HOUSE OF ASSEMBLY

Wednesday 20 February 1991

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

PETTITION: HAMILTON PARK SHOPPING CENTRE

A petition signed by 751 residents of South Australia requesting that the House urge the Government not to create a no parking zone adjacent to the Hamilton Park Shopping Centre was presented by Mr Brindal.

Petition received.

QUESTION

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

HOUSING TRUST TENANTS

In reply to **Mr BRINDAL (Hayward)** 22 November.

The Hon. M.K. MAYES: The following question without notice has been raised by the member for Hayward (Mr M. Brindal):

Will the Minister of Housing and Construction allow the Housing Trust of South Australia either to put tenants in new locations on three months probation or to have the maximum flexibility to look at the circumstances surrounding such areas as the background, especially any criminal record, and past performance of tenants so that, while not denying to anyone their right to a house, the trust is given maximum flexibility in respect of the most suitable placement of tenants?

I provide the following response: Applicants for trust housing are given the widest possible choice in terms of both location and type of housing. While the trust does its best to satisfy an applicant's preference, this must of course be balanced against the need to efficiently manage the public housing stock. For example, the trust will not normally allocate a three bedroom family dwelling to a single person, or offer a walk-up flat to a household with young dependent children. The trust also aims to achieve a balanced social mix in its estates and so avoid, as far as is possible, the social problems associated with concentrations of any particular needs group in one location.

Unless it is relevant to an applicant's particular housing need (for example, in determining whether priority over other longer standing applicants is warranted), the trust does not require detailed background or conduct a social assessment of the applicant's circumstances. Consistent with the Government's privacy principles, the trust only collects personal information which is relevant and up to date and necessary for the provision of its services.

It is true to say, however, that the trust is being required to house more and more people who require support to live in the community. While the trust cannot deny these people housing, it has not the skills, the expertise or the resources to provide the support services these people require. Such support services are most properly provided by health and welfare agencies. However, where the trust has some concerns about the ability of a particular applicant to cope with independent living, it has the capacity to accommodate the household on a fixed term lease (for example, six months). In some cases the trust has also negotiated an initial short-term lease through a support agency before considering direct tenancy with the individual.

Arrangements of this type are used sparingly and only where there is doubt about an applicant's survival skills and a clear need for ongoing support by others to assist in maintaining independence. Annual allocations are currently around 9 000 and the trust's experience does not suggest a need for 'probationary' leases in every instance.

There are unfortunately a small number of tenants who, once housed, exhibit antisocial or bizarre behaviour which does affect surrounding neighbours and local communities. There are also, at any given time, some tenants who refuse to meet their obligations as tenants by failing to pay their rent and by wilfully damaging trust property. While the trust has the power to recover rental arrears and the cost of repairing non fair wear and tear damage and to evict in the most severe cases, it cannot control the lifestyles and behaviour of individual tenants. Trust staff will respond to reports of neighbourhood problems, but ultimately difficulties of the type described in the member's question are beyond the trust's capacity to resolve, and require intervention and action by the police and the courts.

QUESTION TIME

STATE GOVERNMENT INSURANCE COMMISSION

Dr ARMITAGE (Adelaide): Will the Treasurer use his powers under section 3 of the State Government Insurance Commission Act and direct the commission not to allow the shredding of any files or documents which may be relevant to inquiries into that organisation?

I have been approached by a practitioner in the occupational health field who treats employees of SGIC. He has advised me that during the past week some of those employees have advised him that a number of people employed by the commission have been given additional overtime to shred documents. Arrangements were made this morning to inform the Auditor-General of this matter and he has been given the name of my informant for further investigation. This question is asked to put the matter on the public record and to ensure that all appropriate action is taken to protect and preserve documents which may be relevant to ongoing inquiries.

The Hon. J.C. BANNON: I appreciate the honourable member's question, I hope we will not see on television tonight papers with the SGIC letterhead being shredded in a shredder in the possession of the member for Adelaide. Be that as it may, I will certainly undertake inquiries. Whether it is necessary to issue directions in this case, I would not know. The SGIC is not subject to an Auditor-General's investigation of that kind. Of course, the Auditor-General audits the accounts of SGIC, and I imagine that that is done extremely properly, thoroughly and competently. If there were any problems in that area, I would have expected the Auditor-General to report not just to me but also to Parliament. I note what the honourable member has said and will pass it on to the appropriate authorities.

STATE BANK

The Hon. J.P. TRAINER (Walsh): Can the Premier advise the House whether the State Bank's financial difficulties are unique to the State Bank of South Australia?

The Hon. J.C. BANNON: I appreciate—

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: Well, Mr Speaker, this is very interesting. The reaction of the Opposition, which does not acknowledge problems in other institutions, would actually underline a suspicion that much of what it has been doing is a vendetta directed specifically against the State Bank.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: The question is very proper and valid, and it is raised in a number of areas. I appreciate the honourable member's interest in this area because the implication behind his question is, of course, in what context setting should we be looking at the problems of the State Bank. The answer is that we are looking at it in a context whereby the value of commercial property, particularly in Australia, has dropped drastically and suddenly in an unprecedented way and, in doing so, has caught many institutions—both private and public—that were exposed to property. Secondly, it is with the background of a recession that we see—

Members interjecting:

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

The Hon. J.C. BANNON: —this little vendetta against a South Australian institution. This is what I find staggering. If they were attacking some predator from another State or someone outside our economy, perhaps it might be understandable, but they are attacking a South Australian institution. However misguidedly in its application—and in these circumstances it has created major problems—this institution has been on about the growth and development of our State. Instead of being asked to put that in context, the Opposition would like us to believe this problem is unique and totally unshared by other institutions—it is just our institution. That is outrageous.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: I guess that the next thing we will hear is the Leader of the Opposition saying that he supports Mr Greiner when he says that he might like to buy the State Bank of South Australia. Why do you not hand it over to him lock, stock and barrel? To get back to the point, the ANZ, the National Bank of Australia and Westpac have all been forced to scale down their offshore operations. The Chairman of the ANZ banking group informed shareholders in January this year that they faced a substantial loss of interest income and that the bank needed to make large provisions for bad and doubtful debts.

In February this year the ANZ Banking Group Chief Executive admitted that mistakes were made by all banks in the early years of deregulation and they subsequently suffered the pain. Westpac has reported that a growing number of small and medium sized business and personal customers are experiencing difficulties. Provision for doubtful debts was, they said, unacceptably high in 1990. National Australia Bank shareholders have been informed that the bank expects further debt in 1991. In January, the bank's Chairman said, 'It is realistic to anticipate further losses arising out of our existing loan portfolio, although the magnitude of such problems is impossible to quantify.' He went on to say that the NAB has come through its toughest year in almost 60 years.

The Chase AMP Bank—which has international and very substantial local input through the great AMP Society—reported a pre-tax loss of $154 million for the year to December. This week Barclays PLC lost its triple A credit rating. The situation is certainly evident internationally as well. Institutions such as the Industrial Bank of Japan and National Westminster have been downgraded, and in recent months triple A rating has been withdrawn from Nat West and from Japan's Dai-ichi Kangyo and Fuji banks.

I am not putting that on the record as any attempt to excuse the State Bank from mistakes and problems: what I am doing—

Members interjecting:

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

The Hon. J.C. BANNON: —is attempting to strip from this debate the unrealistic and unfair expectations raised in the State Bank and its performance against this background. Many of the non-performing loans in the State Bank's portfolio are in association, in consortium, with other banks, other institutions, major private and other banks, which have said, 'Join us in financing this very good deal,' and the deal has not proved to perform well. They are all in the same boat. I heartily resent this notion that it is only the things that we in South Australia have done that are responsible for this position. How about hearing somebody on the other side of the House sticking up a little more for South Australia, its institutions and their basic viability instead of this—

Members interjecting:

The SPEAKER: Order! The Premier will resume his seat for the moment. The Chair is at some odds. Yesterday there was a move to extend Question Time because there was not enough time, yet today the Opposition constantly interrupts when Ministers are answering questions. The Chair has warned twice this week about interjecting and overriding the person answering the question. The temper of the Chair is getting very short. I should warn the Opposition and the Government—because there are some voices raised over there as well—that the Chair is coming very close to making somebody pay the price. The honourable Premier.

The Hon. J.C. BANNON: The cries of outrage and the attempt to drown what I am saying indicate that the Opposition knows very well that what I am saying is correct. I suggest that, instead of trying to cover up that fact, they openly admit to it and try to start doing something constructive about helping South Australia through these problems instead of attempting to magnify them and bring this State down.

Members interjecting:

The SPEAKER: Order! I warn the member for Light.

Mr D.S. BAKER (Leader of the Opposition): My question is to the Treasurer. I refer to his statement to the House on 22 February 1989 that, in his administration of the State Bank's affairs, Mr Marcus Clark 'at all times . . . behaved totally properly'. Is that still the Treasurer's view?

The Hon. J.C. BANNON: The statement I made at that time in 1989 was in fact exactly the situation. Indeed, it was not until towards the end of last year that doubts emerged in a substantial way about the problems that the State Bank was experiencing and that they seemed, possibly, to be unusual. The dimension of those problems could not be anticipated. I have already said in the House today, in relation to Mr Clark's resignation, that, if asked before Christmas whether Mr Clark should resign or not, I would have said—and I suspect that many people would have agreed with me in saying it—that his task was to stay at his post, to demonstrate some leadership and to start working the bank through its problems. By the end of January, I am afraid, I would not have been in that position, and I felt that his resignation was the only proper and appropriate thing to do.

AUTOMOTIVE INDUSTRY

Mr HOLLOWAY (Mitchell): Can the Minister of Industry, Trade and Technology advise the House of the outcome of his talks with the Federal Minister for Industry, Technology and Commerce, John Button, concerning the future of the automotive industry? It has been widely reported that the Minister and the Premier met with Senator Button last Friday to discuss proposed tariff reductions in the car industry. Since that meeting it has also been reported in a number of media outlets that the Federal Government has not changed its position on automotive tariffs.

The Hon. LYNN ARNOLD: I thank the honourable member for his question. It is a very important one and this issue is still not resolved. Last week, as I reported, the Premier and I were to meet with the Federal Minister for Industry, Technology and Commerce; we did so on Friday morning and were given an extensive hearing on the case we put about the South Australian automotive industry. I point out that that capped off a number of other briefings we have had, about which I reported in more detail last week. It has also capped off other submissions we have made.

I have to say, however, that while I think we have been given an extensive hearing, I am still not personally convinced that the message is getting through, certainly to the officers who are advising the Federal Government, about the real implications of any major change to the automotive industry and the tariffs that surround it. The point we have been trying to make is that we are supporting a significant reduction in tariffs from 40 per cent now through the 35 per cent in 1992 down to 25 per cent in the year 2000. So, it is not as if we are supporting a protectionist stance: we are supporting a stance that would see the industry receive much less protection than automotive industries in many other parts of the world receive.

One of the problems that we have in getting that message through is that, perhaps, there are a number of other people in the community who are not trying to say the same thing on behalf of the automotive industry and those employed within it. I would like to know, for example, exactly where the State Opposition stands on this matter, because we have heard no firm views at all, except one very milksop view expressed by the shadow Minister of Industry, Trade and Technology in September last year when he was commenting on a statement that I had made. He said:

> I think that the document, in principle, is a very good one.

That is all he said and, to my knowledge, that is all the Opposition in this Parliament and community has said about the issue of the automotive industry and the tariff plan that exists for it.

In the absence of any more comments from the other side, one is tempted to believe that members opposite might believe what their Federal colleagues—Ian McLachlan and Dr Hewson—say, and it is worth noting exactly what they do say about the manufacturing industry and about tariffs in that industry. Let us turn first to Dr Hewson. He said (and this is on the public record):

> As far as protection goes, in tariff protection our position is announced, and that is that we believe by the year 2000 there should be negligible protection on Australian industry and we would do that in a context of that very significant program of structural reform.

The other comment that is worth noting is from Mr McLachlan, a South Australian member of the Federal Parliament. He said:

> Reductions in protection under a Coalition Government would apply to all forms of protection and all industries including passenger motor vehicles . . .

Frankly, the South Australian automotive industry is badly let down by the voices in Canberra when it cannot rely on South Australian members of the Federal Parliament to speak up on its behalf. I went to brief the South Australian members of the Federal caucus, and I would like to know exactly what has happened from the Opposition in this place—whether members opposite have made any effort to convey the signficance of the automotive industry to this country's economy to their Federal colleagues. Has anyone spoken, for example, to Mr McLachlan about the matter? Has the shadow Minister spoken to anyone about the matter, apart from a milksop statement in September last year, with deadly silence from that point on?

We are facing a very short time line in which decisions will be made. The price will be great. We have to get that message through. I am concerned, frankly, that it is not getting through at this stage. I think everybody who is concerned about the industry should be joining together to make the point loud and clear and, if ever there was a time for the State Opposition to say where it stood in respect of supporting South Australia and its industry, this is the time.

Members interjecting:

The SPEAKER: Order! I warn the member for Custance.

STATE BANK

Mr S.J. BAKER (Deputy Leader of the Opposition): I direct my question to the Treasurer. In the period between 29 January, when he says he found out the full magnitude of the State Bank's losses, and 9 February—a period of 10 days—did he or any person acting on behalf of the Government have any discussions with the Chairman of the bank board or Mr Marcus Clark about whether Mr Marcus Clark should remain as chief executive and a member of the board; did he propose to the Chairman that the board should consider sacking Mr Marcus Clark; and did he consider exercising the rights he had under the State Bank Act as Treasurer to have Mr Marcus Clark immediately removed from the board for 'neglect of duty'?

The Hon. J.C. BANNON: As to the last point, no. As to the other points, the Chairman and the board were responsible for Mr Clark's contract and arrangements with him. I felt throughout that it was not my prerogative to decide whether or not Mr Clark should resign. That was a matter for the Chairman to deal directly with him. I have already stated what my views were. The Chairman was aware of those views. Mr Clark was aware of those views. They were matters that had to be sorted out between the Chairman and Mr Clark. Indeed, they were, and Mr Clark resigned.

STORMWATER

Mr HAMILTON (Albert Park): Will the Minister for Environment and Planning tell the House what steps are being taken to consider better methods for the control and reuse of urban stormwater? The Minister will be aware of the impact of stormwater run-off within my electorate. Until recently stormwater has been considered a problem by local and State authorities and work has been concentrated on the direction of stormwater run-off to the drainage system as rapidly as possible. The mitigation of potential flooding and the protection of life and property were seen as paramount. The potential resource value of stormwater was generally ignored, as were environmental considerations.

The Hon. S.M. LENEHAN: I thank the honourable member for his question and, as members would know, he

has a particular interest in this matter because of the geography of his electorate. However, this problem affects a number of members; in fact, it affects the districts of almost all members of Parliament, but particularly those members in certain coastal electorates where councils have had specific problems in dealing with stormwater run-off from 'upstream' council areas. The honourable member is quite correct in extending his question to include the reasons for it. Traditionally, stormwater has merely been dealt with in terms of preventing flooding and moving stormwater as quickly as possible from one area to another and out into the marine environment. We have now discovered that that is not the best way of dealing with stormwater, for the simple reason that it causes great problems for seagrasses in the gulf; it causes degradation of those seagrasses.

An honourable member interjecting:

The Hon. S.M. LENEHAN: Yes, it has been going on for years, but that does not mean that we do not do anything about it. I have never denied that stormwater did not cause a problem of degradation of seagrasses. What the community has also now come to realise is that, with the sensitive handling of stormwater, we cannot only improve the local environment and therefore improve the quality of life for specific local communities but we can also use stormwater as a resource for recharging the underground aquifers so that in future—it will be certainly long after the time of any member of this House—we may be able to prevent future Parliaments and communities having to replicate the pipeline from the Murray. In other words, looking fairly laterally at a number of issues relating to stormwater and its potential use could have a tremendous effect not only on the environment, that is, the local marine environment, but also on the bigger issue of the provision of water of a reasonably high quality.

To answer the honourable member's question specifically about what steps are being taken to consider better methods of dealing with the control and reuse of urban stormwater, its management as a resource has been examined in a number of recent reports by the Engineering and Water Supply Department and also by the Department of Environment and Planning. The Engineering and Water Supply Department is currently arranging for the preparation of a study to identify the scope available to our community for improving urban stormwater management in metropolitan Adelaide. Key factors that will be investigated include such things as the cost effectiveness of alternative works and measures, revenue arrangements, institutional arrangements, legislative changes and ownership of the assets.

It is intended that future consultation with local government (to be undertaken in partnership with the Local Government Association) will be based upon the results of the scoping study. I am delighted to inform the House that a number of negotiations have been undertaken already between officers of my department and officers of the Local Government Association.

Mr S.J. BAKER: On a point of order, Mr Speaker, this is more properly the province of a ministerial statement.

The SPEAKER: Order! There is no point of order, but I ask the Minister to draw her remarks to a close.

The Hon. S.M. LENEHAN: This is a very relevant point. The use of urban stormwater in the proposed multifunction polis is something that I find quite an exciting challenge, because it will give the opportunity to provide within local communities wetlands and the use and reuse of stormwater, as well as the cleansing effect that wetlands will have by removing many of the nutrients and heavy metals from water which, traditionally and currently, are just being dispersed into the sea as quickly as possible. The honourable member's question, therefore, is vitally important, not only to this generation of South Australians but to future generations; therefore, I thank the honourable member for his question and for his interest in the matter.

STATE BANK

Mr MATTHEW (Bright): Does the Treasurer agree that, in order to ensure that any documents relevant to the State Bank royal commission have not been destroyed, it is essential that the State Bank computer records at Findon and Hawthorn be seized and examined, and can he say whether this has occurred? In answer to yesterday's question the Treasurer stated that no sensitive documents had been destroyed. A comparison at the Findon Data Centre of two-week-old computer records with those in existence at the bank and its subsidiaries today would assist in identifying what files have been shredded, provided the computer records have not also been tampered with.

The Hon. J.C. BANNON: I can only repeat to the House that on any occasion on which these matters have been raised I have referred those questions to the Auditor-General. The Auditor-General has investigated where appropriate, and he has reported that he has no evidence of sensitive documents being destroyed. I have also pointed out that, under the commission given to him under section 25 of the Act, the Auditor-General issued a summons immediately that commission was issued to him.

That summons made it quite clear that documents could not be destroyed; in fact, the wording is, 'all relevant accounting records, accounts and documentation, however compiled, recorded or stored'. That includes electronic data; therefore, anyone destroying or tampering with electronic data is committing a criminal offence and will be dealt with accordingly. That is the situation.

I also make the point that the State Bank must through this period continue to operate. Members must understand that we have not closed the doors of the State Bank. We have not said, 'You are taking six months off temporarily.' We have asked the bank to get on with the job of working for this State, developing its business and managing its accounts. It is quite unreasonable for the bank to be subjected to inhibitions in its operations that would prevent it from doing so.

All the measures that are appropriate to be taken have been taken. The terms of the summons are quite clear, and anyone breaching it is committing a criminal offence, which carries with it dire consequences.

SOUTH AUSTRALIAN FRUIT

Mr QUIRKE (Playford): Will the Minister of Agriculture take up with Australian Airlines as soon as possible the question of why that airline does not serve South Australian fruit on its flights? At a time of severe downturn in South Australia's rural economy and, in particular, in the fruit-growing areas, a friend of mine yesterday caught an Australian Airlines flight and ordered a low calorie meal. He was shocked to see that it consisted of only a piece of fruit which bore the label 'New Zealand Hinton Summer Fruit'.

The Hon. LYNN ARNOLD: I will certainly take up that matter. The honourable member has raised an important point. The name of the airline is not Australian New Zealand Airlines but Australian Airlines. One would have thought that it would do what other Australian companies choose to do, that is, look for Australian sources of produce.

The industrial supplies officer has the task of promoting the concept of local purchasers looking at South Australian or Australian suppliers. I would prefer that the fruit came from South Australia or even another State as opposed to offshore growers, so I will take up the matter.

Whilst some members opposite may regard the question with a degree of triviality and unimportance, the reality is that horticulture represents an important industry in this State because people buy its produce. Let us hope that the service and transport industries are purchasing fruit and vegetables grown in Australia rather than overseas because, on the basis of price or quality, there is no reason why they should not do so.

BENEFICIAL FINANCE CORPORATION

The Hon. D.C WOTTON (Heysen): Can the Treasurer confirm that the new Chief Executive of Beneficial Finance, John Malouf, when Manager of Beneficial Finance's Sydney office, used to sign loans in red which were foisted on him by the Adelaide head office to indicate that they were signed under duress?

The Hon. J.C. BANNON: This sort of question borders on farce.

An honourable member interjecting:

The Hon. J.C. BANNON: The honourable member is hoping to get a bit of a guernsey in the news over this matter. If these are matters of substance on which there are substantial allegations, they will be dealt with through the inquiry that has been established. That is why we are having that inquiry. All I know is that Mr Malouf has taken up the reins of Beneficial Finance, and I understand that he has been working hard and effectively.

Mr Becker interjecting:

The SPEAKER: Order! I warn the member for Hanson.

COORONG GAME RESERVE

Mr ATKINSON (Spence): Now that the Minister for Environment and Planning proposes to postpone the abolition of the Coorong Game Reserve until 1 January 1993, will she allow a hunting season for that reserve in 1991 and 1992? Will the criteria for allowing a hunting season in the Coorong Game Reserve be the same as for other game reserves?

Members interjecting:

The SPEAKER: Order! I ask both the Premier and the Leader to desist, otherwise action will be taken against both of them.

The Hon. S.M. LENEHAN: I thank the member for Spence for his question and continuing interest in this important issue. As the matter of the abolition of the Coorong Game Reserve and its inclusion as part of the Coorong National Park is the subject of a motion before this House, I will confine my answer to the question of duck hunting in the game reserve in line with Standing Orders.

The 1991 duck hunting season arrangements for South Australia were announced by me on 17 January 1991. The season opened on 16 February and will close on 16 June. I point out to the House that some changes were made to previous seasons, and I will provide some examples. First, Bool Lagoon Game Reserve will be open for five mornings this year compared to three and four mornings for the past two seasons. Tolderol Game Reserve will be open for the entire four months this year rather than for two weeks during each month of the season. So, that has also been extended. I also announced that Katarapko and the Coorong Game Reserve would not have a season this year in view of the Government's decision to remove these areas from the State's list of game reserves. Thus, in terms of—

An honourable member interjecting:

The Hon. S.M. LENEHAN: Perhaps if the honourable member would pay me the courtesy of listening to the answer, he would be enlightened.

The SPEAKER: Order! I ask the Minister not to provoke the Opposition. I am trying to keep control of the House.

The Hon. S.M. LENEHAN: I assure you, Sir, that I will desist from being provocative. In terms of the areas available for duck shooting this season (and the key point is 'this season'), concessions were made in other areas to compensate for the loss of Katarapko and the Coorong Game Reserve as shooting areas. In other words, we extended the period for two other fairly major game reserves. This followed the Government's decision to rededicate them as national parks. Details of the 1992 duck season have not yet been determined, although the Government has announced its policy, which includes the phasing in of new controls such as compulsory duck identification tests for hunters, a code of practice for hunting and the phasing out of lead shot as well as increasing the areas of wetlands to be made available for hunting in the future.

I am sure that the honourable member is aware that I am advised about the declaration of the duck hunting season by a small committee comprising, amongst others, members of the Field and Game Association and indeed officers of the National Parks and Wildlife division of my department. Each year this small committee makes an assessment on a number of criteria, and I am very happy to provide the honourable member with a list of the criteria used by the committee. It looks at the season with regard to the weather so that we can ascertain how much rain is falling in a particular area, what has been the breeding rate of particular species of birds and whether those species have left the nest and so on. Those factors must be looked at each year in the lead up to the Minister of the day declaring the season.

I also advise that I have given an undertaking—and I am delighted to do so publicly—that I wish to meet with (and I have instigated these meetings already through my ministerial office) all interested parties, including the Field and Game Association, to discuss in detail the Government's new policies on duck hunting in game reserves and also to get their views before I take any decisions about the 1992 season. I give that assurance both to the honourable member and to the House generally in terms of the setting of the season for 1992.

STATE BANK

Mr SUCH (Fisher): Will the Treasurer use his powers under the indemnity with the State Bank to ensure that no capable and hardworking State Bank employees are dismissed as scapegoats for those above them? Yesterday on ABC radio news the bank's new Chief Executive, Stephen Paddison, who was a key member of the bank's lending credit committee throughout the period of increasing problem loans, suggested that part of the current problem was due to bank staff who did not keep up with its expanding role.

The Hon. J.C. BANNON: It is not my intention to be involved—nor do I think it would be appropriate—in actual management organisation decisions of the bank unless the

group advising under that area reported that it was needed. Any changes that need to be made would involve ensuring that those who are capable and able to perform are given every opportunity to do so. If the honourable member is asking whether the bank will go around dismissing or sacking hardworking and capable employees, I would find an extraordinary suggestion and certainly something that would not occur.

There is no doubt that there will be personnel changes at the bank. There is no doubt that the overall staffing of the bank needs to be looked at, but I would have thought that members opposite would have been leading the demand for such changes. As to me taking an active or hands-on role in personnel management in the bank, I find that quite laughable and an insult to those involved.

PEDESTRIAN-ACTIVATED LIGHTS

Mr McKEE (Gilles): Will the Minister of Transport tell the House the current status of a request I made to him to have pedestrian lights installed outside the Hillcrest Primary School on Fosters Road? The school council has approached me to have these lights installed, because it believes that the road currently carries enough traffic to warrant the lights and when the Northfield development occurs even more traffic will use that road.

The Hon. FRANK BLEVINS: I thank the honourable member for his question and, as he stated, he has been querying me for quite some time about this school crossing. Of course, the member for Gilles is not an orphan. I look across the Chamber and I see numerous members who come to me from time to time with various suggestions for school crossings in their electorate.

This is a very vexed question, because we are trying to balance the needs and requirements of different road users and it is not always easy. If I were to agree to every request made of me, particularly from members opposite but not exclusively, for crossings of one form or another, one could guarantee that traffic in metropolitan Adelaide simply would not move. It would be impossible for people to get around the city by car. Some would say that perhaps that is a good idea. However, I am sure that, if anyone were to experience it, they would find that that is not the case. On the other hand, there are the very real rights of schoolchildren to cross the road safely. Finding a formula that balances the rights of schoolchildren to cross the road safely and the rights of the motorist to move around the city with reasonable ease is not easy.

A standard has been prepared that all States have agreed to and, by and large, adhere to. It is not mandatory; it is not a law. However, it is a standard, a code of practice, in effect. All of us try very hard to abide by that standard. The reason for that is obvious: if we did not abide by the various standards that have been agreed, there would be no end to the disruption of traffic throughout the metropolitan area, primarily, but also in some country areas.

The last time a count was taken, the number of children using this crossing was very low. I know that for the people concerned this issue is extremely important for that handful of children, but the fact remains that the count is just not high enough to comply with the standard; it just does not meet the warrant. As I have done for just about every member on the Opposition benches, for the member for Gilles I will have the Department of Road Transport take another count at that crossing to see whether the number of children using the crossing meets the warrant for a pedestrian-activated crossing. Of course, if it meets the warrant, when funds are available it will be done.

It is true that, with the Northfield development going ahead in the next few years, the chances are that even if the warrant is not met at the moment, at some time in the future it will be met. I have no doubt that the Government will abide by the request of the member for Gilles, but I am sure that he will appreciate the difficulties I have at the moment.

STATE BANK

The Hon. B.C. EASTICK (Light): I direct my question to the Treasurer. Does the board of the State Bank still have the Treasurer's full confidence?

The Hon. J.C. BANNON: This question has been asked of me on a number of occasions and I think I have explained very adequately what is the position with the board. I have requested the board, through the Chairman, to get on with the job of managing the bank through this difficult period—a period where it must trade effectively and demonstrate its effectiveness in order to retain the confidence of its depositor base. The little campaigns being waged in and around this place have not helped that at all. Changes will be taking place in the board over time. That is the position at this moment.

HOUSING TRUST

Mr De LAINE (Price): My question is directed to the Minister of Housing and Construction. Does the Housing Trust own the old Rosewater RSL hall and surrounding land on the corner of Grand Junction Road and Gray Terrace, Rosewater? If the answer is 'Yes', what does the trust propose to do with these properties?

The Hon. M.K. MAYES: I thank the honourable member for his question. Obviously it is of key interest to him, because this site has some historic significance to the Rosewater and Port Adelaide area. From our point of view as a housing authority, it is important in terms of a community resource that that character and amenity be retained within that area.

The RSL hall and surrounding land to the north-west is owned by the Port Adelaide council. As a State Government, we have had the opportunity, through our Housing Trust, to work with the Port Adelaide council to establish a joint venture to renovate the RSL hall and then to convert it to housing and develop, in time with that, 13 new two-bedroom units on the site. It is proposed that the RSL hall will be renovated and converted for residential use. Additional units will then be built. In total, there will be 17 one and two-storey units available for the community on that site. The council has donated the land towards the development and the trust will undertake the renovation of the hall, and the surrounding areas will be developed for housing through the trust's programs.

I know that the honourable member is particularly interested in the future use of the hall and the quality of renovation. The hall will be used, in particular, through the local government and housing program, for housing young Aboriginal students from remote areas in Australia. I talk not only about the remote parts of this State but about Torres Strait islands communities as well. We will see young people coming down for education from those far regions of Australia. There are many who come to Adelaide as students because of the programs which are run through our TAFE Colleges, particularly the Port Adelaide TAFE College. I am sure that the honourable member, given his

concern about situations which have developed in the past in the Port Adelaide region, will endorse that, because we are now offering that settled accommodation for these young people.

In terms of consultation, which I strongly support in bringing these developments to the fore, there has been ongoing consultation with local residents about the development. Where possible, the trust has moved with the local council authority to accommodate and respond to requests from residents.

In the end we will see the renovation of an historic building and we will be working with the local community. I particularly thank the Port Adelaide council for its cooperation. We will see not only the restoration of a piece of Port Adelaide history but the appreciation of it by the community. We will see it put to very good purpose as community housing, addressing the special needs of young people, particularly from the far regions of the State. I thank the honourable member for raising this matter, because it gives us an opportunity vocally to thank all those involved—the Port Adelaide council in particular—and to respond to the needs in the community for this type of housing. I am sure that, as the local member, he will enjoy seeing the renovation and completion of these units for accommodation in future.

STATE BANK

The Hon. E.R. GOLDSWORTHY (Kavel): My question is to the Treasurer as the Minister responsible for the State Bank. Does he believe that a person of the standing and experience of the former Governor of the Reserve Bank, Mr Bob Johnston, or the former Chief Executive of the National Bank, Mr Nobby Clark, should be brought in to oversee the action necessary to improve the bank's performance and to underpin public confidence in that bank?

Immediately after the announcement of the bank's losses a number of local people with experience in banking expressed concern to me about the board's decision immediately to appoint Mr Paddison to replace Mr Marcus Clark. This concern has been reinforced by statements made by Mr Paddison on the *Business Sunday* television program during which he said he had been involved for a year in 'working with identifying the [bank's] problems in the Australian banking sector'.

As the Chairman of the bank board, Mr Simmons, has said that management had not kept the board properly informed, I have been asked whether Mr Paddison bears any responsibility for this failure and whether his immediate appointment as Chief Executive was therefore appropriate in these circumstances.

The Hon. J.C. BANNON: I thought Mr Paddison acquitted himself pretty well, from all reports, on the *Business Sunday* interview and, indeed, I think most people have been impressed with the way in which he has openly, honestly and directly tackled the very big task he has. I think it is pretty unfair, by this sort of innuendo—and that is all it is; nasty minded innuendo—to attempt to undermine not only what he is trying to do but also what the bank is trying to do. I remind the Opposition again that we have under consideration a full inquiry into this matter and that these continued undermining, innuendo and snide attacks are making it difficult for the bank to trade, and I would like to see some responsibility on the other side of the House.

Members interjecting:

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

RURAL STUDENTS

Mrs HUTCHISON (Stuart): Can the Minister of Employment and Further Education explain to the House what is being done to ensure that higher education is accessible to rural students? Recent reports have stated that Australian farmers are among the least educated in the Western industrialised world, with less than 25 per cent of farmers or farm workers having gone beyond year 10 at school. I am told that only about 7 per cent of farm staff have tertiary qualifications, and that they perceive tertiary education as being too difficult to access.

The Hon. M.D. RANN: I am sure members on both sides of this House are interested in extending the provision of further education, higher education and training in rural areas. I think there is nothing sadder than visiting rural areas and hearing stories of the problems caused when young people have left a rural centre to pursue higher education and have not returned. It obviously has an impact on their lives, on the lives of their families and, of course, on the economic viability of the region or country centre. I am therefore very pleased to inform the member for Kavel and other members opposite of two substantial initiatives in this area. Last year in this House I told members what we are doing to extend the provision of TAFE programs to country areas, and we are the national pilot for an interactive video technology, which is taking extra curses from specialist lecturers in the city to country areas—Gawler, Clare and Nuriootpa.

Just to give members an example—and I am sure the member for Custance will agree—in the Clare campus, which is very small, more than 30 extra courses have been made available to people in that township as a result of this initiative. So, I am very pleased to inform the House that we have secured Federal funding to extend this interactive video network for higher education to the TAFE colleges of the Spencer Gulf cities of Whyalla, Port Augusta and Port Pirie, and they will come on stream by August of this year. So, it is a major step forward; we are the only State in Australia that is using this advanced technology, and it will be of substantial benefit to rural students and rural communities.

I am pleased also to tell the House that we are certainly not just putting in the technology without the requisite training of lecturers. So far, 45 lecturers have been trained to use the interactive video in their teaching delivery and, starting next month, a further 100 lecturers will begin their training program, both at Regency Park and in the Spencer Gulf cities, and we certainly thank the Federal Government for its support. I am sure that members will agree that this has obvious exciting potential for rural and Aboriginal communities in this State and I think that we also have an opportunity to use this system to extend higher education into country areas.

Another exciting development that will be a great advantage to country people and, therefore, to members opposite is the collaboration between Flinders University and the Port Pirie or Goyder College of TAFE. This year 21 students have enrolled in foundation courses based at Port Pirie which will lead on to degree courses at Flinders University next year for which Flinders is making available 20 special set aside places.

I hope that Flinders University will be offering first year science courses in Port Pirie in 1992 and that this program will be extended to Mount Gambier and the Riverland. That is something that members opposite—I am surprised at their boredom about this initiative, because it involves many of their own electorates—would be interested in, that

is, actually to be able to offer higher education as well as advanced training in TAFE to country centres.

STATE GOVERNMENT INSURANCE COMMISSION

Mr LEWIS (Murray-Mallee): My question is directed to the Treasurer. Under what powers will the Government Management Board investigate the SGIC, given that the commission is exempt from all the provisions of the Government Management and Employment (GME) Act 1985, under which the Government Management Board operates? Section 5 of that Act is about the administration of the public sector and states that the 'following principles of public administration shall be observed in the public sector'. When we look at section 4 we see that 'public sector' is defined as meaning all Government agencies. 'Government agencies' is then elsewhere defined as meaning 'an administrative unit and a State instrumentality', and a 'State instrumentality' is so defined as not to include the SGIC.

The Hon. J.C. BANNON: While the State Government Insurance Commission is not subject in the sense that the honourable member refers to, it is subject to the control and direction of the Minister. It is also under statutory—

Mr D.S. Baker interjecting:

The Hon. J.C. BANNON: Unlike the State Bank, as the Leader of the Opposition interjects. The Government Management Board exercise that has been carried out looking at all Government trading enterprises will be looking at SGIC. It will involve people from the private sector. In other words, this is not just an in-house operation and I will be announcing more details of that shortly. Secondly, the honourable member asked me how they can do this. The answer is that SGIC has indicated its total cooperation in this exercise.

MEDICAL MISADVENTURE LIABILITY

Mr FERGUSON (Henley Beach): Has the Minister of Health given consideration to introducing legislation for a no-fault liability for medical misadventure? In the *Business Review Weekly* of 25 January (page 42), in an article titled 'Health Resouces become Legal Issue', Mr Mike Dobbie has suggested that litigation in respect to medical practice will increase in Australia. In his article, he states:

> Medical professionals face a growing danger of being sued for negligence or breach of contract because of scarce health resources. Dr Paul Nisselle, Australasian Secretary of the Medical Protection Society Medical Defence Fund, says litigation has already taken place in Britain in 1987. He says a hospital and its obstetric registrar, who was working during a weekend without the support of a senior consultant, were sued by a woman patient.
>
> The judge attacked the hospital for compromising patients by not having a consultant available. 'But the judge was also critical of the registrar for agreeing to go on duty knowing that he did not have any backup', Nisselle says. 'The judge awarded damages that the hospital and doctor had to pay.'

The Hon. D.J. HOPGOOD: I do not think there is any doubt that there is a fear that there will be a good deal of litigation in this area in the future. There may be various reasons for that, but the main reason is simply that we are becoming a more litigious society.

Many people have cause for a great deal of concern in relation to such a trend. Certainly, the professions are concerned about it. As a fairly young legislator I had it explained to me, I thought to my satisfaction, that the reason why we could never get to the American situation here was that Anglo-Saxon law contained the concept of reasonableness—something that was missing from American jurisprudence, hence the many and widely publicised cases we have heard from time to time. For example, I seem to recall that the surviving relatives of the actor Jeff Chandler brought cases before the courts, and many others could be mentioned. It is something that—

The Hon. J.C. Bannon: Class actions.

The Hon. D.J. HOPGOOD: As the Premier reminds me, class actions are also possible in the United States, but they are not possible in the normal course of events here. It may be that the legal profession will find ways to get around this concept of reasonableness, and it would be necessary to show that the medical practitioner who was in the dock had not taken all reasonable steps, not all conceivable steps. Members can see the considerable difference between those two.

In any event, this is something that has been of concern not only to me but to Ministers in other jurisdictions. With that in mind, a report is to be delivered to the Health Ministers' conference in March. Almost certainly the report will call for a detailed costing of such a scheme, and the Ministers then will ask for that costing. Of course, there are other things that we should be addressing: first, it is not unknown for there to have been inexcusable carelessness, and in those circumstances it is only reasonable that litigation should ensue.

I would be very quick to remind members that the Health Commission has a risk management program and that public hospitals are very conscious of quality assurance and their duty of care to their patients. Whether a no-fault liability scheme is the answer remains to be seen, but we should be doing all that we can to improve the present system and to explore fully alternative concepts such as no-fault. I am sure that we will have the full support of the medical profession and allied health professionals in that endeavour.

HOMESTART MORTGAGES

Mr BRINDAL (Hayward): Will the Minister of Housing and Construction advise the House when the valuation was made of the $970 million in HomeStart mortgages transferred to SAFA to underpin the State Bank indemnity, who made the valuation, and whether any of the mortgages transferred are currently non-performing?

The Hon. M.K. MAYES: I cannot give the exact date, but I will have the matter checked with the department and through SAFA officers. However, I understand that the appropriate procedures were followed by those officers in the processing of arrangements for that transaction. Of course, the transaction involved the movement of those mortgages in HomeStart across to SAFA and then to the State Bank. As a consequence, I have had assurances from Treasury officers in regard to that process, and it was completely followed—

An honourable member: You don't know a lot, do you?

The Hon. M.K. MAYES: I know more than you, and that's obvious! The process was followed appropriately. As to the particular day or time at which the valuation was carried out, I will obtain that information and advise the honourable member in due course.

MAUSOLEUM APPLICATION

Mr HOLLOWAY (Mitchell): My question is directed to the Minister for Environment and Planning. Have residents of Pasadena been waiting for over 18 months for the State

Planning Commission to consider an application from the Centennial Park Cemetery Trust to build a mausoleum next to their homes and, if so, will the Minister say why this matter has taken so long to be heard?

The Hon. S.M. LENEHAN: This is certainly far from being a dead issue and I thank the honourable member for resurrecting it.

Members interjecting:

The Hon. S.M. LENEHAN: Somebody is awake! It is delightful to know that we have not all gone to sleep with the tedious questions of the Opposition. The application was lodged in November 1989, which means that it has been current for approximately 15 months. Indeed, it will be determined by the South Australian Planning Commission. I would like to inform the honourable member that, in direct response to his question, the delay in determining the application is due to a number of requests by the applicant to the Planning Commission to defer it.

The deferment was requested to enable a hearing before the Supreme Court to ascertain whether the proposal complies with the general cemetery regulations which require underground burial and also permission for a mausoleum for interment above the ground. If the proposal does not comply with those regulations, the development application will be deemed to be hypothetical and will be refused by the Planning Commission. If the proposal complies with the regulations, the Planning Commission will seek to undertake public notification—and that would be the second such notification—and conduct a hearing for people who object to the proposal, and the application will then be determined by the Planning Commission. The applicant and the objectors will have a right of appeal if they feel aggrieved by the Planning Commission's decision.

I suppose that my answer is not good news for the honourable member and his constituents who are concerned about the time taken to deal with this application. I hope that my answer will enable the honourable member to more fully explain the situation to his constituents and keep them up to date with the information relevant to this application which they feel impacts directly upon their quality of life.

NATIONAL PARKS

The Hon. S.M. LENEHAN (Minister for Environment and Planning): I move:

That this House requests Her Excellency the Governor—

(a) to make a proclamation pursuant to part III of the National Parks and Wildlife Act 1972 that—

(i) abolishes the—

Mr LEWIS: On a point of order, Mr Speaker, section 31 (5) of the National Parks and Wildlife Act provides:

Notice of motion for a resolution under subsection (4) of this section must be given at least 14 sitting days before the motion is passed.

To my mind, the Minister is proposing to debate and have this motion passed before she is able to do so within 14 sitting days, which will be 10 April.

The SPEAKER: Order! At this stage the Minister is only moving a motion and there is no debate by other members or vote. I do not uphold the point of order.

Mr S.J. Baker: We can do it at Christmas time.

The SPEAKER: Order! If the Deputy Leader has something to say, will he go about it in the right way.

The Hon. S.M. LENEHAN: I thank you, Mr Speaker, for your explanation. The motion continues:

(i) abolishes the Belair Recreation Park and constitutes as a national park the land formerly—

Mr S.G. Evans interjecting:

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

The Hon. S.M. LENEHAN: I believe that these issues are vitally important and I will soldier on with my motion:

(i) abolishes the Belair Recreation Park and constitutes as a national park the land formerly comprising the Belair Recreation Park and assigns to it the name 'Belair National Park'; and

(ii) abolishes the Katarapko Game Reserve and constitutes as a national park the land formerly comprising the Katarapko Game Reserve and assigns to it the name 'Murray River National Park';

(b) to make a proclamation pursuant to Part III of the National Parks and Wildlife Act 1972 on or after 1 January 1993 that abolishes the Coorong Game Reserve and alters the boundaries of the Coorong National Park so as to include in the park the land formerly comprising the Coorong Game Reserve,

and that a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

Since successive Bannon Governments have been in office, policies associated with the conservation and management of natural resources have been given considerable priority. Such policies have included the management of our natural heritage comprised within the park system operation under the National Parks and Wildlife Act. As members will know, the National Parks and Wildlife Act provides for five categories of park, namely: national parks—areas nationally significant by virtue of their wildlife and scenery; conservation parks—areas of major biological significance by virtue of the plants and animals they contain; recreation parks—areas where people may undertake recreational activities in a natural setting; game reserves—areas managed for conservation and, at certain times of the year, where species of game can be taken under certain conditions; and regional reserves—areas of conservation significance where utilisation of natural resources can take place under agreed conditions.

As time passes and the views of the community change towards the park system, it is important that we, on occasions, review the classifications of parks and, if necessary, make decisions to change their classifications according to need. The Act is constructed in such a way as to protect strongly the tenure and basis of the park system. To undertake any alteration of name, or to abolish any park, requires a resolution of both Houses of Parliament. I believe that this requirement is at this point appropriate; it provides an excellent way to ensure that these areas, which were established for public benefit, are not tampered with without considerable thought as to the consequences of any change.

The motion before the House is divided into three subsections. The first is related to our oldest park. With the passage of the National Parks and Wildlife Act in 1972, the National Park, Belair as it was known for many years, was changed to the Belair Recreation Park. This change was made reflecting the type of use to which the park had been put in the past and which was envisaged for the future.

As members will know, the State is celebrating the centenary of parks during this year and I have announced the Government's desire to change the classification of the Belair Recreation Park to the Belair National Park. This suggested change reflects very much the views of the majority of the South Australian community. The Belair Park has been used by many people in this State, both as children and later as adults. Given the fact that it is the centre of the park system in this State and one of the oldest parks of its type in the world, the Government believes that this distinguished his-

tory should be recognised by reconstituting the Belair Recreation Park as the Belair National Park.

The second and third parts of this motion refer to the change of status of two games reserves in the State. The Coorong Game Reserve was established over 20 years ago under the provisions of the Fisheries and Fauna Conservation Act. At that time the Coorong, as we now know it, was largely Crown land. Portion of that Crown land was identified by Government for constitution as a game reserve. Such a decision was appropriate at the time, given the use of the area and the amount of interest shown by the community at large in relation to the Coorong as a whole. Since that time, the Crown lands on either side of the original game reserve have been constituted as the Coorong National Park. This decision recognised the major importance of the Coorong, not only because of its outstanding landscape but also from its substantial biological attributes. The Coorong is now listed as a wetland of international significance under the Ramsar Convention. This park has been the subject of considerable discussion and public interest over the past decade.

As with many of our popular parks, there are conflicting demands on access to the park's resources and the ever difficult problem of balancing preservation of the park's features against the impact of increasing numbers of visitors. It is inevitable that a compromise has to be struck between the desire of people for unfettered use of a national park and the necessary protection measures that will ensure the park is safely handed on to future generations. Striking the balance can create widespread discussion and debate and, at times, considerable passion. The most suitable way of reaching the necessary compromises is through a park management planning process that provides wide opportunity for public input and public evaluation of comments.

The Coorong has gone through various public management debates since 1984. The strength of debate was so vigorous in 1985 that my predecessor (Dr Hopgood) gave an undertaking to widen the public consultation framework and agree on a seven-year moratorium on any alteration to the contentious issues of the boundaries of the Coorong Game Reserve or beach access. Dr Hopgood established a consultative committee for the Coorong and over the past three years that committee of citizens has worked hard at the continuing process of developing management approaches for the Coorong. A public consultation process was continued that resulted in the exhibition of a draft plan of management for the Coorong in 1988.

After receiving the public comments on the draft plan I went to the Coorong to look into the many problem management issues. In conjunction with the chairperson of the consultative committee the key issues were discussed and studied in the park. This led to the formal adoption of the plan of management in December 1990. One of the issues raised in the planning process was the classification of the Coorong Game Reserve. Submissions questioned the presence of a game reserve, with associated hunting, within the external boundaries of the national park. Particular concern was expressed about hunting in an area that was internationally recognised as vital habitat for bird life. It should be mentioned that, in fact, only between 1 per cent and 3 per cent of licensed hunters actually use the Coorong, so its importance for hunting is now not significant.

The Government was separately considering the wider issue of the future of duck hunting. Western Australia has banned the sport. In South Australia it was decided by this Government to adopt a policy that sought to minimise the environmental and animal welfare impacts of duck hunting and to maximise the contribution that waterfowl management makes to wetland conservation and rehabilitation. A task force was established to advise the Government on duck hunting policy options and, after considering the task force findings, a duck hunting policy was adopted by the Government late last year. The policy posed a number of measures relating to hunter education, phasing out of lead shot and investigation of further wetlands for hunting purposes. It also proposed measures to encourage wetland rehabilitation.

The policy considerations dovetailed with the Coorong planning process and it was decided to seek the incorporation of the Coorong Game Reserve into the Coorong National Park. In arriving at this policy it is intended to honour Dr Hopgood's earlier undertaking. Whilst the resolution before the House is a result of detailed public discussion and debate and policy decisions taken by this Government, actual gazettal of the Coorong Game Reserve revocation will not be made until January 1993.

The Katarapko Game Reserve is also one of the State's older game reserves, located on the Murray River north of Loxton. Over the past 10 years, the National Parks and Wildlife Service has spent a considerable amount of capital funds developing camping and recreation facilities in the Katarapko Game Reserve and undertaking a major rabbit control program. The Katarapko Game Reserve is arguably one of the most attractive public recreation areas in the Riverland part of the State and, given the existence of the Moorook and Loch Luna Game Reserves in the near vicinity, it appears that the Government should recognise the increasing recreational use of Katarapko as distinct from its decreasing use for game hunting.

Also, the Government recognises that along the Murray River system in Australia as a whole no national park has been declared in any State recognising riverine habitats. This Government, in conjunction with Robertson Chowilla Pty Ltd, has begun an investigation to establish a Murray River National Park in the Murray River border area. Such a national park would involve part of the flood plain of Chowilla Station currently leased by Robertson Chowilla Pty Ltd. This flood plain area was acquired by the Government in 1965 for provision of the now no longer required Chowilla Dam.

While the majority of this flood plain area will continue to be available to Robertson Chowilla for pastoral purposes under a proposed regional reserve category, the south-east corner of this important riverine habitat is to be retained for national park purposes. Other parcels of unallocated Crown land downstream from Chowilla have been identified for possible inclusion in the Murray River National Park. It is envisaged that the Katarapko Game Reserve would form an important portion of such a national park.

The Government is using this initiative to promote an innovative step with the New South Wales and Victorian Governments in relation to conservation management of Australia's vital Murray River. Discussions have been taking place with those two Governments with the concept of establishing a tri-State national park. Both Victoria and New South Wales have important areas of riverine habitat within their boundaries and, given the fact that land was acquired in those two States as well as South Australia in 1965 for the Chowilla Dam, a major opportunity presents itself for an internationally significant national park involving the three States.

While those discussions are still at an early stage, South Australia, as has often been done before, is taking the initiative in suggesting such a land management framework. This framework also has relevance to the work being done by the three States and the Commonwealth through the

Murray-Darling Basin Commission and the Ministerial Council. In summary, I believe that responsible members of this House and the Upper House will see the virtue of the changes being suggested in relation to these three parks. I commend the motion to the House.

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

PHARMACISTS BILL

Adjourned debate on second reading.
(Continued from 17 October. Page 1124.)

Dr ARMITAGE (Adelaide): The Liberal Party is generally in favour of this Bill and is certainly in favour of the thrust of the Bill, which seeks to repeal the Pharmacy Act 1935. Given that it is now 1991 it is perhaps appropriate that we are seeking to repeal and update the legislation relating to this practice. The updating of this Bill meets with widespread general approval amongst practitioners, academics and consumers. Generally, when I have spoken to people about the proposed Bill, rather than being suspicious they have said, 'Not before time.' The following letter was sent to me:

> As with any legislation from time to time it has to be amended to meet the requirements of the day in an ever-changing world. I think the changes proposed are an honest attempt to bring pharmacy into the 1990s.

I am delighted to think that someone out there thinks this is an honest attempt. This updating of the legislation reflects the necessity to update the law in relation to the practices that have undergone enormous changes since 1935. The pace of change, of course, is rapidly accelerating even now, and I predict that it will not be as long before we amend the legislation again. Technological advance is dramatic in all areas, particularly in relation to health and the provision of health care, and we should reflect that in our legislation. As we know, pharmacy has become much less hands-on since the days of 1935. The pestle and mortar and large jars with exotic labels in latin are still an asset for the pharmacist who has them, although I contend that they are no longer an asset as a tool of trade: they are more an asset as an antique.

As I indicated previously, pharmacists are an essential link in the health profession chain, and among the broad generalisations of pharmacists there are diverse groupings, which practice their profession in vastly different manners. Of course, we all know about the single-person pharmacy which dispenses advice as well as medications. There are large-group pharmacies, big companies, friendly societies with a large number of outlets and so on. There is a complete diversity in the provision of pharmacy care.

The Liberal Party believes that this Bill should not disadvantage any of those important groupings because each of them has something to offer the South Australian community, whether it be the personalised, individualised service provided by the small corner pharmacy at the smaller end of the scale or the supermarket economies of scale provided at the other end of the spectrum. Given these different groupings within the broad generalisation of the pharmacy profession, the Liberal Party will move amendments to ensure legislative protection for them all. In particular, a number of companies and individuals at present 'carry on a business consisting of or involving pharmacy at more than four places of business'. Passage of this Bill, as it stands, would see those companies disadvantaged. The Liberal Party does not believe that that is the intent of the legislation and it should be amended.

Our amendment will grandfather the existing arrangements; in other words, it will allow everything that has happened up until now and prevent further expansion, and that is what we believe is the intent of the Bill. A number of consequential amendments will be necessary because, if we are able to grandfather those companies and people into this Bill, we believe it is equally important that those companies be subject to the conditions to which other companies that will come under this legislative banner and be registered under this Bill are subject. We believe that the Government should support those amendments and that they are in line with the intent of the Bill. Certainly, they have the approval of the broad spectrum of the practising pharmacists.

The Bill does a number of other things. First, it alters the method of appointment to the board—from election by members of the profession to appointment by the Government. One pharmacist has put to me that that is a particularly laudable aim. He believes that a much greater degree of discipline will be exerted within the profession if members of the board are not subject to the electoral vagaries of other pharmacists, and that will be of benefit to the public. To what extent that has occurred in the past, I do not wish to speculate—perhaps not at all. Certainly, it was put to me by one pharmacist, and I believe this is an appropriate step, with obvious community benefit.

I think it is also an appropriate step given the range of interests of the people who will be nominated. Five members of the board will be registered pharmacists, of whom one each will be nominated by—if we accept the Government's amendment, which I am sure we will—the University of South Australia, the Society of Hospital Pharmacists of Australia (SA Branch), the Pharmaceutical Society of Australia, the Pharmacy Guild of Australia and the Friendly Societies Medical Association Incorporated.

There is a broad representation of different groups there. However, I would sound a note of caution. There is the potential for under-representation on the board of the views of the single-person practitioner who, in this straitened day and age, is concerned only with getting a black bottom line at the end of the week and who may be too busy for diversions such as being involved in the Pharmacy Board. I ask the Minister to take particular note of this in making his ministerial appointment of a registered pharmacist.

There are other movements with the times that the Bill will ensure. It provides the potential for limited registration, which I believe is appropriate. It allows the registration of companies providing pharmaceutical services in line with other health professional registration Acts, which I believe is equally appropriate. It also provides the requirement for an update of knowledge and skills for someone who has not practised pharmacy for three years or more. This is a particularly important clause given the enormous pace of technological change, in particular in health services with drugs. It is a very welcome addition to the legislation that someone will be required to update knowledge and skills to the community's benefit.

The major amendment sought by the Liberal Party will be the creation of the pharmacists professional conduct tribunal, which is based on the same tenets as the Medical Practitioners' Professional Conduct Tribunal. The reason is that, as the Bill stands, the board has dramatic powers, which are appropriate; but, as constituted, the board, or members of the board, in the case of an inquiry or dispute, are prosecutor, judge, jury and executioner. The creation of a pharmacists professional conduct tribunal would allow

that function, with its attendant appropriate dramatic consequences, to take place at arm's length from the board.

The Liberal Party believes that the creation of a pharmacists professional conduct tribunal will achieve the aim of those disciplinary and other consequences being at a distance from the board and, hence, not compromise the board or any of its members in their work of overseeing the pharmacy profession. There will be other more minor concerns which I shall raise in Committee. But, as I indicated earlier, the Liberal Party is in overall agreement with the thrust of the Bill.

Mr FERGUSON (Henley Beach): This Bill was naturally discussed within the forum of the Caucus. I support the legislation, but I want to make one point, and I refer to the second reading explanation:

> The current limitation on numbers of pharmacies which may be owned by a person and by the Friendly Societies Medical Association is carried over into this Bill.

I struggled with this principle because the industrial world from which I came is being turned upside down. All sorts of microeconomic reforms are being instilled into these areas. We are told that the reason for these microeconomic reforms is that we must be competitive with the remainder of the industrial world. Therefore, I cannot see why we should not be looking at absolute and open competition for pharmacies. I would have thought that this principle would be grasped by members of the Liberal Party who are often telling us that they believe in competition and free enterprise. I was surprised to hear the member for Adelaide, if I heard him aright, say that he was proposing certain further restrictions—

Dr Armitage interjecting:

Mr FERGUSON: I take that back. I believe, and I have put this forward in other forums outside this House, that we should be looking at free and unfettered competition for pharmacies. That principle is not unrelated to other legislation that we have recently passed in this Chamber. We have seen deregulation in many areas. We have been talking about deregulation of the Egg Board and we were successful with deregulation of the Potato Board. We have also increased shopping hours to further the principle of competition in these areas. I give notice that when the legislation is further considered in future my stance will be that we should remove from it the impediments to competition. We cannot have it both ways. We cannot have people saying that so far as industry is concerned—

Dr Armitage: You are binding the Caucus to that now, are you?

Mr FERGUSON: I am. I am giving notice, within the forums of opportunity that I have both outside and inside this House, that I shall be looking at this proposition. I understand that the Liberal Party's stance on deregulation is that it is looking at a free and unfettered right to bargain with employees within their own organisations. If the Opposition believes in that as a principle on the one hand, then my proposition ought to be accepted by all Parties in future.

I do not want to take up any more time. I am just giving notice that this is the way that I feel we ought to go. I thought that I ought to refer this matter to the general public by way of these forums, because it is consistent with the argument that I have been putting forward in relation to many Bills which have come before the House, with some resistance, I might say, from Opposition members who tend to want to continue or increase, rather than decrease, regulation.

Mr INGERSON (Bragg): First, I put on the public record that, as a pharmacist, I have an interest in the Bill, and that ought to be made very clear from the start. Having said that, I hope the Government will take heed of my comments. I noted with interest the comments made by the member for Henley Beach, and I think it is worth while to put on the record the situation today with regard to competition as it relates to pharmacy, particularly retail practice.

The comments of the member for Henley Beach were specifically aimed at the number of pharmacies an individual or partnership could own. The history of the practice of pharmacy has shown—certainly, in the time in which I have been involved, which is some 25 years—that only one group of partners has taken the opportunity to own up to four pharmacies. So, the opportunity to expand—or, as the member for Henley Beach says, to be more competitive—has been taken by only one group. I think it is important to note that, with regard to this area of competition, probably no one single group has been more involved in the change in competition, and in how that has affected business activities, than have pharmacists.

The independent grocers in particular have had the opportunity in retail practice to take on and compete directly with the pharmacy industry. It is an area about which I know the Pharmacy Guild has spent many hours worrying, but the reality is that most pharmacists in practice today have accepted and met that challenge. Today, pharmacists operate in a very competitive retail environment, so I think that the member for Henley Beach's comments should be put clearly into the context that there is very severe competition in pharmacy today. It is not as simple and one-sided as the honourable member for Henley Beach suggests. I would have thought that the deregulation of the labour market would be far more important to pharmacy than the competition that the member for Henley Beach has indicated does not exist at retail level, and I think that, if we had a deregulated labour market, we would probably not have anywhere near the number of problems we have today.

I am very pleased to take part in this debate because, back in 1973 when I first became President of the Pharmacy Guild in this State, this change, as proposed in the Bill, was on the agenda then and, as my colleague the member for Coles will rightly say in a few minutes, it was on the agenda when she was a Minister. This has been a long saga, and at last we have reached the stage where we can see a very interesting, positive and practical change for pharmacy in the future. It is important to note that this Bill not only changes some regulatory conditions but also sets the framework for a very practical, interesting and exciting future for pharmacy practice. I think that is a very important issue.

I am fascinated to hear the suggestion that the constitution of the board should now be set up in such a way that it includes specific representations from certain bodies. It seems to me that, in moving away from what was a very democratic situation in which the whole profession had the opportunity to elect members of the board, we have moved to a very restricted position in which selected groups now have an opportunity to nominate an individual person. That seems to me to be a retrograde step, because I believe that the old system, under which any person in the profession had an opportunity to put their name forward for membership of this very important board, was more positive. I know there has been pressure from all the organisations concerned to go this way, and I accept that this is what the profession wants, but it is fascinating to note that we are moving away from what was a very democratic way of electing individuals to the board.

The functions of the board, which have been set out clearly under the Bill, are to me really the most important part of the whole measure, because for the first time the

board will have the opportunity to set standards of practice for pharmacy. The Bill will enable the board to review the law and, very importantly, to look at the standards of instruction and training of young people preparing to enter the profession, as well as pharmacists in the profession who require continuing education. So, for the first time, we will have developed through the board and through the board's having the control of this area, a continuing education program which I believe will be of tremendous benefit for the profession. It is an area concerning which the profession has looked for guidelines for a long time and it is now recognised in law that the Pharmacy Board will be able to monitor and be very much part of setting those standards.

It is also important to note that the Bill recognises the role of the Pharmacy School in this whole area of setting standards of practice because, really, it is at that point that all the pharmacists and future pharmacists in this State begin and continue to develop their education. The standards that are set also have a role in protecting the community, and if there is one profession that spends a great deal of its time protecting the community it is the pharmacists in our State. Mention has often been made to me as a practising pharmacist, and now that I am a member of this place, of the significant role that pharmacists play in the health-care chain, for virtually no remuneration. It seems to me to be an important part of the role of pharmacists, and it is very important as far as the community is concerned.

The Bill also contains a very significant change in which I had a personal involvement when I was President of the Pharmacy Guild, namely, to give individuals who chose to practise pharmacy the opportunity to practise as individual pharmacists or as corporations. One of the things we suffered from back in the late 1970s was the inability of pharmacists to set up their method of practice in a way that would enable their families to benefit from the taxation laws of this country, and at last now with the implementation of the provisions in this Bill we will see for the first time the capacity for pharmacists to choose between all the legal opportunities available to them in setting up their practice. It has always seemed wrong to me that one group in the community should be prevented by law from having every available opportunity to practise in the commercial area, and so this is a very important change as far as pharmacy is concerned and one that I completely support.

It also goes a little further than I expected the Government to go, in that it enables families to be recognised in this whole concept of setting up pharmacy management practices. I believe that is a very good provision for the Government to include, because in this day and age, when we are asking more and more young people to consider being entrepreneurs, we need to make sure that they have every opportunity available to them to participate in the commercial world.

There is one omission in this area of company practice, as my colleague the member for Adelaide has indicated, namely, that some pharmacies set up prior to 1942 are not recognised in this Bill. I understand that the Government also recognises that and will be considering any amendments in this regard.

One other important area in this Bill—and I suppose it is probably no more important to anyone in this House than it is to me—is the requirement for approval to practise when one has not been in general practice in the past three years. The Government has put forward an amendment on which I would like to question the Minister in Committee to see why that change has been proposed, because it seems to me that the change in the existing clause does in fact go far enough. I want to make it very clear that I strongly support the need for continuing education.

I strongly support the need for all professionals to go back to school when they have been out of their profession for a length of time, and I hope that this clause can be explained to us in Committee. I would like to make one final comment about our amendments in respect of the disciplinary tribunal. When I was a member of the Pharmacy Board back in the late 1970s we had a situation where the board was both judge and jury, and that was a most unsatisfactory situation.

It is important that we have a tribunal that is completely separate from the board. I do not think that the suggestion advanced by the Government in this Bill does that. It says that, if there is to be a disciplinary tribunal, the board should put aside three people who would continually be elected as persons who would be available for any tribunal, and the other five members of the board would look at any matters relating to discipline. I find that unacceptable. If a person is elected to the board, they should be able to sit and be part of all the functions of the board.

It is totally illogical to separate three members of the board, nominate them and make them a separate tribunal from the board. Consequently, I support strongly the Opposition recommendation and the amendment that the disciplinary tribunal be completely removed from the board. I support the Bill.

Mr M.J. EVANS (Elizabeth): I also support the Bill, which is a useful upgrading of the health law of this State. It shares a number of other companion measures that have also come before this House in this session. However, there is one aspect of the Bill upon which I would like to touch that has also been raised by previous speakers in the debate. It relates to the question of disciplinary action against members of the profession who may have accusations levelled against them by consumers of their services. I believe that it is essential that consumers of any kind of professional service are given the right to challenge the nature of that service and the way in which that service is provided to them.

It is no longer good enough to simply say that a professional's word is final. We have all come to recognise—including members of the profession, I am pleased to say—that some kind of disciplinary tribunal process is essential if the profession is to maintain its standards and enforce them itself. Obviously, we are fortunate in this State to be in a situation where the total number of these cases, let alone those which are actually proven, is very small. The numbers are in the ones and twos, I understand, which is very gratifying.

However, we still need a mechanism to involve the appropriate people in determining the merits of each individual case. Certainly, I am not one who wants to establish large numbers of tribunals and bureaucratic organisations; indeed, we should be moving in the opposite direction from that, but we still find ourselves in the situation of needing a mechanism. At the appropriate point in this debate I suggest that the House, either now or at some future time, considers the option, given the relatively small numbers involved in all of these professional activities, of the establishment of a health disciplinary tribunal. Such a tribunal could include all the appropriate professions such as pharmacy, dentistry, medicine and perhaps some of the other areas such as chiropractors (who are to be examined in debate later today) and physiotherapists. The relevant professional representatives could be brought in on a panel basis to consider

individual cases as and when they came up within each professional area.

That way the administrative support required would be minimal and perhaps only one judicial representative would be necessary, given that the number of cases is indeed small, even when we take into account all the professional groups that are to be served. Rather than approaching this on the basis of individual Acts and establishing individual tribunals with the appropriate financial and administrative problems that would be created, we should adopt the process that this Parliament has already adopted in respect of commercial practices and establish the equivalent of a commercial tribunal but in the health area with the relevant people coming forward at the appropriate time to examine appropriate cases.

While I have no wish, and I am sure you would not allow it, Mr Speaker, to traverse the Committee debate on this matter which will certainly follow later, and I have no wish to prejudge that Committee debate, I am sure that members might wish to look at those aspects when considering the foreshadowed amendments.

We need a professional conduct tribunal, but we need one that can operate efficiently and effectively. Apart from that one aspect, I certainly support fully the principles of the Bill which is essential for the profession of pharmacy because it is an honourable and important profession in our community. I believe it has the potential to offer further and extended services in the health area to individuals in the community, because of the ready access that consumers have to a pharmacy in a way that they certainly do not have to medical services, which are of the same type but of a more specialised nature. With those few remarks I commend the Bill to the House.

The Hon. JENNIFER CASHMORE (Coles): I support the Bill, and only express my regret at the time that it has taken to come before Parliament. This measure was part of a stack of registration measures affecting the health professions which were awaiting attention when I was Minister of Health 10 years ago. I can only perhaps commend pharmacists for their patience and rebuke the Minister for his tardiness, but I realise that he is only one of a long line of Health Ministers who have been confronted with a stack of demands to update legislation which, whilst operating with reasonable effectiveness in the current climate, was certainly not designed for this day and age.

As the Minister said in his second reading explanation, since the enactment of the Pharmacy Act in 1935 there have been enormous changes in the practice of pharmacy. It is hard now to contemplate that when the Act that this Bill repeals was introduced sulphur drugs and penicillin were not in existence. Since then there has been a vast array of highly sophisticated drugs that today's pharmacists have to dispense in a manner that ensures their effectiveness and the safety of patients who consume them. The Minister's second reading explanation states:

> The pharmacist's duty is not only to see that the patient is supplied with the correct product and strength ordered, but also to check for interactions and adverse drug reactions. Patients now need counselling to ensure that they take prescribed medicine correctly to achieve the required therapeutic effect.

Of course, that was always the case, but never more so than today. Speakers on this side of the House, thus far and those to follow me, include a medical practitioner and two pharmacists. I would like to address this matter from the point of view not only of a legislator but of a consumer. Perhaps it is appropriate that it is she who speaks as a consumer who should be the one to say that the South Australian pharmacy profession enjoys a reputation second to none in this country.

I am pleased to say that in the presence of my colleagues from the pharmacy profession and to pay tribute, in particular, to those who are responsible for this happy state of affairs. In the first instance that includes the educators, originally at the University of Adelaide, but since 1968 the Faculty of Pharmacy at the South Australian Institute of Technology, which is now part of the University of South Australia.

The standard of teaching of clinical practice and of ethical practice in pharmacy in South Australia is very high. We must—and do—regard pharmacy as the first line of the health professions in terms of public access. In that respect, pharmacy is the most accessible health profession to the public, not only in the physical sense but also in the sense that people with health problems very often feel more at ease chatting with a friendly pharmacist over the counter in a retail situation than going through the procedures of making an appointment to see a medical practitioner.

That means that, as the providers of primary health care, pharmacists play a very important role. In South Australia they are strengthened in that role through their professional societies, the Pharmaceutical Society of Australia, South Australian branch (the professional body for graduate pharmacists) and the Pharmacy Guild (the body that represents retail pharmacies). In South Australia there are 420 pharmacies, of which approximately 80 are expected to close down over the next few years as a result of the new provisions of the National Health Act. Twenty-five were approved for closure very recently, and an additional 55 will follow over the next two or three years.

The disadvantage of losing local pharmacies, which is obvious in its effect upon local communities, particularly the elderly who may have been within ready walking distance of a pharmacy in the past but who will not find that convenience in the future, will be offset to some degree, I am told by pharmacists, by the establishment of a greater number of partnerships. That, in turn, will mean greater mutual professional support for pharmacists working in pharmacies, rather than in sole practices.

In addition to retail pharmacies there are 100 hospital pharmacists operating in the major teaching and Government hospitals in South Australia, so approximately 900 pharmacists are on the pharmacists' register, of whom 100 or so practise in hospitals. Those hospital pharmacists play a very important supporting role in the direct care of people who have either acute or chronic diseases and ailments. I referred to the standard of education and of practice, and I want to emphasise that there are yardsticks by which that can be measured—not only what I believe to be the yardstick of very high consumer satisfaction and the satisfaction of other health professionals (the medical and nursing profession with whom the pharmacy profession works closely) but also the work done in this State which is acknowledged and valued nationally.

I refer particularly to the fact that in 1975 South Australia originated the use of supplementary labels on medicines. To some of us who remember the previous days of 'take as directed' and the horrible confusion that resulted when one went to the medicine cupboard two years later and wondered precisely what the ointment or medicine had been prescribed for, that was a revolution in health terms that had immensely beneficial effects.

That originated in South Australia, and the South Australian profession should be given credit for it. In addition, the *Australian Pharmaceutical Formulary*, the standard pharmaceutical reference work, is edited in South Australia,

as is the *Guide to Drug Counselling* handbook. Both of those publications are produced by the Pharmaceutical Society of Australia, which is also currently producing a guide to the sale of scheduled poisons.

It is this kind of patient, professional—often voluntary—work by pharmacists which too often goes unrecognised and unsung by the general community but which is tremendously important to high standards in the practice of pharmacy and of dispensing and retailing. In 1989 the national self care program—developed from the South Australian Scheme of 1987—commenced in this State. The pharmacy profession in conjunction with the South Australian Health Commission developed 67 fact cards that deal with medical, pharmaceutical and lifestyle topics. Those cards are available in pharmacies and are readily displayed.

In fact, I might say that they are very tempting. They are presented in such a way that the consumer is prompted to pick one up, because they so obviously convey useful information. They deal with ailments covering things from bad backs and diabetes to asthma, sun screens, reducing fat and reducing sugar. All this work is an underpinning of the operation of the legislation itself, and that has now been updated in such a way that it will be relevant, we hope, well into the next century.

I reinforce the points made by my colleagues in stressing the importance of establishing a pharmacy professional conduct tribunal as a disciplinary tribunal separate from the functions of the board. In the enactment of the Medical Practitioners Act the Government has recognised that it is a fundamental principle that discipline should be administered quite separately from the registration process. I understand that the Minister is sympathetic to the establishment of such a tribunal, and I hope that it enjoys the unanimous support of the House.

It would be wrong to address pharmacy legislation in this State without making reference to the industrial as well as to the professional framework in which that legislation operates. South Australia can be very proud of its drug manufacturers—Faulding, Hamilton and Abbott Laboratories, the latter producing intravenous juices in South Australia at its Elizabeth plant. The work of Faulding in developing new technology for established drugs, notably the drug known as Eryc, a form of erythromycin, is something of which we can be very proud. I believe that it gives stimulus to our pharmacy profession and it receives stimulus from our pharmacy profession, and gives a profile to pharmaceuticals which this State values and which is of great value to the State.

I conclude by referring to the role of the board in exercising general oversight of the standards of the practice of pharmacy and in maintaining standards of instruction and training for pharmacists. I am privileged to know some pharmacy students and recent graduates, and have been impressed by their enthusiasm for the quality of their education and standard of their training. I have been impressed by their commitment not only to the high standards of clinical practice but also to the high standards of ethical practice and by the dedication they show not only to dispensing drugs but also to counselling patients in preventive health care as well as in curative care. I hope that the consumer's view of the profession gives a perspective to this debate that is recognised by pharmacists as a very appreciative perspective. I wish the profession well under the administration of the new Act.

Mr OSWALD (Morphett): I have much pleasure in taking part in the debate this afternoon. For the record I am also a pharmacist and declare that interest, although I have not had a financial association with the profession for the 11 or 12 years during which I have been a member of Parliament. Prior to that I had a long association with the profession and it was very good to me. It was a profession from which I gained a lot of satisfaction and one to which I hope to return one day. The shadow Minister presented the Opposition's case extremely well, supported ably by the members for Bragg and Coles.

I do not intend to go through the Bill clause by clause as, quite correctly, did the shadow Minister. However, I wish to refer to a couple of matters. In 1956, when I first entered the profession, it was an era when we were taught to make pills. We laboriously prepared the mixture, rolled out the pill mass, cut it in a pill machine, rounded off the pills with another instrument and learned how to polish them. On occasions, to polish them we threw them onto a piece of cardboard, they rolled back, we gathered them together again and so on. Not many of my colleagues have had that experience. I was brought up in an era not only of making and rolling pills but also of making suppositories from cocoa butter on cool days; we hoped that they did not melt before being given to the customer. We made bulk cough mixture—

The Hon. Jennifer Cashmore interjecting:

Mr OSWALD: Yes, senega and ammonia, as the honourable member says. We made it in old washing machine tubs. It was very much extemporaneous dispensing. About 80 per cent of my dispensary shelf space was devoted to tinctures, powders and unguentums in bottles and ointment jars. Most of our time was spent in extemporaneous dispensing. That was from 1956 into the early 1960s. From 1956 to the 1990s we have seen dramatic changes in pharmacy. In the mid 1950s we were picking up what had been done for 100 years. There had been nothing in drug development. Sulphur drugs and antibiotics were starting to come in. Major advances in organic chemistry were starting to benefit the field of pharmacy.

The Act we are repealing today applied to the era in which I was brought up. Extemporaneous dispensing meant that the chemist was the local pharmacist on the street corner and had the confidence of the district but he did not have a close rapport with the local medical practitioner. Indeed, there was some professional conflict between the two because the doctor, perhaps, did not like the chemist handing out the senega and ammonia, the aspirin mixture or stomach mixture for diarrhoea; the doctor would rather have handled that. There was not much interaction of professional knowledge, but that has changed dramatically.

Over the past 15 years we have seen this increasing bond between the pharmacist and the doctor based on the fact that both have a specific role to play in the health chain. We have now reached a point where, to my knowledge, doctors rely heavily on the pharmacist to pick up the drug interaction and the correct dosages and, if there is any incompatibility, to advise the patient accordingly. That happened first in hospitals, where the pharmacist started to play a closer role with the doctor, and it is now happening in general practice.

It is fair and correct that the Pharmacy Board through the registrar should be responsible for the piece of legislation before us. Clause 29 applies particularly to me and to other pharmacists in this Chamber in that, if one is not practising for a certain amount of time—in this case three years—we must give the board an assurance of our competence to carry on, not because we do not have the knowledge but because of the rapid changes in the profession and the continuing need to update knowledge. I have studied the clause in detail. I know that members in another place will

put to the Government the view that guidelines should be set down so that any member of the profession who is not practising has some idea of what he or she has to achieve before going back into the workplace.

It has been put to me that people could do a certain period of practical experience for the six or 12 months prior to their re-entering the profession. Whilst I supported that theory initially, I do not support it now, because each individual application must be treated on its own merits and it should be left to the board to decide. The board will consider the application and, depending on what one has been doing over the previous three years and depending on one's knowledge or academic achievements, make the decision. I am therefore happy with the wording of the legislation.

The member for Adelaide will move an amendment relating to the pharmacists professional conduct tribunal. I have no difficulty with that. I have not detected too many problems around the profession in relation to the tribunal, and I hope that the Government will support it. Over the past few months the board, the profession and the shadow Minister have been involved in intensive discussions on this Bill, the details of which have been covered adequately by the speakers before me. I ask that all members support the Bill with the few amendments that will be moved by the member for Adelaide.

The Hon. D.J. HOPGOOD (Minister of Health): I thank members for the consideration they have given to this important legislation. As the member for Coles indicated, it has been a long time coming. Given that we now have it, it is important that proper consideration be given to it by the Parliament. I will be fairly brief in response, not in any way to downgrade what anybody has said but rather because many matters can be more appropriately dealt with in Committee. The member for Adelaide raised the matter of the small pharmacist, a person whose interests may not necessarily on all occasions be represented by those organisations nominated under clause 6 (1) *(d)*. He suggested that I should carefully consider my rights of nomination to the board. I am quite happy to do that, but my rights are limited to clause 6 (1) *(b)*. It would have to be a 6 (1) *(b)* apppointment—that is the only opportunity that arises. I will certainly give every consideration to the honourable member's suggestion within the confines of that sort of constraint.

The member for Henley Beach and, in part response, the member for Bragg, raised the question of the limitation on the ownership of pharmacies. The provision in this Bill is the same as that in the Act which the Bill replaces. I understand the point that the member for Henley Beach is making. First, he is reacting to the fact that, in general, the community is being invited to be more competitive in the way it approaches the manufacture, trade, sale or purchase of any commodities. Indeed, the member for Bragg referred to such things as the deregulation of the labour market, which I thought was precisely the sort of thing that the member for Henley Beach was talking about in terms of 'What is sauce for the goose is sauce for the gander.' But I think we are very wise to exercise some conservatism at this point.

The member for Henley Beach pointed out that, if we walk into a pharmacy, we see all the appurtenances of the capitalist system that we do not see, for example, in a doctor's surgery. For the most part, the pharmacist in our community is a small business person. Some pharmacists are employed by other people in dispensaries, public hospitals and so on but, for the most part, just as a typical nurse is an employee, so a typical pharmacist works for himself or herself or is a small employer. For that reason also, the member for Henley Beach may ask, 'Why are you not prepared to just let it rip?' I think the answer to that is that these days one would expect every commodity that is sold to be safe for public use, particularly in the case of commodities sold in pharmacies.

It is true that these days one can go into a pharmacy and buy a cake of soap, a pair of sunglasses or even a teddy-bear. When we buy such things in a supermarket, we expect them not to be dangerous in any way, but we would not necessarily expect that the vendor would go one step further and say that a commodity is being sold in furtherance of what might be called a health aim.

On the other hand, one would expect a pharmacist to sell a cake of soap in the knowledge that advice must sometimes be given to the purchaser regarding allergies that might be associated with that soap's perfume. Similarly, one would expect a pharmacist to give advice with respect to certain types of sunglasses, because we all know that it is not sufficient simply to tint sunglasses; that in itself might lead to greater exposure to ultraviolet rays. The sunglasses might be relatively opaque to visible light but, nonetheless, they would still be transparent to ultraviolet radiation.

Therefore, I would warn against what one might call the supermarket approach to the sale of commodities through pharmacies. We may eventually reach that point—who knows? I think we hasten slowly and should be conservative in this respect. It is in line with the general conservatism which the health industry generally displays in Australia regarding the introduction of new drugs. I know that from time to time people are somewhat impatient about the amount of time it can take for the approval of new drugs to be brought onto the market, given that such drugs are often widely dispensed overseas. Nonetheless, we know that the delay is in the interests of public safety and, for the same reason, a 'let her rip' approach in pharmacies generally, though it may be consistent with the maintenance of public health and safety, is nonetheless one that must be approached with a good deal of caution. Certainly, there is no proposition before this Parliament at present to alter that approach, nor do I understand are there any amendments to be urged upon us in that respect.

I wish to make one point in relation to a comment made by the member for Bragg when he referred to three members of the board sitting as a disciplinary tribunal. That may be what he has been led to understand by the board in relation to any discussions he has had, either directly or indirectly, but that is not necessarily what the legislation provides. It provides, first, that the quorum be three in relation to disciplinary matters; and, secondly, that the board can split itself for particular purposes.

One could imagine the possibility that two disciplinary procedures could be occurring in parallel, with three members of the board considering one matter and three dealing with the other. That is not inconsistent with the legislation, nor is it required by the legislation. The legislation states that there is an eight person board with a quorum of three but, if all eight members are required to sit on it, that is also possible. I will not canvass the Opposition's amendments at this stage because I think it is more appropriate to deal with them in Committee.

Mr Deputy Speaker, you raised the matter of a health disciplinary tribunal. At this stage I am prepared to give further consideration to that matter. It would require considerable consultation with the profession before we would consider a legislative adventure of that form. For example, as I will perhaps go on to underline in a minute, there are those professions that have some sort of tribunal of their

own and there are some that do not; some are more numerous than the pharmacy profession and some are less numerous. I am sure that before their particular concerns were rolled into the general health disciplinary tribunal they would want some consultation. I see the point of your suggestion, Mr Deputy Speaker, because in an era when we are trying to reduce the number of statutory bodies this would, in one fell swoop, reduce considerably the scope for the spread of little quangoes, however important their role may be, and it may well commend itself to the Parliament on a future occasion.

The member for Coles and the member for Morphett also made contributions. I do not think that they raised any issues that require further comment from me given the comments I have already made. The member for Coles talked about the manufacturing side of the industry. That is also important because, obviously, one of the challenges of the profession is that the expansion of the pharmacopoeia goes on and will, no doubt, accelerate with time. That is all the more reason why we must update legislation which, as we have been reminded, has been with us since 1935. That was the reason for the introduction of this legislation, which I commend to the House.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Interpretation.'

Dr ARMITAGE: I wish to raise two issues in relation to this clause. First, I refer to the definition of 'director'. It is quite clear what is in the Bill. A number of other occupational licensing Acts include, under the definition of 'director', a person who is in a position to control or substantially influence the affairs of the company. The inclusion of that phrase would make it considerably wider than paragraph *(b)*. Will the Minister inform the Committee why that was not included?

The Hon. D.J. HOPGOOD: That is a somewhat technical point. I refer the honourable member's attention to clause 18 (2) *(a)* (ii), which provides:

> The directors of the company must be natural persons who are registered pharmacists (but where there are only two directors, one may be a registered pharmacist and the other may be a prescribed relative of that pharmacist);

This is one of the areas where the definition is, in effect, being put to work. The feeling in the drafting of the Bill was that we would want to be a little careful not to draw the definition too widely for that purpose. However, I am happy to try to get more detailed advice for the honourable member, which can be shared later in the debate or in another place.

Dr ARMITAGE: I move:

> Page 2, after line 21—Insert the following definition:
> 'the tribunal' means the pharmacists professional conduct tribunal.

The Liberal Party believes very strongly that it would be appropriate to have a separate professional conduct tribunal, along the lines of the Medical Practitioners Conduct Tribunal, which is a separate body from the board. I accept the Minister's point that there are ways in which the members of the board at present, as constituted by the Bill, can divide if there is more than one disciplinary action under way. However, equally, in discussions it has been put to me that having a quorum of three people on a disciplinary action would mean that one of those people would always be the legal practitioner, merely to uphold tradition and also so that the legal practitioner is involved in what would ostensibly be regarded as a legal matter. If there is more than one disciplinary action going on, or on the books, that legal practitioner will perhaps be overburdened, which may lead to a delay.

It is also a completely clumsy situation if various divisions of the board are discussing different matters and comings and goings and so on. It may well lead to difficulties. The creation of a separate tribunal would in no way affect the substance of the Bill, which is to update the practice of pharmacy, and we are very much in favour of that. However, this will allow any disciplinary matters which may unfortunately arise in the pharmacy profession to be dealt with by a body that has a completely hands-off relationship with the board. I think the matter has been well canvassed from this side. I am in favour of the creation of such a tribunal, which would mean that we would have to insert the definition in clause 4.

The Hon. D.J. HOPGOOD: Let me just clear the decks by making a couple of comments before indicating my attitude. While it is anticipated that the legal practitioner would sit on these cases, I again make the point that it is not in the statute that it must happen; that will be a matter for the board. This Bill is completely silent as to whether the legal practitioner would be used in that way. I accept the point that the honourable member is making, that for practicable purposes that is likely to be the case. However, I think it is important that we put it on the record because from time to time there could be some misunderstanding.

The second point is that, although by way of illustration I indicated that with a quorum of three one could, in effect, have two boards sitting at the one time on disciplinary matters, in practice I hardly see the need for that. It is pertinent to what I am about to say that we should look in a general way at the number of such cases which have come before the board which is set up under the present legislation. It has not been overworked. It may have been overworked in other respects, but not in respect of disciplinary matters. In 1985 there were two disicplinary inquiries; in 1986 there was none; in 1987 there was none; in 1988 there was one; in 1989 there was one; and in 1990 there were three. That hardly represents a reckless profession. If the Deputy Leader of the Opposition cares to plot that on a graph, he will have difficulty in extrapolating and would prefer to see 1990 as a blip, but 1991 will perhaps tell. It seems unlikely that if that track record is maintained it will be necessary for boards to sit in parallel to consider matters.

Without wanting to be too unreasonable, I have to say that I oppose the amendment. I do not do so in any sense of down-playing disciplinary matters being dealt with—they are matters of the utmost seriousness—nor do I suggest that a person on a disciplinary charge should not be given a fair hearing; but I believe the provisions in the Bill will achieve both those aims adequately.

The Opposition is suggesting that another statutory body should be created. The general thrust of what we have heard from the Opposition in recent years has been that we should review and reduce the numbers of such statutory bodies. Further, if there were an exact parallel between the medicos, on the one hand, and the pharmacists, on the other, and the Opposition could demonstrate to me that this sort of appeals tribunal is a feature of all the other pieces of legislation relating to allied health professionals, that might be another matter. The doctors have such a tribunal, but there are 5 600 of them on the register in South Australia compared with only 1 005 pharmacists. In addition, there are some Acts which provide for this sort of thing and others which do not. It seems to me that, for the most part, it is a matter not of high principle but of history. It is what the profession, through its board, has seen as being what is reasonable and what is not reasonable.

The Government has no axe to grind in this matter. There are no Party politics in legislation such as this. However, we believe that the need for such a body has not been demonstrated. Given that the general tenor of the times is not to increase the numbers of statutory authorities, we believe that on balance we should reject the amendment. I do it not out of any disregard for the seriousness of disciplinary matters, but on the basis that the legislation contains provisions to handle such matters, and therefore I oppose the amendment. I would make the further point that there is the right of appeal to the Supreme Court, which will always be a feature of such legislation.

Dr ARMITAGE: I point out that when speaking to the clause previously, talking about the number of cases within the pharmacy profession which may come before this disciplinary tribunal and possibly lead to difficult splitting of the board as constituted by the Bill, I had not thought of that until the Minister mentioned it in closing the debate. The reason why we are in favour of the creation of this pharmacists professional conduct tribunal is that the board, which has powers which ought to enable it to float above and to organise the profession as such, ought to be divorced from any of the internecine squabbles which may arise from disciplinary matters. We believe that the creation of such a tribunal would uphold that principle adequately and that it is a logical step to take if we are anxious about not drawing the board into these matters.

The Minister mentioned the view of the profession about this matter. I floated this idea, prior to raising it within Liberal Party circles, with many pharmacists, and they were all delighted with the concept. Indeed, I believe it has been the subject of previous negotiations between the profession and the Government. Therefore, on that score alone, if the Minister is to have regard to what he said, he should agree with it. I understand that the profession is in favour of and very relaxed about it. The Liberal Party is convinced that it is an excellent move. It will in no way compromise the general thrust of the Bill, of which we are in favour, but we believe that it will be an ornament to the Bill which will make it function better.

The Hon. D.J. HOPGOOD: I have no desire to jump up and down all the time and continue to add to the argument, but I should point out that, in a sense, a balance has to be achieved. If I were to say to the member for Adelaide, 'Show me your case law; show me your poor pharmacists who have been ground under by a board in the past, who have had no proper recourse and who have not been able to afford the services of lawyers to go to the Supreme Court,' he would say, 'That is not sufficient as an answer. What is important is that we are legislating for the future. There may have been no case in the past when it has happened, but we want to make sure that it does not happen in the future.' If so, I would have to say, 'That is all very well, but you are inviting us to set up a new authority, which could be expensive.' The honourable member has placed before us a reasonably ambitious set of amendments.

Dr Armitage: They are consequential.

The Hon. D.J. HOPGOOD: I understand that they are all consequential, but they spell out the way in which this tribunal will operate, and it reads to me as being a fairly ambitious sort of show. We have to balance between the two. My natural caution against putting the taxpayers of this State to the additional expense of a tribunal has to be weighed against the argument that, although there may not have been a need for it in the past, there may well be a need for it in future. If on some future occasion, should my position withstand the challenge of the honourable member, it can be demonstrated that such an amendment should take place, it would be a reasonably simple matter to bring it before this Chamber. In the meantime, there is your suggestion, Mr Chairman, which does not have the disadvantage of increasing the number of statutory authorities or boards, or whatever one likes to call them, but would have the effect in the long run of reducing them, and we would certainly be prepared to consider that further.

The Committee divided on the amendment:

Ayes (23)—Messrs Allison, Armitage (teller), 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, Matthew, Meier, Oswald, Such, Venning and Wotton.

Noes (23)—Messrs L.M.F. Arnold, Atkinson, Bannon, Blevins, Crafter, De Laine, Ferguson, Gregory, Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood (teller), Mrs Hutchison, Mr Klunder, Ms Lenehan, Messrs McKee, Mayes, Peterson, Quirke, Rann and Trainer.

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

Amendment thus negatived; clause passed.

Clause 5 passed.

Clause 6—'Constitution of board.'

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

Page 3, lines 2 and 3—Strike out 'South Australian Institute of Technology' and substitute 'University of South Australia'.

This is a straightforward amendment: at the time the Bill was introduced, the University of South Australia had not come into being and the section as it stands was accurate. The South Australian Institute of Technology ceased to exist at the beginning of this year and the right to nominate a member of the board must be vested in its successor. I am aware that my colleague the Minister of Employment and Further Education has established a review which is considering the appropriate location of the School of Pharmacy. This may or may not result in a further amendment being necessary at a later stage. However, at present, an amendment is necessary to make the provision workable.

Amendment carried.

Dr ARMITAGE: Clause 6 (2) gives the Minister the power to appoint a member of the board who is a registered pharmacist to preside at meetings of the board. I want to clarify why this is the case, given that the board is comprised of intelligent people upon whom we are vesting considerable authority. Why are they unable to make their own decision as to who might preside, particularly given that clause 10 (3), which covers quora of the board, provides:

In the absence of the member appointed to preside at meetings of the board, the members present at the meeting must decide who is to preside.

Obviously, the Minister is quite happy to have other people presiding at meetings of the board. I cannot see any reason why clause 6 (2) is included and I would be interested in an explanation. Obviously, if that was the case, we would be able to get rid of 6 (3) as well. I am interested to know why this is the case.

The Hon. D.J. HOPGOOD: This is the form in which most of this legislation is being drafted. The draft was placed before the board and it raised no objections to the present form. I personally do not regard it as a matter of any great moment at all, but that was as it came to me by advice. It is consistent with the way in which the chair is provided for in a number of other pieces of legislation—actual legislation and legislation currently being drafted—and the board, given that there is a right of consultation, saw no problem with that. I will almost certainly take the advice of the board as to how the appointment should be made.

Clause as amended passed.

Clauses 7 and 8 passed.

Clause 9—'Personal interest of member.'

Dr ARMITAGE: The term 'personal interest' is used in this clause and indeed, because of the wording of the clause, it obviously means more than a direct or indirect pecuniary interest. What does the term 'personal interest' mean in this context, given that it is in addition to direct or indirect pecuniary interest?

The Hon. D.J. HOPGOOD: The term is defined fairly widely but, for example, it might be a disciplinary matter. I suppose the honourable member's imagination would be able to supply him with other examples, but it could be a disciplinary matter which could not *per se* fall under the definition of direct or indirect pecuniary interest, so it is included. I would not put too much stress on the term 'personal' there, except to ensure that people are not having to declare interest in relation to matters that are a very long bow indeed.

Dr ARMITAGE: Also in this clause the word 'disqualify' is used in that a member who has a personal interest in a matter under consideration by the board is disqualified from participating in the board's consideration of that matter. However, nothing in the legislation indicates the consequences if a member who is disqualified or ought to be disqualified by dint of one of these things participates in a board decision, and I just wonder what would happen in that circumstance.

The Hon. D.J. HOPGOOD: Furthermore, under a later clause, I think the honourable member will realise that indeed a decision of the board will not be declared invalid by virtue of that person's having participated in the decision. I guess that simply adds to the honourable member's implied argument. Not all of these matters are regarded as requiring a penalty or something like that. I think that, if a member—as it were, wilfully—acted in such a way that they were against the spirit and intention of clause 9, the board would almost certainly report the matter to the body from whom the individual had been appointed or, indeed, if it were a 6 *(b)* appointment, it would be me, and then it would be for the board to take up that matter with the individual member. It was not felt appropriate that a penalty should be included in the legislation. It is a serious matter, but it was felt that the board could take the action.

Clause passed.

Clause 10—'Quorum, etc.'

Dr ARMITAGE: My comments may appear like a lost cause given the fate of our previous amendment, but I want to put on the record the view of the Liberal Party that it is most strange that, on a board of eight members, a quorum for an ordinary meeting will be five members but for the purposes of disciplinary action, with the attendant dramatic consequences, only three members of a board may constitute a quorum. I known the argument I will hear from the Minister: that five members of the board can determine whether disciplinary action ought to occur and then the matter can go to the three members.

Because of the dramatic consequences of the disciplinary action that may occur, it would be perceived in the public eye as inappropriate to have three out of eight members of the board in which we have vested this power when the numbers could easily be reversed. I believe this is inappropriate. Will the Minister explain the situation?

The Hon. D.J. HOPGOOD: The honourable member's point is taken, but I see no reason to further amend the legislation before us. If on tasting the apple it proves to be a little less juicy than anticipated when we were putting the Bill together, further amendments are possible. In effect, the honourable member has answered his own question.

Clause passed.

Clauses 11 to 17 passed.

Clause 18—'Qualifications for registration.'

Dr ARMITAGE: This clause deals with qualifications for registration and I wish to ask a number of questions of the Minister, First, in relation to subclause (1) *(d)*, which refers to all other requirements prescribed by the regulations, could there be other requirements prescribed by the registration such that a natural person will be eligible for registration? Secondly, in relation to subclause (2) *(a)* (i), what is meant by the term 'carrying on any business traditionally associated with the practice of pharmacy'? Previously, in respect of another clause, the Minister talked about growth in what he termed 'supermarket pharmacies', where one can buy sandals, sunglasses, hats and so on. Can the Minister define what is meant by 'any business traditionally associated with the practice of pharmacy'?

Just as importantly, subclause (2) *(a)* (ii) provides that the directors of a company registered as a pharmacy must be natural persons who are registered pharmacists. I have no difficulty with that but, in the event of death or disablement of the registered pharmacist in the company controlling the body conducting the pharmacy, according to the legislation it is unclear whether that company may continue to operate a pharmacy to the benefit of the prescribed relatives of the original pharmacist, provided another registered pharmacist conducts the pharmacy.

It would seem fair to continue the practice (and this is not in the legislation) now extant, whereby a deceased estate may continue to conduct the pharmacy while a prescribed relative survives. It is completely iniquitous and undesirable to have a widow or relative of a pharmacist forced by legislation to sell a share of a pharmacy in what may be depressed conditions or circumstances that are not as advantageous as the deceased's relative may desire, particularly when this may be the sole livelihood for the family.

The Hon. D.J. HOPGOOD: Concerning the first question in respect of subclause (1) *(d)*, I will obtain for the honourable member such regulations as are already in force. I am not aware that there will be any radical departure from the regulations. I will have those regulations made available for the honourable member. As to carrying on any business traditionally associated with the practice of pharmacy, fairly obviouisly there is a grey area. The concern of the Government and the board is not to disrupt in any way the practices currently being carried out in pharmacies.

As I said earlier, one can walk through the door and see a range of products that one would not have seen in a pharmacy 50 years ago, not simply by dint of technological innovation but simply because there is a wider range of products that is now seen as appropriate to be sold in a pharmacy. I got as close as a lay person can get, I think, in talking about the whole concept of health and safety. There is a general feeling that, if one sells sandals or sunglasses in a pharmacy, they should be the sort of product that people concerned with the promotion of the health of the individual would want to sell and not just any old junk that one might find in a supermarket, even though any old junk may not technically be dangerous to the individual.

The problem we have in drawing legislation, given that this is a bit of a grey area, is how to do that. For example, do we bring down a regulation to say that 'Homypeds' are all right but thongs are not, or that teddy-bears are all right only if they are impregnated with some sort of chemical that assists the asthmatic, because it settles down what is happening in the alvioli in the lungs? Do we go into that ambitious sort of area, or do we leave it fairly broad and talk about any business traditionally associated with the

practice of pharmacy, that which one would generally see in one's suburban pharmacy these days and, where some rather startling new area of vending opens up in a particular area, if the profession is concerned about that, that is what the legislation is all about? The board is set up to appropriately investigate and decide whether something is just so bizarre, so exotic that it goes beyond that which is envisaged by this subclause or, indeed, whether the legislation really does need to tighten up, in which case it comes to me or my successors, depending on when that might be.

If the honourable member is concerned that the wording is such as to signal that the board is going to tighten the noose, I can certainly give an unconditional guarantee that that is not what we are on about. The question is: how do we legislate or define what really has become a bit of a grey area, but which has become a grey area for the best of intentions? People are not trying to cheat or make a fast buck and all that sort of thing: they see the vending of these products as being within their professional competence and their proper sphere of interest.

As to the third question, which touches on subclause (2) *(a)* (ii), deceased estates may carry on business for six months. Under the Bill the board has the power to exempt specified persons or classes of persons from the Act, and we will get to that when we get to clause 59. It is proposed by the board to exempt deceased estates from section 26 of the Act conditionally for a period of 12 months by regulation.

The honourable member also raised the matter of a deceased company director. Where under the new provisions a company is formed with one registered pharmacist director and that director dies, the board proposes to exempt the company from section 26 for a period of 12 months.

Dr ARMITAGE: I am sure I heard the Minister say that the board will exempt that company under clause 26, but will that cover clause 18 also?

The Hon. D.J. HOPGOOD: Yes, it will.

Dr ARMITAGE: The word 'traditionally' is my dilemma. If we had said five years ago that one could buy Christmas cards or cups in a pharmacy, a number of us would have been horrified. I now accept and in fact often utilise those services late on Sunday nights. That is part of what one expects in a large pharmacy. Given the word 'traditionally', where does the expansion occur?

The Hon. D.J. HOPGOOD: Maybe 'currently and properly associated with the practice of pharmacy' would have been better. I will take advice. If there is any concern, I am happy to ensure that in another place the matter is resolved.

Clause passed.

Clauses 19 to 25 passed.

Clause 26—'Obligation to be registered.'

Dr ARMITAGE: I move:

Page 9, after line 16—Insert the following paragraph:

(ab) a company that carried on a business consisting of or involving pharmacy on 1 August 1942 and that has continued to do so since that date;.

This clause deals with the obligation to be registered prior to the practice of pharmacy. As I mentioned in my second reading speech, a number of entities are presently practising pharmacy and, without amendment to this Bill, those companies will not be able to continue. It would appear that there was no intention to exclude these companies through this legislation, and I have had wide-ranging discussions with people within the profession. I am confident that the people in that situation are worthy of legislative protection. In order to carry on the situation that pertains presently, I urge that my amendment be carried.

The Hon. D.J. HOPGOOD: I draw the honourable member's attention to my amendment to clause 59 as circulated. We believe that clause 59, along with a regulatory power that we would exercise under clause 59, would be sufficient to ensure that that degree of grandfathering (to use the 'in' term) will be sufficient. I also believe that there has been consultation on this matter and that the people who would be affected by it are quite happy with the approach that the Government is taking. It is simply a matter of balance—whether we put it under this clause, as the honourable member suggests, or along the lines I have canvassed. For that technical reason I reject the honourable member's amendment and invite him to consider it in light of my amendment to clause 59.

Dr ARMITAGE: Can the Minister assure me that all people who carried on a business consisting of or involving a pharmacy on 1 August 1942 and have continued to do so since then have been consulted about this and are happy with the amendment to clause 59? If the Minister can assure me of that, I will be happy.

The Hon. D. J. HOPGOOD: I am assured by the representative of the board that that is the case.

Dr ARMITAGE: I therefore seek leave to withdraw my amendment.

Leave granted; amendment withdrawn.

Clause passed.

Clauses 27 and 28 passed.

Clause 29—'Board's approval required if pharmacist has not practised for three years.'

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

Page 10, lines 6 to 8—Strike out subclause (1) and substitute:

(1) A registered pharmacist who, for three years or more, has not practised pharmacy or has only practised pharmacy through the instrumentality of another person, must not commence the practice of pharmacy (except through the instrumentality of another person) without first obtaining the approval of the board.

My amendment deals with quality assurance, to which the member for Bragg referred in his second reading speech. It seeks to ensure that pharmacists who have not practised in a hands-on manner for three years or more will have to get the board's approval before they can go back to hands-on practice. It has become apparent that the clause as drafted is a little inconsistent in its application to special groups, be they academic pharmacists, pharmacists in Government employ in a specialist administrative role and non-practising pharmacist/owners. The amendment seeks to clarify the situation and to put them all on the same footing. I commend it to the Committee.

Amendment carried.

Dr ARMITAGE: In our view legislation ought not to prescribe what is essentially a Pharmacy Board function, namely, the granting of approval for people to come back into the profession. We are very much in favour of the tenor of this clause, but I suggest that the Minister ask that specific requirements be laid down by the board such that people who leave pharmacy for periods of three years or more know at the time of leaving exactly what will be required for them to resume practice. At the moment it is unclear.

The Hon. D.J. HOPGOOD: It is a constructive suggestion and I will certainly take it up with the board.

Clause as amended passed.

Clauses 30 to 33 passed.

Clause 34—'Limitation on number of pharmacies.'

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

Page 11, line 24—Strike out 'partnership that' and substitute 'person who'.

This amendment has been requested by the board following consultation with the profession. I am advised that there are a number of pharmacists through partnerships and oth-

erwise who have an interest in more than four pharmacies. As the Bill stands, these people would be subject to a reduction in their interest in the event of a failure of a partnership through death or other causes. That was not intended, and the amendment seeks to clarify the matter and to avoid that result.

Amendment carried; clause as amended passed.

Clauses 35 to 41 passed.

Clause 42—'Obligation to report incapacity.'

Dr ARMITAGE: The obligation to report incapacity is an admirable aim, but I point out to the Minister that this provision will have to be notified to all medical practitioners and, in practice, may not actually provide the safeguard intended. Will the Minister clarify that?

The Hon. D.J. HOPGOOD: First, I should like the honourable member to explain why he feels that it will not achieve its objective.

Dr ARMITAGE: It needs to be notified to all members of the medical profession.

The Hon. D.J. HOPGOOD: I am sure that the board will take every opportunity to ensure that this additional burden on the medical profession which the legislature is now considering will be fully notified to it.

Clause passed.

Clauses 43 to 55 passed.

Clause 56—'Service of documents and notices.'

Dr ARMITAGE: Given that notices or documents sent under this Act may have draconian consequences, I wonder whether sending them by post is appropriate; perhaps they ought to go by registered mail.

The Hon. D.J. HOPGOOD: It is the practice of the board that all documents are sent by certified mail, and that will continue. In drafting this we are trying to ensure that a particular action should not be invalidated by the fact that certified mail, for whatever reason, was not actually used, but I give an undertaking that the present practice will continue.

Dr ARMITAGE: That is by post.

The Hon. D.J. HOPGOOD: It is by post.

Clause passed.

Clauses 57 and 58 passed.

Clause 59—'Regulations.'

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

Page 18, after line 18—Insert new paragraph as follows:

(ia) exempt (conditionally or unconditionally) from one or more of the provisions of this Act any company that lawfully carried on a business consisting of or involving pharmacy immediately before the commencement of this Act and make provisions, ancillary or incidental to the exemption, relating to the liability of the directors of such a company;.

This amendment has been partly canvassed in respect of an earlier amendment which was foreshadowed by the Opposition but which was withdrawn. For the Committee's benefit, I reiterate that companies formed before August 1942 (of which I believe there are five) are exempt under the present Act from ownership restrictions. The board proposes to continue that dispensation by exempting them from registration by regulation. The board considers that it is not unreasonable and, indeed, in the public interest that such companies should comply with some of the provisions with which companies registered under the new Act will have to comply, and I instance as an example clauses 36, 37, 38 and 39. The amendment ensures that adequate regulation making power exists to cater for conditional exemptions for the pre-1942 companies, and I urge it on the Committee.

Dr ARMITAGE: The Liberal Party will support this amendment, with the previously indicated acknowledgment that this clause has the backing of those five companies, as we have had a great number of negotiations with them as well. On that understanding, the Liberal Party is pleased to support the amendment.

Amendment carried; clause as amended passed.

Schedules 1 and 2 and title passed.

Bill read a third time and passed.

CHIROPRACTORS BILL

Adjourned debate on second reading.

(Continued from 17 October. Page 1120.)

Dr ARMITAGE (Adelaide): This Bill, like the previous one, seeks to update legislation that is becoming out of date for a number of reasons, not the least of which is the march of time, particularly in terms of the practices of chiropractors. This Bill has met with general goodwill within the chiropractic and consumer community, and the changes seem appropriate, particularly in relation to the updating of skills required when a chiropractor resumes practice after five or more years away from practice. There is the potential for refresher courses to be undertaken. It also sees the registration of companies which, again, is a move we favour.

Under the indemnity clause, the board requires that chiropractors must carry $1 million professional indemnity. I am disappointed that this is not a legislative requirement because, as the Minister indicated previously when discussing the Pharmacists Bill, we are an increasingly litigious society and, because of the traumatic consequences of medical care in general these days and because of the increasingly litigious society, I believe that, first, $1 million is not enough and, secondly, that it ought to be a legislative requirement. In general, the Liberal Party supports the thrust of the Bill.

Mrs HUTCHISON (Stuart): I wish to speak briefly in support of this Bill. As the Minister noted in his second reading explanation, the 1979 Act introduced the registration of chiropractors in South Australia for the first time, and it is safe to say that that recognition was not easily gained. We can also say now that chiropractics has well and truly come of age and earned for itself a respected place in the overall health care system.

As a sometime patient myself, I can personally attest to the value of chiropractic services, particularly having sat on these benches for some time. We now have over 220 chiropractors registered in South Australia, and chiropractic education is being conducted within the recognised tertiary education institutions in Australia, a far cry from the early days when chiropractic education was available mostly outside Australia.

We have recently witnessed the coming together of the two major associations to form the Chiropractic Association of Australia, so we can say that chiropractic in this State seems to be very much on track. The legislation before us is designed to provide a more modern framework for regulating the profession of chiropractors in line with the progressive upgrading of the Health Professions (Registrations) Act which has been occurring in recent years.

Increased quality assurance and public accountability mechanisms are built into this legislation, which is a forward move. It is a tribute to the profession that it has recognised the need for legislation such as we have before us to be upgraded. Therefore, on those grounds, I am very pleased to be able to support the legislation.

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

That the sitting of the House be extended beyond 6 p.m.

Motion carried.

The Hon. D.J. HOPGOOD: I thank the two members who have contributed to the debate. Chiropractic has become an important profession, and I think very few people would not have had recourse at some stage to a chiropractor's services, particularly people of more mature years. Therefore, it is very important that legislation such as this be on the books to enable proper regulation of this very important profession.

The only matter that requires comment is the point made by the member for Adelaide in relation to indemnity—the writing of the particular sum into the legislation and the quantum of that sum. There is an ongoing debate regarding this matter. The board does not have a closed mind on it. The board believed it was important to have something on the books at this stage, and it would not be opposed to $5 million, but whether it is appropriate at this point to be writing such a figure into the legislation is another matter. I have simply taken advice on it, which is that it should be a matter of statute; it may or may not be appropriate for it to be a regulatory matter. Some members of the profession may be concerned about the ease with which one regulation can be changed by another but I indicate to the House that, in accepting the support indicated for the general thrust of the legislation, there is really no closed mind on this matter, and in future years there will almost certainly be movements upwards in the amount we are talking about.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Interpretation.'

Dr ARMITAGE: Included in the definition of 'chiropractic' is 'the manipulation or adjustment for therapeutic purposes of the spinal column or joints of the human body'. It seems to me that this might be an over-extension of the generally accepted role of chiropractic within the community; that of manipulation or adjustment for therapeutic purposes of the spinal column with which I have no dilemma. However, I ask the Minister whether, by extending the definition to include 'or joints of the human body', that includes every joint.

The Hon. D.J. HOPGOOD: It is important to realise that what we are trying to produce in any piece of legislation is not a dictionary definition. As members will know, many definitions in legislation are circular. Nonetheless, they try to remove any confusion that might exist should the legislation be put to work. All legislation is put to work in relation to the courts; otherwise, one usually has to worry about it too much. It is only when a point of law is raised that it has to come up and, therefore, in any definition in legislation we are trying to remove confusion, not to provide an absolutely exclusive definition of what is being talked about. From what is before me, I would assume that this could include every joint of the human body but, again, I remind the honourable member that it is how it is put to work in the courts that counts, rather than dictionary accuracy.

Clause passed.

Clause 5 passed.

Clause 6—'Constitution of the board.'

Dr ARMITAGE: This clause states that four members must be practising chiropractors elected in accordance with the regulations. Given that there is nothing in the regulations at present, as I understand it, about how the election will take place, can the Minister clarify that point?

The Hon. D.J. HOPGOOD: The regulations will be virtually a carbon copy of the regulations under the Dentists Act. I will make that available to the honourable member. Basically, there will be what has been described as a 'one vote one value system', which I assume means a one person one vote basis.

Dr ARMITAGE: Of all registered chiropractors?

The Hon. D.J. HOPGOOD: Yes.

Dr ARMITAGE: Subclauses (2) and (3) refer to the members of the board being appointed by the Minister. Given clause 10 (2), whereby if the member appointed to preside is not present the board can go ahead and choose its own presiding officer, why was subclause 6 (3) necessary?

The Hon. D.J. HOPGOOD: For the same reasons I indicated under the Pharmacy Bill, with which we dealt previously.

Clause passed.

Clause 7 passed.

Clause 8—'Remuneration and expenses.'

Dr ARMITAGE: Will the Minister clarify what the funds of the board are likely to be?

The Hon. D.J. HOPGOOD: Does the honourable member mean the quantum of the funds or the source?

Dr ARMITAGE: Both.

The Hon. D.J. HOPGOOD: The source of the funds clearly would be that which is contributed by members of the profession under the registration provisions. The most recent annual report, dated 3 June 1990, includes a balance sheet and I will see that that is made available to the honourable member.

Clause passed.

Clauses 9 to 17 passed.

Clause 18—'Qualifications for registration.'

Dr ARMITAGE: Paragraph *(c)* indicates that persons are eligible for registration if they have prescribed qualifications and experience in chiropractic. Will the Minister clarify what experience is necessary? If someone actually gets qualifications and does not have experience, under this legislation that person would not be able to be registered. I am also interested in what will be the requirements, under paragraph *(d)*, in the regulations for registration.

The Hon. D.J. HOPGOOD: As I see it, it is really paragraph *(d)* that will do the work of clause 18, although, of course, paragraph *(a)* is very straightforward. As I see it, the regulation should spell out what the qualifications are and what the appropriate experience would be. So, paragraph *(c)* is a general statement of aim; paragraph *(d)*, in effect, does the work for paragraph *(c)*. I wonder whether the honourable member really wants me to go through all of this or whether he is quite happy for me to make the information available to him.

I have a paper that details the institutions and qualifications and it goes beyond South Australia into Victoria, New South Wales, the United Kingdom, Canada and the United States of America. There may need to be more work done by the board on this issue. I do not think that it is necessary that it be spelt out at this stage. The paper also deals with such relevant practical experience in the practice of chiropractic or osteopathy as approved by the board. I am sure that the honourable member would want me to give an undertaking that the board will be in an early position to indicate exactly what the relevant experience should be. I give that undertaking.

Clause passed.

Clauses 19 to 24 passed.

Clause 25—'Obligation to be registered.'

Dr ARMITAGE: This clause provides:

> . . . a person must not practise chiropractic for fee or reward unless—

It then lists a number of paragraphs. I would have thought that it would perhaps be more appropriate to have the words 'fee or reward' not included. On the basis that an unqualified

person should not be able to practise chiropractic whether they charge a fee or not, will the Minister say why those four words are there?

The Hon. D.J. HOPGOOD: I would be very concerned if people were holding themselves out as a chiropractor and actually practising manipulation on someone when they were not qualified. I am sure that there would be a course of action against them. However, that would seem to be a rather bizarre thing to do given that that person would not be getting anything out of it. What is the point we are dealing with? Is it simply a massage? There may be any one of us who has given a bit of a massage to a mate who has been complaining of a strained back. The concern is, of course, whether people are actually doing this for a living. We could have a look at that.

I guess the concern is that we do not want to catch the housewife who is massaging her husband's back. Given that we have tried to keep a reasonably broad definition here, it is just possible, I suppose, that that might somehow come under the definition and might be referred to in the courts. My understanding is that the definition with which we are dealing here—what we are setting out—is what has been the practice until now and we have not thought that it was necessary to depart from that.

Dr ARMITAGE: On the understanding that the Minister will look at this further, I am happy with that.

Clause passed.

Clauses 26 and 27 passed.

Clause 28—'Board's approval required if chiropractor has not practised for five years.'

Dr ARMITAGE: Similarly to the Pharmacy Bill, I believe it is important that the board sets specific requirements for re-entry into the profession prior to someone's leaving so that that person knows exactly what the requirements are likely to be should they leave. The Liberal Party is very much in favour of people having to undergo certain procedures after five years absence, but I believe that people ought to know where they stand, for instance, if they become a parliamentarian.

The Hon. D.J. HOPGOOD: I am prepared to give that undertaking in the way that I gave it previously. I make the point that in the instance that the honourable member is talking about there may be a very long time lapse between departure from and re-entry into the profession, and there may be some quite different practices which are regarded as the norm but which were unheard of in previous times. I think that would require some consideration, but in general terms what the honourable member suggests is reasonable. I will see that it is carried out.

Clause passed.

Clauses 29 to 33 passed.

Clause 34—'Employment of registered persons by company.'

Dr ARMITAGE: I ask the Minister to clarify clause 34 (1). The clause provides that a company must not employ more registered chiropractors than twice the number of directors of the company. Given the fluid state of employment and the number of people in the health professions—full-time, part-time, job sharing and so on—will the Minister indicate that that means a company must not employ more than twice the number of full-time equivalents, or whatever it is? I understand the principle, but I think that it needs to be clarified.

The Hon. D.J. HOPGOOD: That is the principle that we are getting at here. Indeed, it is a direct copy from the legislation governing the medical profession.

Clause passed.

Clauses 35 to 51 passed.

Clause 52—'Summary offences.'

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

Page 16, after line 28—Insert new subclause as follows:

(2) Proceedings for an offence against this Act may be commenced within two years after the date on which the offence is alleged to have been committed.

To a large extent, the amendment is self-explanatory. Indeed, it was something of an oversight that it was not originally included. Offences under the Act are summary offences. That means that the six months time limit of the Justices Act for the laying of a complaint applies. While the board endeavours to deal with matters as expeditiously as possible, on occasion it has had difficulty with that time constraint. Therefore, it has requested that this amendment be approved. I commend it to the Committee. I think that it will greatly assist in the administration of the Act.

Amendment carried; clause as amended passed.

Remaining clauses (53 to 55), schedule and title passed.

Bill read a third time and passed.

ADJOURNMENT

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

That the House do now adjourn.

Mr De LAINE (Price): I want to raise a problem in my electorate regarding troublesome neighbours. There are different types of neighbours, such as private owner-occupiers, private tenants and Housing Trust tenants. There are also different types and races of people. The problem in my electorate is my worst problem: it involves Aboriginal Housing Trust tenants. These Aboriginal tenants are housed in accommodation provided by an offshoot of the Housing Trust, the Aboriginal Funded Units Section.

I make the point that I am not a racist. I have many Aboriginal friends. Most Aborigines are lovely people when they are sober, but the big problem here is alcohol, and it is a real problem. I am not attacking the Aborigines as a race; I am attacking the behaviour of these people. The problem is almost 100 per cent attributable to Aborigines. There are a few problems with white people, but the problem in my electorate is 95 per cent with Aborigines. Some of the people who have complained to me about this behaviour are Aborigines. Therefore, that puts paid to the fact that it is a racist thing; it is a problem in the community.

The main reason for raising this as an Aboriginal rather than a general Housing Trust problem is cultural. The problems and some of the possible solutions need to be addressed in the context of cultural factors. The problem is that many people frequent these homes. There is drunkenness, fighting, loud music, disgusting behaviour, foul language and harassment of neighbours and other problems, into which I will not go now. I want to confine my contribution to problems in relation to tenants of and visitors to those houses.

One particular case relates to a house which is rented to two Aborigines. I have been led to believe—this has not been substantiated, but it comes from a very good source—that there are 25 people living in that place. Obviously, that puts a strain on all sorts of services in that house. The problem is worse in summer. In the good weather they spend a lot of time outside, they drink, fight and use foul language. Beer bottles are thrown over neighbours' fences, sometimes hitting people. Some bottles are thrown over intact and at other times they are smashed against houses and broken glass goes into swimming pools and so on. Rocks are also thrown over fences. The police are called time and again to some of these places, but they say that

they can do nothing about it. I will deal with that point later.

Aboriginal children between eight and 12 years of age get into neighbours' properties. They jump on top of bird aviaries, shade houses, fowl houses, and so on, and do a lot of damage. They risk their own personal safety and the loss of valuable birds and plants. When the owners come out and tell the kids to get down and stop it the kids respond with absolutely foul language.

These children come on to the properties and demand drinks from the residents. Most of the residents in one particular area are elderly women. If they refuse the demands, they are abused. Many of these people, being quite elderly, have been brought up in an atmosphere in which they are not used to hearing such language and it distresses them greatly when confronted with such foul abuse. I believe that the situation needs to be addressed as a cultural problem with these people. I have been told that the parents do not discipline their children.

As I said, many of the neighbours are quite elderly. They are retired. They have lived in their homes for probably all of their married lives. They have worked hard and have lived in these homes for between 30 and 50 years and they are too old to shift. Their qality of life has gone after all these years. Whichever way they go about it, if they stay and put up with the disgraceful behaviour their quality of life has gone; if they shift, their quality of life has gone again. When it comes to selling their houses, there is another problem. When a house is on the market and people come along and see who is living next door the owner, in effect, cannot give the place away.

Also, landlords have problems with some of the houses they put out to rent when they cannot rent them because of the neighbours. I could go on with a lot of other cases, but I do not have time to do that. The behaviour is absolutely terrible. The police and the Housing Trust both say that they have no power. I do not go along with that argument—I think they have the power. As far as I can see, the police certainly have the power in the statutes. The laws are there to protect people from troublemakers who are indulging in harassment and threatening behaviour. For some reason, the police just will not exercise the powers they have in this area. Item 4 of the Housing Trust's conditions of tenancy, in the tenants handbook, provides:

> If the tenant—
>
> *(a)* fails to pay the rent or any part of it, within 14 days upon which the date upon which it is due; or . . .
>
> *(c)* fails to comply with any of the conditions of tenancy
>
> then the trust shall have the right to terminate the tenancy after giving not less than 14 days notice in writing.

Further, in the conditions of tenancy, part *7(e)* provides that the tenant shall not:

> cause or permit any interference with the reasonable peace, comfort or privacy of other tenants of the trust or members of the public.

What annoys me is that people who do not pay their rent find themselves taken to court and evicted, even out onto the street with young children, and yet some of these people who obviously pay their rent but who behave like animals are not evicted. The Housing Trust is not consistent in this regard. I think it has the power but is just not exercising it.

The civil libertarians and civil rights people seem to worry more about the rights of the troublemaking minority than about the rights of the decent, law-abiding majority, and the bottom line, as far as I am concerned, is that I am not prepared to sit back and see these—perhaps 12—honest, law-abiding, hard working families in the near vicinity of these people have their quality of life ruined for the sake of one family. Something needs to be done about it. These people have spent a lifetime saving and working for their homes and they should not be forced out at an old age.

There is one particular case of an Aboriginal man and his family. He had a good job—he was a responsible sort of person—and wanted to better himself, so he took out a mortgage and bought a house. Everything was fine and he got on well with his neighbours, but about nine months down the track his relatives and tribesmen found out that he had this place and they started to visit in their tens, twenties and thirties, rolling up in taxis and bringing armfuls of booze into the place. In the end, this poor Aboriginal man was so embarrassed that he came to his neighbours in tears and said that he had had enough of it and he was not prepared to see his friends and neighbours subjected to this sort of behaviour, so he sold his house and missed out in that regard. As I say, the actual problem is, in most cases, not so much the tenants but their visitors. I believe it is a cultural problem.

Mr BLACKER (Flinders): I intended to use this time allocated to me to talk about the rural crisis as it applies to Eyre Peninsula. However, I believe the editorial in today's *Advertiser* encapsulates the wider scene of the rural crisis and I will use most of my time on that and point out how it relates to the local scene. I would like to read word for word the editorial opinion in today's *Advertiser*, because it is something that everyone needs to understand so they appreciate the compexities of the problem that is facing us and, more particularly, to endeavour to grasp the situation and do something about it. The editorial, entitled 'Grains of truth', reads as follows:

> In the cities, they're talking about recession; in the bush, the word is depression. This follows from the wag's definition: 'Recession is when people you know are out of work; depression is when it's you.' Things are crook on the land—obviously beyond the understanding of Canberra. And when a farmer goes broke it is not just a family thrown on the dole queue. Whole towns wither a little more. Shops close. Other businesses fold. Misery feeds on itself, as it is doing in rural Australia now, with wool and wheat industries in crisis.
>
> In a continental society such as Australia, commodities are the roots and commerce the branches. We are a long way from being smart enough to base our export economy on manufacturing or trading, let alone on the provision of services. So when major commodities collapse (as they are doing, with the exception of some minerals) the tree is in danger not just of wilting but of dying. That is how serious the wheat crisis is. It is tangible human misery; it is also economic disaster, ultimately hurting the whole nation. Given the lack of export alternatives at the moment, it is imperative—no matter what is said by straitjacketing ideologues and the economic purists of remote Canberra—that rural Australia be assured by the whole community of some strength and stability.
>
> Confidence
>
> Wool's hole has already been dug by international factors, by grower greed and, especially, by Federal Cabinet ignorance. International confidence and local stability are shattered. Even with a blinding discovery of new marketing and a radical shift to value-added production, wool would be a long way from export health. The canned-fruit people and citrus growers also feel the Government has sold their industries down the drain. The Government has not exactly screwed up the wheat industry. Yet. That dubious honour lies with Washington (and to a lesser extent with Brussels).
>
> The United States Export Enhancement Program heavily subsidises prairie wheat growers to sell on the world market in an economic war with Europe. President George Bush, fighting a war on another front also, is even now pushing Congress for greater subsidies so he can buy the continued Gulf War support of such countries as Egypt and the Soviet Union. This is savaging Australia, which tries to play fair and sell wheat for at least the cost of production. But we are losing traditional markets to subsidised US wheat. And those markets cannot be simply regained even in good times.
>
> If Washington is supposed to be a friend, we can only thank heavens we are not an enemy. We have to try a concerted and bipartisan approach to Washington with the message that we are being ignored and suffering. However, the Australian Government

will remain committed to the Gulf War to keep our minds off the economy; we need US bases here as part of our security network; we have no ammunition big enough to force recognition of our plight. So we cannot expect to change much in Washington. Agricultural trade reform under the General Agreement on Tariffs and Trade is uncertain. There are signs that Europe is weakening under the metaphorical carpet bombing of world markets by the US and that talks will resume. But that offers no short-term hopes while world commodity prices are low, nor will it cause a fundamental change in Washington attitudes.

Standards

We might try looking to new markets, such as the rice nations of Asia. But while Australian wheat has high hygiene standards, economic pressures have helped push protein levels of our wheat to worryingly low levels for world market needs. And finding new markets, again, remains long-term thinking. We face an immediate crisis. Three-quarters of Australia's wheat farmers will lose money this year because, however efficient they are, they cannot match the low market prices of Europe and the US. Only half the wheat crop for next year will be planted: that will leave more hard-won long-term markets begging.

The wool alternative is out. Some farmers may shift to other grains and legumes, suggesting forthcoming oversupply problems. Some, armed with caution even in prosperity and hope even in danger, will tough it out. Many, however, must simply walk off the land. That exodus has begun. The Government has to look beyond the computer programs of its isolated Canberra advisers and get out here into the real world. Whatever it may have done with wool, it must institute a form of temporary floor price for wheat. We can combat the big nations only by playing their game, however philosophically unsound in the long term, and by subsidising wheat farmers so the industry may match world prices now and survive, and so that a tap root of our economy may withstand this current crisis.

I am acutely aware that my reading that editorial into *Hansard* has taken up much time. However, I do not believe that the real crisis that is facing this nation can be more succinctly put than in the words of the Editor of today's paper. I commend those comments and particularly the underlying thoughts to all members of the House. I would like to try to bring the reality of that article back home. By 'home', I refer to the grain producers of Eyre Peninsula and the State. Virtually every farmer now is negotiating with his bank and trying to work out what his or her future might be.

Many farmers will not be allowed to plant a crop this year because they cannot provide for the bank a budget that can show a break-even point. That crisis situation is with us, and I can cite one very large town in my electorate which, fortunately or unfortunately, has only two banks (that probably identifies the town); I am told that about a week ago not one farmer's budget had been presented to either bank manager that could show a break-even profit for the coming season using the figures of an average year on the current cost of production.

Bearing in mind that that area has had two years of average or above average production, the chances of its having an average year again are extremely remote. The dilemma for those farmers is whether or not they want to plant a crop. Farmers need to grow a crop in order to make money to keep going; banks require money from loans, overdrafts and mortgage repayments on land; and the State and Federal Governments need money not only for tax revenue but also for balance of trade payments that we need.

It becomes imperative that farmers are given some sort of assistance and, more particularly, confidence through the knowledge that, if they plant a crop, they will be able to receive at least the cost of production and, hopefully, a small margin in order to make their year's work worthwhile. That is not an unreasonable request. Every member in this House knows what it is like to have a regular income. Many members know what it is like not to have a regular income as a result of former employment or lack of it; they might have been unfortunate enough to experience unemployment before entering this place. There are experiences on both sides. But there is no comfort now for any primary producer in contemplating whether they walk off the land, hand their deeds into the bank and say, 'We are finished; we cannot see light at the end of the tunnel. It is all yours.' What does a bank do with 20, 30, 50 or 100 farms?

I guess the consequences of that and the higher or lower economic orders, however one puts it, point to disaster, because we need to get those people back onto a level playing field. True, that is a hackneyed phrase, but we need to get the situation back so that everyone can know where they are going.

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

Mr FERGUSON (Henley Beach): I was heartened and pleased to see on page 3 of the *Advertiser* that the Lord Mayor of Adelaide, Steve Condous, has referred to the need to do something about the litterbugs in the City of Adelaide. I have nothing other than support for our Lord Mayor in the way he has suggested he will tackle litterbugs. There has been a problem with local government in that it has had the power for more than 20 years to issue expiation fees to people who litter our city. The problem is that local government has not been willing to tackle this problem, even though for many years it has had the power to act in regard to litterbugs.

At the time legislation was passed in this House (and there would be many in this House who would remember when that legislation was provided to local government), local government was clamouring enthusiastically to take over this power. I remember the editorials that appeared in the *News* and the *Advertiser*. Comparisons were made with the cleanliness of Singapore, for example, and mention was made of the draconian powers of local authorities in Singapore who were able to impose on-the-spot fines, even for tourists, that amounted to the equivalent of $A25. That was a lot of money then and the fine has probably increased since that time.

We saw a photograph of our Lord Mayor not exactly confronting but having a friendly discussion with the building workers on the Remm site about the untidiness that they were creating in leaving behind their rubbish. There was photographic evidence of the litter left behind by that group. Not only am I enthusiastic about the way Mayor Condous is preparing to tackle this problem but I am sure that many civic minded people in South Australia are also keen and enthusiastic in that regard.

Those members who listen to my speeches in this House (and I know that members listen with enthusiasm to my speeches) will remember that this is the third occasion on which I have suggested that the expiation fee for littering be increased from the present $20 to $50. This would bring the fee into line with expiation fees for dog control offences and offences under the Clean Air Act. One of the points made by local government officials in explanation of their unwillingness to impose these fines is that they are able to collect only $20 at present and not $50, the same amount as all other expiation fees.

Mr Speaker, you would know the problem about which I am talking because you and I both represent electorates where rubbish sourced from areas outside our districts unfortunately collects. In my case the rubbish comes down the Torrens River, the Patawalonga and the upper reaches of the Port River. That rubbish and litter is carried down through the floodwater system into my electorate and, as soon as the gates of the Patawalonga are open, when the

Torrens River floods into the sea and when there is a high tide in the upper reaches of the Port River, tonnes and tonnes of rubbish is deposited on the beachfronts and in other parts of my area.

I can only express my absolute enthusiasm for the way in which our Lord Mayor was prepared to consider and tackle this problem, and I hope that he will convince those members of local government with whom he comes into contact (perhaps through the Local Government Association) that they ought to take up their powers under section 748 *(a)* of the Local Government Act 1934 whereby expiation fees can be imposed on those people who deposit litter, wherever that litter might be deposited.

I join with the volunteers who go down on a weekend to clean up the beach fronts between West Beach and Estcourt House. We go down with various organisations, such as the lifesavers and the local Red Cross Society, who volunteer of a weekend to clear up the rubbish that other people are depositing on our beaches. It is unjust that people in my electorate have to volunteer hours of work to do that when, if there were a little more civic pride in this State of ours, we would be able to overcome this problem and not be asking people to clean up someone else's rubbish.

I greeted with enthusiasm the announcement of the Minister for Environment and Planning that establishments such as Hungry Jack's should do away with the styrene packages that hold hamburgers. One of the problems that confronts the volunteers who clear up the beach fronts is these styrene outer packages that are deposited, it appears to me, by the teenage groups who frequent these instant food places.

It would go a long way towards keeping Adelaide clean and maintaining Adelaide's reputation as a tourist centre if something could be done about these styrene packages. Some of the inspectors have a problem in identifying those people who have committed an offence, and I am all for this Parliament increasing the provisions under the Local Government Act to give those inspectors more power.

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

Motion carried.

At 6.13 p.m. the House adjourned until Thursday 21 February at 11 a.m.