Districts of Flinders, Alexandra and Eyre, as well as my electorate, I would have thought the honourable member would lie low but, as he seems to wish to pursue it, I will bear in mind everything he has said.

The member for Custance made some protest about his interest in three vehicles and 23 vintage cars being mentioned in the debate. That was mentioned in the debate by way of illustration, but was introduced into the debate by the member for Custance. If the member for Custance did not want that mentioned or debated, why did he raise the matter?

Mr Venning interjecting:

The Hon. FRANK BLEVINS: Well, if these matters are raised in debate, they are in the arena. I thought they were debated in a very friendly and personal way. It was very mild. The violins were out for the primary producers of this State, and I am very happy to join in the chorus. We reached the stage where I thought we were listening to a Cook and Moore record of who was the poorest and who was going through the most hardship in the honourable member's electorate. He said that he could take me around and show me the books. If the honourable member wanted to see poverty, I could take him around my electorate and show him those who get none of these concessions. In my electorate, 8 000 people alone have had to flee the town because of unemployment.

It is the second poorest city in Australia—second only to Fremantle. Please do not start some obscene auction here of who can demonstrate the most poverty. I do not think it helps. Do not say that people on this side do not have compassion. The District of Spence probably has one of the lowest average incomes in the State. There is enormous poverty in that area. Members opposite should stop saying that in their districts there is greater poverty than anywhere else. The unemployed in Whyalla and the unemployed in Spence do not get a concession on registration or the concessions on third party insurance premiums that primary producers will still get, and I am supporting their keeping that concession. Members should not bring that kind of stuff into the debate. Everyone knows about poverty and where it is. We do not have to lay it all out and boast about who is the poorest and who lives on the least, as though it were some record.

The member for Heysen repeated his second reading contribution, but a little more briefly, for which I was grateful. Nevertheless, it was a repetition of his second reading contribution. I answered each of those points when I responded to the second reading debate. However, as I am quite sure that a number of members opposite will repeat the points made, I am afraid I will have to go through it again; I was hoping to avoid it, but clearly we cannot.

I thought I had covered fully the question of concessions to councils. Some members opposite protested that the councils did not fight alongside the UF&S to maintain their concession. I did not say that; it was said by members opposite. I think that the LGA and a couple of councils made representations to me and I acknowledge that perhaps members opposite were being a little hard on local government. I think the member for Flinders was one member who was a little hard. Nevertheless, I do take the point that it was not exactly marching in the streets. As I mentioned, the reason for that was that the case was very weak. If a council has private contractors doing work in its area, something that all members opposite applaud, these contractors do not get the concession. Why should the private sector have to pay when the council does not? Where is the logic in that? The ratepayers are still paying for the service to be performed, but it is performed by the private sector—which members opposite ought to applaud—but through the public sector, which is how we can describe the council. There is no answer to that. The case is very weak.

The concession for primary producers, as I said works out at $1.15 a week. Quite properly, primary producers want a very vigorous Department of Agriculture, a very expensive department. I am not knocking that at all. They want a road program. If I agree to every request made by members opposite in relation to roads in rural areas, we would be spending money on nothing else. The entire road program would go. Obviously we have a road program to maintain and we intend to keep it going for as long as we possibly can. We may not be able to keep it going forever if the State's income continues to decline, but we will fight to keep it going for as long as we can. A considerable amount of the funding is spent in rural areas. Every member here knows that. The member for Flinders would know what we are spending on the Flinders Highway, and numerous other roads. No one likes an increase in charges: I agree that taxpayers in my electorate and in every other electorate, whether or not they can afford it, have had their taxes increased. Everyone has paid something under this budget

and we make no apologies for that because we have a public sector program that we want to maintain at a certain level, and we will go to the election on that program and on that level of spending and taxation.

When we are talking about finding the money to maintain a program, we do look at concessions. It is not just primary producer concessions that have been considered—they have not been targeted or singled out as being the only concessions to go. There are other concessions and members should look at the totality of what has been done in this area regarding the removal of concessions. They have affected a whole range of metropolitan people too; changes have been made across the board to keep our programs going. So, I really do not want to repeat my second reading response to every member opposite but, out of courtesy to their contributions, I will feel it is necessary to do so. if members opposite continue.

The Hon. TED CHAPMAN: I have no intention of indulging in furthering the second reading debate—as it has been referred to—but I want to come back to the gross anomaly which is incorporated in this clause and which the Opposition opposes. The cold hard facts of the matter are that the cost of registration of a Holden vehicle in South Australia—to continue with the example—is $120 for the metropolitan owner of that vehicle and for the primary producer owner, but not for the non-primary producer in the limited outer areas of the State. Those latter people, as non-primary producers, in the Far North, the pastoral regions and on Kangaroo Island, will pay half the registration fee, that is, $60. I think that that represents a gross anomaly in itself.

The Minister has not even attempted to explain why he persists in that direction, except to deliver a threat that my raising of this subject may prompt him or his Government to pick it up and run with it. He said that it might have planted in their mind an idea that is worth pursuing; that perhaps they have missed something and that they have now been reminded of it, and therefore have been provided with another avenue by which to extract more money from that little segment of the community I have just described. They are the cold hard facts of the matter in relation to the vehicle registration component of the total cost applicable to the annual fees.

Equally, on the other side of the coin, we have this ridiculous situation where, at the moment, the third party compulsory insurance premium on a non-primary producer's vehicle in the outer areas, under the old legislation, is $144 per annum and under that same old legislation, a primary producer's third party insurance was $43. In other words, the concession extention was recognised towards the primary sector by the SGIC—the only insuring authority in this State under the legislation that can indulge in such policies.

Under the new legislation, it is proposed to leave the non-primary producers' insurance premium in those outer areas at $144, but it is also proposed to leave the $43 for the primary producers' insurance under the new policy. So, we have two anomalies .We have one differential between one person and his neighbour on the registration component and we have another differential between the primary producer and his non-primary producer neighbour on the other component. Why does the Government not take the opportunity, if it wants to meddle with the thing and recognise the situation on behalf of the primary producer, and put it into a bit of order? It can provide the same sort of recognition for the primary sector under the new legislation as it has now, and it can do it cleanly and properly and stop this mucking around with a whole gobbledegook of figures and component parts that are inconsistent. It is a mess.

The Minister should grasp this opportunity. I see him chuckling away, thinking that it is a chance for him to charge the primary producer a bit more and to up the rates for non-primary producers. It will only worsen the situation. The Government should clean it up and recognise that people in the outer areas of the State, irrespective of whether they are primary producers or school teachers because they live in the same community and face the same problems, should enjoy the same concessional rates. In my view, they ought to pay the rates that apply now for primary producers in this State.

The registration component should be exactly the same: $60 for the primary producer and $60 for the non-primary producer. It should not be a doubling up of the primary producer rate and the retention of the other insurance differentials that apply. As soon as I sit down, the Minister will say that, under the new system, the primary producer will register his Holden ute for $166, all up for one year. The non-primary producer will pay $43 more, that is, $207, so the differential is retained. It is an absolute bureaucratic mess.

Why does the same differential not apply on the insurance policy if a schoolteacher is a greater risk than a primary producer when driving a motor vehicle in the field? I do not believe that the third party associated with an accident involving a schoolteacher is any more vulnerable than a third party involved in an accident with a primary producer. It is absolute rubbish, unless there is some other justification for this massive difference between the two groups living side by side in the outer areas.

This is the only part of Bill that contains this mess. All the rest of the registration and insurance is the same within the metropolitan region, whatever the owners' colour or profession, age or activity. A lawyer does not pay any different registration and insurance component in his annual fees on his vehicle than does the hotel keeper, the teacher, the parliamentarian or anyone else who lives within the confines and luxuries of the metropolitan region.

The only messy part with this whole thing is out in the big paddock. As I admitted earlier this evening, before I became involved in this debate at all, I was of the opinion that all of those people out there in the field, in the distant outer areas as prescribed within this State, were on the same rates, but I found that that was not so. The Government had the opportunity to fix it up and have that occur, but it has mucked it up again. It has made the situation worse under the new legislation and it is much more discriminatory between one section of the community and the other by going about it this way.

In the meantime, the non-primary producer in the outer area will pay exactly the same total fee on his vehicle, that is, the combined fee of insurance and registration, if the legislation goes through, as he paid previously. However, the primary producer will pay substantially more on exactly the same vehicle in the field. In fact, he will pay $60 a year more on the same vehicle after the legislation is passed than he paid before. He is the only victim in this legislation—not the teacher, not the storekeeper, not the bank employee, not the wharf labourer, not any other employee around town or in the outer areas. Only practising primary producers will cop the extra fee under this legislation, quite exclusively.

Having identified that factor, I believe that in all fairness the Minister should rethink his position and withdraw his threats that, because anomalies have been raised, the Government might take the opportunity to have yet another

shaft at those involved and increase their rates. That was the implication in the Minister's comments. It is quite disgraceful for any Minister—I do not care who it is and I do not care what the politics are—to use the opportunity in a place like this where laws are made to seek to threaten and intimidate members in the way in which the Minister's comments implied. It is quite inappropriate. The matter ought to be more important than to warrant that sort of behaviour. Answers have not been provided (without threats) to the questions that have been raised in relation to these anomalies.

The Hon. R.J. Gregory interjecting:

The CHAIRMAN: Order! The Minister of Labour is out of order.

The Hon. TED CHAPMAN: The Minister of Labour is out of his seat, out of order and outside the courtesy requirements of this place in his behaviour. He is yet another Minister who carries on like this. The Opposition is seeking just a little clarification on one element of the Bill before the Committee, and it is fair that we get it.

The Hon. FRANK BLEVINS: I wish to make clear that I am not threatening the member for Alexandra and I am quite sure that I am not intimidating him. I would not have thought that the honourable member had been intimidated in very many years. The argument that there is an anomaly is a powerful one and I wish it had not been raised. Those members who, like me, have small pockets of unincorporated areas in their electorate—I refer to the member for Flinders and, perhaps, the member for Custance—are caught up in this anomalous situation, but there is no real problem. If the member for Alexandra wants his primary producers to pay exactly the same amount of registration as the teacher who lives next door, it is very simple. All he has to do is not take the primary producer concession, and to register the vehicle for $60, which is exactly the same as the teacher pays.

It is open for all primary producers on Kangaroo Island to do that. They do not have to pay the $120 registration fee, if we just isolate registration, as the honourable member suggested. He does not want to talk about third party insurance. That is fine; let us debate this on his terms. The answer to his problem is very simple. No primary producer on Kangaroo Island has to pay $120. His son is perfectly free to register his vehicle under the outside areas provision and pay only $60. He is free to do that.

The problem has been solved, and I hope that at this stage we take the problem no further. He is free, under the rules you laid down. You laid the rules down, and you have been caught. All your son has to do is forget the primary producer, take a 50 per cent rebate and register for $60 under the outside areas provision. That is what a significant number of my constituents do as do constituents of the member for Flinders and the member for Eyre, people on Kangaroo Island, and so on. They pay only $60. It is open to your son and any other primary producer in those areas to do the same.

The CHAIRMAN: Order! I ask the Minister to refer to other members by their electoral districts.

The Hon. FRANK BLEVINS: I think we will leave that point now and, I hope, forever.

Mr BLACKER: Has an assessment been made by the Government as to approximately how much money this change is expected to bring in for the Government, both from primary producers and separately from the local government?

The Hon. FRANK BLEVINS: Added to $1.8 million is the prospect of $138 000 from primary producers; council maintenance, $727 000; council rubbish collection, $160 000; and the administrative fee, $135 000. That makes a grand total of $2.977 million.

The Hon. D.C. WOTTON: I want to say, because the vote is about to be taken, that I regret that the Minister has adopted such a stance on this matter. It is all very well for him to come into this Chamber and tell members on this side of the House what they should and should not be saying, but it is the prerogative of any member here to say what he or she wishes and how to say it. If the Minister believes that any members on this side are repeating themselves, or repeating what might have been said before, it is up to those individual members. I regret that, with all that has been said on this side, it would seem obvious that we were not able to convince the Minister of the importance of opposing the clause. However, I urge all other members to oppose the clause.

The Hon. FRANK BLEVINS: It always seems rude when someone speaks to me not to respond. The member for Heysen gave me a small sermon on the rights of members. I have no objection at all to how many times members speak, how they speak or what they say, provided it is within Standing Orders, and that is what the Chair is here for. It is of no concern to me. The only thing I will point out is that, if members make a contribution, they expect a reply. If 15 members opposite can stand up and make a contribution, that means my saying the same thing 15 times when it has already been said in Committee. However, I am happy to do that if that is the way members of the Opposition want to conduct the debate. I am not being critical of members opposite, I am only pointing out that, for one person to respond to each individual member, it can be a little repetitious; but, there again, the time spent going through this Bill is the Opposition's time. How members of the Opposition manage their time is entirely up to them; it is of no consequence to me.

Mr VENNING: Obviously, the Government sees this Bill as a way of raising money. That is how I have seen the argument tonight. The Minister said that the rural areas are over-subsidised now in relation to electricity, water, and so on. That electriticy supply would not be there at all if it had not been for the late Sir Thomas Playford. The cost of putting on a reconnection today is prohibitive, and people do not do it. How many rural people have a water supply? There is no water in Watervale and other areas. What was the actual cost to the Government when it provided free bus transport for children about three weeks prior to the election? I notice that the scheme has now been modified. What is the amended cost? Many enterprises in which the Government has become involved have failed. I think the figure of $3 million looks so piffling. I am not aspersing these projects, but proportionately people in rural areas will not utilise facilities such as the entertainment centre. What will be the cost of the entertainment centre to the taxpayers of South Australia? We all wear the cost—and not only of putting it there but, afterwards, the cost of running it.

The Festival Theatre does not pay for itself, although I am not saying that it should not be there. What is the total cost of the STA—$130 million! I am asking the Minister to be fair when he comes out with statements that we are over-subsidised. Where is the Minister's $3 million now? I do not think it is the argument at all. It is just a matter of prejudice. I have been in this place for six months and I have been enlightened by the cooperation that occurs across the floor of this Chamber.

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

That the time for moving the adjournment of the House be extended beyond 10 p.m.

Motion carried.

Mr VENNING: The high cost of the services the Government provides, which many city people take for granted, runs into millions and millions of dollars, as with the STA, the entertainment centre and many other facilities. This Bill is about $3 million, and I cannot believe it. As I was saying, I have been in this place for six months, and this is the first time I have seen an absolute stand up. That is what it is: a backs to the wall approach—pure politics.

I am a little disenchanted at the blatant attitude of members opposite. They have no sympathy: they are basically hypocritical about all rural problems. We have not seen the worst yet bit they come here tonight to give us a serve. I do not wish to repeat myself, but I seek answers to my questions.

The Hon. FRANK BLEVINS: I expect the member for Custance to examine *Hansard* and, after doing so, to reflect on his statement that I said that rural areas were over subsidised. He will find that I said nothing of the sort. What I did say—and I am very happy to go through it again—is that as someone who lives almost twice as far from the metropolitan area as the member for Custance (about 400 kilometres as opposed to 200 kilometres), I am well aware of the services supplied to people outside the metropolitan area of this State.

What I have often said when people such as the member for Custance complain about the STA is that I have never really wanted a balance sheet drawn up showing the *per capita* allocations of Government spending in this State, because—and the member for Custance may not know this—of the additional cost in supplying Government services outside the metropolitan area. It is very significant and, I think, totally justified. I have more reason to think that it is totally justified than has the member for Custance. I am not saying that people who live outside the metropolitan area are over subsidised at all. In fact, I believe that the level of service provided to people outside the metropolitan area is not one cent more than that to which they are entitled. Many areas would welcome, need and use more.

The question of the cost of the STA has been raised. I think the specific question was: what is the cost of free transport for school children? The cost has been publicised repeatedly. The estimated cost was around $7 million. I think that it came in slightly under budget at $6.9 million. In relation to the modification, the savings to the Government is of the order of $150 000. The cost of Government enterprises is a broad question, and I do not know that I can give the member for Custance an answer off the top of my head. The honourable member would have to be a bit more specific as to precisely which enterprises he was interested in, and then I would be able to assist him. I point out that not all these enterprises are in the metropolitan area. A number of them are outside, in an attempt to create employment in non-metropolitan areas, and some of them are very large, particularly if you look at the South-East.

If the member for Custance says, for example, that we should not have those, that is something he is entitled to say, but I am sure that other members of his Party who represent those areas would argue against him. The same goes for SAMCOR. I am quite sure that members here have used SAMCOR in previous careers. It is a very expensive operation. I am not sure whether the member for Custance is saying that we should get out of SAMCOR—

Mr Venning: Hear, hear!

The Hon. FRANK BLEVINS: The honourable member can take that up as a personal crusade, to close down SAMCOR.

Mr Venning: No—private enterprise.

The Hon. FRANK BLEVINS: I should be interested to see how far that goes.

Mr Venning: We will get the chance.

The Hon. FRANK BLEVINS: I look forward to the debate. I will find it very interesting. As regards the entertainment centre, it is arguable as to whether we ought to have an entertainment centre. Both the Party of the member for Custance and the Government said before the last election that an entertainment centre would be built. If the member for Custance is critical of that, I remind him that it was a policy of his Party before the last election, as well as a policy of the Labor Party.

If it is an undesirable facility, it may be a case of the pot calling the kettle black. That is something the member for Custance will have to take up within the Liberal Party. I think that those were all the questions the honourable member asked, although he is free to ask any other questions that are relevant to the Bill.

The Committee divided on the clause:

Ayes (21)—Messrs L.M.F. Arnold, Atkinson, Bannon, Blevins (teller), Crafter, De Laine, Ferguson, Gregory, Groom, Hamilton, Hemmings, Heron and Holloway, Mrs Hutchison, Messrs Klunder, McKee, Mayes, Peterson, Quirke, Rann and Trainer.

Noes (21)—Messrs Allison, Armitage, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, Blacker and Brindal, Ms Cashmore, Messrs Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn and Ingerson, Mrs Kotz, Messrs Lewis, Meier, Such, Venning and Wotton (teller).

Pairs—Ayes—Dr Hopgood and Ms Lenehan. Noes—Messrs Matthew and Oswald.

The CHAIRMAN: There are 21 Ayes and 21 Noes. There being an equality of votes, I give my casting vote to the Ayes.

Clause thus passed.

The CHAIRMAN: Which amendments does the member for Heysen no longer intend to proceed with?

The Hon. D.C. WOTTON: I do not wish to proceed with the amendments on file to clauses 11 and 14.

Clause 4—'Permits to drive vehicle without registration.'

The Hon. D.C. WOTTON: I move:

Page 1, lines 29 to 35—Leave out paragraphs *(a)* and *(b)* and substitute:

(a) by inserting after subsection (1) the following subsections:

(1a) Subject to this section, the Registrar must—

(a) on application by the owner of a vintage motor vehicle (being a person who is a car club approved by the Registrar);

and

(b) on payment of the prescribed fee and appropriate insurance premium,

issue to the owner of the vehicle a permit (referred to in this section as a 'club permit') authorising the vehicle to be driven on roads without registration.

(1b) The Registrar must not issue a club permit unless he or she is satisfied that the motor vehicle in respect of which application for the permit has been made will not, if driven on a road, put the safety of persons using the road at risk.

(1c) A club permit is subject to the following conditions:

(a) a condition limiting the use on a road of the motor vehicle to which the permit relates to—

(i) the use of the vehicle in connection with official activities organised by or under the auspices of an association approved by the Registrar for the purposes of this section;

or

(ii) the use of the vehicle in connection with the preparation of the vehicle for such activities;

and

(b) any other condition that the Registrar thinks necessary to ensure that the safety of persons using a road on which the vehicle may be driven is not endangered.

(1d) For the purposes of subsection (1a)—

'vintage motor vehicle' means a motor vehicle manufactured more than 25 years before the date of application for the club permit.;

(b) by striking out paragraph *(a)* of subsection (2) and substituting the following paragraph:

(a) the registration or administration fee (if any) payable under the regulations;;

(c) by inserting after subparagraph (i) of paragraph *(b)* of subsection (7) the following subparagraph:

(ia) in the case of a permit under subsection *(1a)*—on the expiration of 12 months from the date of issue of the permit;;

(d) by striking out from subsection (10) 'subsection (1)' and substituting 'this section';

(e) by inserting 'or (1a)' in subsection (12) after 'subsection (1)';

and

(f) by striking out from subsection (14) 'registration fee' and substituting 'registration or administration fee'.

The amendment provides for owners of veteran, vintage, classic and historical cars to apply for an annual permit at a reduced fee. I canvassed this amendment widely in the second reading. We are looking to provide a further alternative for the owners of these cars to register their vehicles at the full fee, thereby gaining unrestricted use of such vehicles, or to apply for a permit under section 16 for the duration of one to three days and now, to add a third alternative, to provide for owners to apply for an annual permit at a reduced fee.

The Opposition has received strong representation on this matter. Many people in this State fall into this category, having an interest in such vehicles. I have already referred to the discrepancies that exist throughout Australia in respect of fees. Let me remind the Committee of what those fees are. Currently in South Australia the cost is $10 (and it will be increased to $15 in November) for a permit for one to three days. In Victoria it is $71 for an annual licence. In Western Australia it is $34 for an annual licence and $25 for six months. In Tasmania it is $62 for 12 months. In Queensland it is $68 for 12 months, and in New South Wales it is $60 for 12 months.

I remind the Committee again that the owners of such cars in South Australia are required to obtain a $10 permit, even if they want to drive their vehicles to a nearby mechanic for maintenance or for a short road test, whatever the case may be. In most other States, as I have indicated, the annual permit provides for club authorised road testing and vehicle transfer between garages. I indicated this afternoon that I had been provided with information relating to the Victorian legislation to provide what we are seeking to introduce into the legislation in this Chamber, and I urge the Committee to support the amendment.

The Hon. FRANK BLEVINS: The member for Heysen was relatively brief in moving his amendment, and I will respond in kind. I acknowledged in my second reading response that I was still not completely happy with the present provisions. At this stage I do not accept that the amendment is a totally desirable outcome. I would have some concern about the amendment if I was the owner of such a vehicle or a number of such vehicles. It may well be that what suits an owner with a large number of vehicles would not suit the owner of only one vehicle. We have to be careful about the way the provision is constructed.

I am happy to continue my discussions with the Veteran and Vintage Car Owners Association of South Australia to see whether an appropriate system can be put in place to take account of the varying needs of owners. There is not total agreement amongst owners. I will not name them, but those with a large number of vehicles have different requirements, as they see it, from owners with only one vehicle. It is not as easy as the member for Heysen suggests. In any event, I do not believe that this Bill is the proper place to deal with it. I can assure the Committee that the matter will be dealt with and I am sure that, with the tremendous goodwill and negotiation skills for which this Government is well known, we will be able to come to some accommodation with the Veteran and Vintage Car Owners Association. I urge the Committee to reject the amendment.

Amendment negatived; clause passed.

Clauses 5 to 8 passed.

Clause 9—'Regulation of registration and administration fees.'

The Hon. D.C. WOTTON: I move:

Page 2, lines 17 to 19—Leave out 'the following paragraphs:' and paragraph *(d)* and substitute 'the following word and paragraph:'.

In canvassing this amendment, I will also canvass my amendment to clause 10, because the intention is to bring back into the legislation a number of matters that are referred to in regulation. As I pointed out in the second reading debate, currently provisions relating to the registration of motor vehicles at a reduced fee are contained in the Motor Vehicles Act, while provisions relating to registrations without fee are contained in both the Act and the regulations.

In this Bill the Government is attempting to rationalise all these provisions by placing them in the regulations. As I pointed out today, I support the rationalisation argument, but the Opposition believes it appropriate that these provisions be placed in the Act and not in the regulations, thus ensuring that any future adjustments can be debated on their individual merits. I urge the Committee to support the amendment.

The Hon. FRANK BLEVINS: I oppose the amendment. I just have a disagreement with the member for Heysen. The Government believes that this area should be rationalised, as does the member for Heysen. We believe it ought to be rationalised by having the provisions in regulations and the member for Heysen does not. We will just have to agree to differ. As to provisions coming before the House, there is little difference. They will come before the House if there is an alteration to them, whether it is by way of amendment to the Act—if they are in the Act—or by way of the regulations coming through the House in the normal manner. The opportunities for debate and for action, if either House chooses, are still there. Therefore, I oppose the amendment.

Amendment negatived: clause passed.

Remaining clauses (10 to 14) and title passed.

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

That this Bill be now read a third time.

The House divided on the third reading:

Ayes (21)—Messrs L.M.F. Arnold, Atkinson, Bannon, Blevins (teller), Crafter, De Laine, M.J. Evans, Ferguson, Gregory, Groom, Hamilton, Hemmings, Heron and Holloway, Mrs Hutchison, Messrs Klunder, McKee, Mayes, Quirke, Rann and Trainer.

Noes (21)—Messrs Allison, Armitage, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, Blacker and Brindal, Ms Cashmore, Messrs Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn and Ingerson, Mrs Kotz, Messrs Lewis, Meier, Such, Venning and Wotton (teller).

Pairs—Ayes—Dr Hopgood and Ms Lenehan. Noes—Messrs Matthew and Oswald.

The DEPUTY SPEAKER: There are 21 Ayes and 21 Noes. There being an equality of votes, I cast my vote for the Ayes.

Third reading thus carried.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 3)

Received from the Legislative Council and read a first time.

ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT BILL

In Committee.

(Continued from 4 December. Page 2285.)

Clauses 2 and 3 passed.

Clause 4—'Insertion of Part IVB.'

The CHAIRMAN: It is the normal procedure of the Chair to take new sections separately when there are this number.

New section 43f—'Interpretation.'

Mr LEWIS: May I—

Members interjecting:

The CHAIRMAN: Order! The Chair is having difficulty hearing the member for Murray-Mallee.

Mr LEWIS: I wish to respond to some of the points made by the Minister in his summing up; he pointed out to me that there is only one fund for each of the existing schemes. I am talking now about the definition of 'the scheme'. As I understand it, there are certain categories within each of those funds. Never at any time have I said there were a number of schemes. I have always known and maintained that there were two, one for the staff and one for the wage earners.

The impression that the Minister got from any remarks I made in relation to there being more than one fund under each scheme arises out of my certain knowledge that there are several categories within that fund. It is a semantic argument but, upon examination, the Minister will discover that.

The old scheme and the existing scheme have been closed, as I am well aware—I quoted from the Auditor-General's Report to that effect. Several Auditor-General's Reports have made reference to the particular management of each of the schemes and the difficulties with them. I had intended to say more, but I do not wish to waste time. Referring to the board, the Minister thought that I was irritated with the Government and that I was trying to have something both ways in relation to that, when he said:

> It is interesting that the member for Murray-Mallee became very irritated with the Government on the one hand for making changes yet, on the other, indicating that the change in some other areas was not going far enough.

He then went on to say that the Opposition wants it both ways. That is nonsense: I do not want it both ways; I want it to work. I have never implied that there was anything upon which I had a divided opinion. I have made plain in the course of my remarks that the Opposition simply seeks to have the fund properly managed. The way in which the Minister commented upon my remarks was a gross misrepresentation of my intention, to say the very least, in the kindest terms possible.

The Minister also made the point in connection with the definition of, say, the rules of the fund that it is necessary for the Treasurer to make the superannuation payout and then recover the money from the ETSA superannuation fund in order to avoid paying Commonwealth tax. Not only do I understand that but also, kindly and with due respect, I offer the Minister the additional advice that the Bill provides that the new scheme will have assets which belong to the Crown.

The CHAIRMAN: Order! The honourable member is addressing proposed new section 43f, which is the definition section. The Chair would appreciate it if he would bring his remarks to the point.

Mr LEWIS: Yes. 'The scheme' means the scheme of superannuation established by this Part and by the rules. I am letting the Minister know that by that means the scheme avoids paying tax to the Commonwealth on its earnings. I have made the points that I sought to make, so I will leave the rest.

New section agreed to.

New sections 43g and 43h agreed to.

New section 43i—'The board's membership.'

Mr LEWIS: I move:

Page 2—

Lines 32 and 33—Leave out paragraph *(a)* and insert paragraph as follows:

(a) four members elected by the contributors;

Lines 38 to 41—Leave out subsection (3).

Page 3—

Lines 3 to 6—Leave out subsections (6) and (7) and insert subsections as follows:

(6) Subject to subsection (7), a member of the board will be elected or appointed for a term of three years.

(7) A member elected or appointed to fill a casual vacancy will be elected or appointed for the balance of the term of his or her predecessor.

Line 9—Insert 're-elected or' after 'not'.

The effect of these amendments is simply to have four members elected by the contributors rather than their being appointed by the trust on the nomination of a majority of the ETSA unions. The Opposition simply believes that it is better to have people in positions of responsibility elected by those whom they are said to represent, and elected directly to those positions of responsibility so that, if the contributors feel unhappy with the performance of anyone of them at any time, they can remove them and elect another in their place.

The Hon. J.H.C. KLUNDER: I am less than happy with the amendment, but I appreciate reality as well as the next person. Therefore, the amendment will not be opposed.

Amendment carried; new section as amended agreed to.

New sections 43j to 43m agreed to.

New section 43n—'Payment of benefits'.

Mr LEWIS: It is under this clause that I choose to ask questions about the history of the funds as they have existed and the way in which the new scheme will be managed. We note that the Auditor-General in his reports this year and last year, has pointed out that the schemes that have existed have not been managed within the stipulated framework of the rules. They were meant to be 70/30 and they have blown out from that. It has been a breach in the law. I would like to know, first, to within half a per cent, how badly each of those has blown out in percentage terms; that is, I want to ascertain the disparity between the amount paid by the contributors and what is required from the trust to make it up?

Looking at the other scheme—the ETSA Retiring Gratuity Scheme for retiring employees—can the Minister also give me an indication of the rules that he proposes to promulgate with respect to the percentages which must be provided by each of the contributors and the trust respectively?

The Hon. J.H.C. KLUNDER: I think the honourable member's first question dealt with the particular people who would be in charge of and on the boards of each existing scheme. For the ETSA Superannuation Scheme—the so-called staff scheme—the Chairman of the board was Mr J.

Riddle, who is the Director of Corporate Affairs in ETSA; the Deputy Chairman was Mr J. Brannan; and the members were Mr A. Auliciems and Mr B. Fisher. For the ETSA Retiring Gratuity Scheme—the so-called wages employees' scheme—the Chairman and the Deputy Chairman were the same as for the other scheme, and the members were Mr J. Korban and Mr G. Cosma.

The honourable member questioned whether there had been a breach of the law because the 70/30 provision was not being met. My advice is that it is not a breach of the law but the inability to reach the stated aim. The 77/23 percentage, which is the nearest figure I can give, applies only to the pension scheme. The other scheme relates to a pay-out figure as distinct from a notional liability, which is based on an estimation by the various people involved of how long people will live.

Mr LEWIS: I am disappointed with that. The Auditor-General's report of 1990 (page 264) states:

> The regulations of the scheme state that employees (the fund) shall contribute 30 per cent of the cost of all retirement benefits, including supplementation of pensions (that is, pension increases based on changes in the consumer price index), and ETSA provides the balance (the provision), which represents 2⅓ times the members' contributions—

in other words, it must be 7 per cent—

> and is the extent of ETSA's legal liability to the scheme.

Either the Auditor-General has it wrong or the Minister has it wrong. The rules stated that that was to be the position and the Auditor-General says that that is the legal liability of the scheme. The rules are laws. They are made under regulation powers provided in the Act, and the Auditor-General sees them as such. I do not want to quarrel on semantics. I just think that it is inappropriate for such provisions to be put into subordinate legislation, if you like, when it is not observed or followed.

The Minister acknowledged that there was a nil observance of that, even in his summary of the second reading debate, and stated that it had blown out to a 77 per cent contribution from the trust and 23 per cent from contributors in order to make up the necessary funds. I am now asking the Minister to tell us what the new rules will be and whether or not the new board will be required to work within those rules to get the necessary contributions from employees in the process of financing the scheme that is proposed in the Bill.

The Hon. J.H.C. KLUNDER: I wonder whether the honourable member is perhaps reading the words 'legal liability' differently from the way in which they are usually interpreted, in the sense that 'legal liability' refers here to the legal liability to pay those funds so that no-one runs short of superannuation pay outs or a continuous pension. There is a provision that, from time to time, the actuary can determine a different split from that 70/30 if the funds are not available from contributions made by the superannuants or people contributing to the scheme. Under the new rules, the actuary will have the same power to determine different splits.

As regard the further point made by the honourable member, I advise that a planned restructuring is in existence which, under the new scheme, will claw back from that 77/23 percentage that I mentioned earlier towards the 70/30 provision that the Act sees as its aim.

Mr LEWIS: How long is it proposed to take to 'claw back' from that deteriorated position? It is really germane to the Opposition's concern about the whole proposal to know this, to get it right. It is not reasonable or legitimate for a large quango such as ETSA as it stands at present, to expect that its employees will contribute insufficient of their salary to finance their retirement benefits and that the difference will be picked up by the consumers of the electricity sold in the charges that are made on those consumers. I referred to that in my second reading speech, to ensure that the Minister would understand the Opposition's concern about the efficiency of the trust.

It is not legitimate to go on expecting the consumers to pay the equivalent deficit for the fund of $20.4 million for the staff superannuation scheme which we are closing the book on tonight, nor to expect the same consumers to finance the deficit of $17 million that came from the so-called provision in the same scheme. Altogether, that is in excess of $37 million. It is not legitimate to have a fund that simply is badly administered, in one way or another, and results in poor sums being done, leaving deficits to be picked up out of the general revenue of ETSA to finance it. That revenue can only come from one source: the consumers. If the benefits are to be paid to the employees, they must expect to pay a reasonable contribution to get those benefits and not require consumers to finance it.

The Hon. J.H.C. KLUNDER: It is difficult to give the honourable member a specific timetable for the restructuring of the 77/23 per cent split because that restructuring is currently under discussion between the unions, ETSA and the Government. As an example of the kind of restructuring possibility that will enable a claw back situation, I refer to increased levels of commutation, which will reduce ETSA's liability while also being attractive to those employees who prefer a lump sum to a steady pension.

The CHAIRMAN: Order! The member for Murray-Mallee has spoken three times. The purpose of taking each new proposed section separately is to ensure that members have a chance to debate them adequately.

New section agreed to.

New section 43o—'The Fund.'

Mr LEWIS: We note that the assets of the fund belong to the Crown and that payment of benefits in due course can be recovered by the Crown from the trust. I will pursue the questions that I asked the Minister under that particular head. First, on behalf of the Opposition, I state that that is not satisfactory. As I reported to the House in my second reading speech, the Opposition suspected that a deal was being struck between the Government and the unions, and that is crook. A *de facto* arrangement of that kind outside the rules is unacceptable. The contributors to this overall benefit for employees in retirement must accept the fact that they have to make their contribution if they expect the fund to have the money in it that will be needed to pay their benefits in due course.

To say that it is subject to negotiation, and that is how the rules will be made, is just not good enough, because what the Minister is really doing is leaving the silent, unrepresented interests of electricity consumers to cop the bill. That means an increase in tariffs. When one looks at the policy the Government has pursued in determining the tariff structure, one finds these disparate elements. For instance, the house of God is charged more than the house of the Minister opposite, even though the same amount of electricity is consumed by both. That is not fair. Moreover, commercial rates for small business are greater than the rates charged on household tariffs for the same quantity of electricity consumed. It is not reasonable and sensible to allow this kind of policy to continue. It is the Government playing favourites as to the type of charges that will be made finally, manipulating the trust's board in the way in which it will set those tariff rates, and using the tariff mechanism to get consumers to finance the contributions to meet the retirement benefits enjoyed by the staff.

It is kind of like putting a syphon into a bigger bucket of cash and draining off as much as one likes, so long as one can get away with it. In this instance, the Opposition is telling the Government that the game is up: it is over. We will consider our position between now and when the matter is debated in the other place as to whether amendments ought to be made to the measure to require the percentages that must be contributed by the ultimate beneficiaries to be fixed in the legislation so that this jiggery-pokery that goes on does not continue.

The Hon. J.H.C. KLUNDER: I am not entirely sure that I followed all that the honourable member was trying to say. However, I assure him that there is absolutely no intention of varying the contributions that must be paid by the contributors to the scheme. Perhaps that will assist him to realise that there is absolutely no tie-up between the tariffs charged by the Electricity Trust and the contributions made by contributors to the superannuation scheme. The two existing schemes are being closed—and specifically the scheme which had an open-ended payout depending on how long people lived. They are being replaced by a scheme which gives a particular formula for the payout provisions. I think that ought to assure the honourable member that payments by contributors to the superannuation scheme will not change from previous contributions, and that there is, in fact, no link-up between the tariffs and the payments that will be made by the trust under the new scheme. In fact, this scheme is cost neutral with regard to the payments made by contributors, and eventually, as a fixed payment scheme, it takes over from the open-ended pension scheme and reduces the costs to ETSA.

Mr LEWIS: I thank the Minister for his explanation, in the early part of which he was wrong when he said there was no relationship between the tariffs charged by ETSA and the amount which its employees pay as contributions into this fund. Clearly, if the employees paid nothing into the fund, all the money would have to come from the trust itself. It would have to raise the difference between what was obtained otherwise by the contributions of the employees and what it then has to pay when it is meeting 100 per cent from tariff revenue. So, of course, it affects tariffs. When the gross revenue of the trust is between $750 million and $800 million, an additional $40 million a year is a significant percentage. I do not know what those figures are but, if they are of that order (and they may not be), clearly the Minister should be concerned.

It is important, though, that we leave on the record quite clearly the fact that whatever the contributors as employees do not pay, the consumers of electricity must pay through the tariff structure somehow. That is the only source of revenue available to the trust. That money will have to be made available so that it can be invested by the scheme, and the income from that scheme's investments will assist. The money has to come from somewhere: it cannot come from nowhere. If it does not come from the contributors, it has to come from the people who pay the bills through the tariff mechanism.

The Hon. J.H.C. KLUNDER: During my explanation I indicated that there would be absolutely no change in the rates of contributions that were going to be made by contributors to the scheme. Therefore, in respect of tariffs, a change to this new system will be cost neutral. I thought I had explained that—if I did not, I have done so now. If I already have—and I believe that I have done so—I am a bit surprised that the honourable member should choose to pick out of my explanation a small part, isolate it and then treat it as though it were different somehow, and capable of being treated separately from the rest of my explanation. Again, I accentuate the fact that there is no intention of asking contributors to the fund to pay any more or any less than they have paid hitherto and, consequently, the new scheme is cost neutral with regard to income from contributors.

New section agreed to.

Remaining new sections (43p to 43s) agreed to.

Clause passed.

Title passed.

Bill read a third time and passed.

The Hon. J.P. TRAINER: Mr Deputy Speaker, I draw your attention to the state of the House.

A quorum having been formed:

CITRUS INDUSTRY ORGANISATION ACT AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 2362.)

The Hon. LYNN ARNOLD (Minister of Agriculture): I move:

That Standing Orders be so far suspended as to enable this Bill to pass through its remaining stages without delay.

Motion carried.

Mr MEIER (Goyder): This is a highly irregular occurrence and does not happen every day of the week, but the Opposition is prepared to give its support to this Bill which simply seeks, as the second reading explanation indicates, to extend the term of office of the present Citrus Board members. Questions could be asked as to why we have been landed with this Bill with a week and a bit to go, and I did seek to find out who could be blamed for the late notice. Ultimately, it rests with the Minister, who is responsible for the Citrus Board under the Act. If that is the case, I feel certain that the Minister has got the message that, normally, we would not accommodate this sort of thing, although these are unusual circumstances.

With the white paper being released earlier this year, it was hoped that a Bill would have been introduced by now reflecting many of the things in that white paper, therefore the Citrus Board could have been implemented early next year, if not at the end of this year. Since that has not occurred and we are still waiting for the Bill, the Citrus Board's term runs out on 14 February, therefore normally there would have to be an election for the Citrus Board, and that would be another expense for citrus growers.

At a time when the citrus industry is experiencing massive problems I for one—supported entirely, I believe, by members on this side—would not want to impose an extra financial burden on those growers. One point that concerns me about the second reading explanation; the Minister said:

The policies of the white paper have the general support of growers, processors and industry organisations.

I question that statement, because I know that what is in the white paper does not have the general support of growers in all cases. I am quite surprised to see that in the second reading explanation. In fact, the whole concept of minimum pricing has been a big issue. The Minister would be aware that the Opposition will be in direct conflict with the Government's policy if it adheres to the white paper approach of minimum pricing.

I hope that those points will be taken on board and that the Minister will be able to indicate when the legislation will be introduced into this House—whether it will be in the next week before we rise, so that we have a long period

in which to consider it, or whether he believes that, because of the time required to set up the drafting of the Bill, it will be next year. I am pleased to see that the legislation will propose to set grade and quality standards for fruit. Again, the Minister would be well aware that the Opposition has been calling for that ever since that practice was abolished some years ago by the previous Minister of Agriculture. I believe that this is a commonsense approach, and the Opposition supports it.

The Hon. P.B. ARNOLD (Chaffey): I indicate my full support for the comments of the member for Goyder. This is an unfortunate and difficult time for the citrus industry and growers, and it is a matter of maintaining the present legislation on the statute book so that the industry has some legislative backing. Whether many changes need to be made, we will discover as a result of the white paper that has been in circulation for quite some time. To let the legislation lapse and the board be disbanded at this time would not be in the overall interests of the industry. For that reason, I support the Bill.

The Hon. LYNN ARNOLD (Minister of Agriculture): I thank all members, particularly the Opposition, for enabling this piece of legislation to be brought on at such short notice and to be dealt with so quickly. The delay has been caused by drafting problems with the substantive Bill that I hope to introduce as soon as possible. I hope to be in a position to do that next week and let the legislation lie on the table over the Christmas recess. It is also a fact that one of the key reasons for the delay has been that we have been listening very closely to what the citrus industry has been saying.

Some modifications have been included in the legislation, following the original white paper. I have already indicated in this House, when supporting the motion of the member for Chaffey during private members' time, that the Government was looking at special reserve powers, for example, and the issue of terms of payment. For those reasons, some changes were made to the draft legislation, hence the extra time involved. I appreciate that members opposite, as well as members on this side, acknowledge that if we do not pass this Bill as quickly as possible we face not *de jure* regulation of the industry but *de facto* regulation because of the impracticality of having the election process proceed that would see a board in place to administer the existing regulations of the Citrus Board That would not be a tenable situation. I thank all members and hope that this Bill receives the same expeditious treatment in another place.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Insertion of section 40.'

Mr MEIER: It was put to me, in the discussions I had during the day on this Bill, that it could be argued that the board members who were to have their term of office extended would be in an advantageous position to contest election to the new board. Will the Minister comment on that? Does he see it in that light or does he believe that the new board will be constituted in a completely different manner and, therefore, it will not make any difference whether a person has been serving on the current board?

The Hon. LYNN ARNOLD: On the face of it, I do not believe that there is any reason why it should make any difference to the eligibility of other people involved in the citrus industry to serve on the new Citrus Board that I hope Parliament will see fit to create. We propose under the white paper (and it will be maintained in the Bill) to alter the way in which the board is selected, so that the very selection mechanism will take account more of those who have been actively involved in the citrus industry in the wider sense than just those who have perhaps served on the Citrus Board at some point in time, be it at this or some other point in time.

That being said, we certainly have very much appreciated the work of those who are present members of the Citrus Board and who have served on that board in the past. They have done excellent work under very hard conditions. The very modus of their selection to that board might have been some constraint on them, but they have handled their duties with great skill.

I want to pay a particular tribute to the Chairman, John Carnie, for his role in that respect. It may well be that some of those members present or past may ultimately be involved in the new board; it may well be that some may not be involved in the future, but this particular piece of legislation will not, in itself, give any favour to anybody in the ultimate selection process that I hope this Parliament sees fit to endorse.

Mr MEIER: The term of office is to be extended for up to one year, although I take it that it would not be anywhere near that time. If all flowed smoothly through Parliament and if the Minister introduced a Bill before the Christmas break, what would be the earliest the new board could come into operation?

The Hon. LYNN ARNOLD: At this stage our target is to have the new board operational before the main picking season in the citrus industry. Of course, it is a bit difficult to identify the picking season, because it spreads over such a long time, but there is a main picking season and we would hope to have this board in position before the 1991 main picking season. What that comes down to in terms of calendar dates is that, under this legislation, people would continue in office until, effectively, about 30 June; our aim would be to have the new board in place from 1 July 1991.

The purpose of this one year extension from 14 February 1991 is simply to implement what Parliamentary Counsel in his wisdom has judged—and I think quite correctly—as a need for an extra element of caution in case who knows what might actually happen.

Clause passed.

Title passed.

Bill read a third time and passed.

CONSTITUTION (ELECTORAL REDISTRIBUTION) AMENDMENT BILL

Returned from the Legislative Council without amendment.

REFERENDUM (ELECTORAL REDISTRIBUTION) BILL

Returned from the Legislative Council without amendment.

ADJOURNMENT

At 11.15 p.m. the House adjourned until Thursday 6 November at 11 a.m.