HOUSE OF ASSEMBLY

Thursday 4 April 1991

The SPEAKER (Hon. N.T. Peterson) took the Chair at 11 a.m. and read prayers.

STATE BANK

Adjourned debate on motion of Mr Becker:

That, in the opinion of this House, all executive salary packages of the State Bank and associated companies' employees worth in excess of $85 000 per annum be listed in the State Bank annual report to Parliament, in line with publicly listed companies' practice and recommendation of the Public Accountants Committee.

(Continued from 14 February. Page 2938.)

Mr FERGUSON (Henley Beach): The Government supports this motion. I am a member of the Public Accounts Committee—

The Hon. J.P. Trainer: And a good one!

Mr FERGUSON: Thank you very much. We discussed this matter at length during the compilation of the last report that was presented to Parliament, and the unanimous recommendation of that committee was that all executive salary packages, not only so far as the monetary value is concerned but also all the other components of the packages (such as motor cars, school fees, the payment of rent and everything else that goes with the executive package), should be published in the annual report.

To a certain extent, this has been complied with by the State Bank, not necessarily in its annual report but in the press releases it has been sending out. In February this year the State Bank issued a press release giving the full details of all the salary packages paid to State Bank members. The State Bank executives were not named, but they are identified in the salary bands as required by the Companies Code.

I am of the opinion that the Companies Code should be amended to make sure that all executives in all companies are named with their salary packages. Some people believe that this is an invasion of privacy but, after all, it is very easy to find out what are the salary packages of public servants, for example. They are all listed in various classifications under the Public Service Act, with the exception of the new provisions in respect of senior public servants who are provided with a motor car. I am of the opinion that this information or the various packages should be published from time to time.

Mr Gunn: So am I.

Mr FERGUSON: I absolutely agree with the member for Eyre who suggests that he agrees with me. I think the full salary package ought to be published. There is really no opposition to the motion of the member for Hanson. It is a proper motion. As a member of Parliament, my salary is published. From time to time everyone knows the details of my salary package. I see no reason why this should not apply to all—

The Hon. T.H. Hemmings: You should get more!

Mr FERGUSON: Thank you very much.

The Hon. B.C. Eastick interjecting:

Mr FERGUSON: Yes, and this matter has now extended to local government. In the first instance, local government officers were hostile to this proposition but, since their salary packages have been published, it has not been a matter of controversy. I believe that the people who pay the wages ought to know what wages are received. In addition, in private enterprise, I believe that we should be getting to the stage where all executive salaries are published. So, it is with great pleasure that I support the motion. I see no reason why it should be opposed and I congratulate the member for Hanson for putting it to the House.

Mr BECKER (Hanson): I thank the member for Henley Beach for his kind remarks and I totally agree with his sentiment that all executive salaries should be disclosed, particularly the names of those who receive them. When I first spoke to the motion I drew a comparison with some of the executive salaries in some of Australia's largest corporations. I appreciate what the Government has done in accepting the sentiments of this motion, and I commend it to the House.

Motion carried.

RAILWAYS

Adjourned debate on motion of Mr Venning:

That this House supports an immediate moratorium on the removal of any further railway infrastructure in South Australia and calls upon the Minister of Transport to exercise his powers under the Railways Transfer Agreement to take to arbitration any decision by Australian National Railways to diminish the value and efficiency of the rail system.

(Continued from 7 March. Page 3377.)

Mrs HUTCHISON (Stuart): I move:

Delete all words after 'That this House' and insert:

1. Urges the Federal Government to use all appropriate means to have the Australian National Railways Commission cease the demolition of rail lines in South Australia and to let no further demolition contracts until after the Select Committee on Country Rail Services in South Australia tables its final report.

2. Requests the Speaker to convey this resolution to the Prime Minister of Australia.

I understand that a copy of my amendment has been circulated to members. In moving my amendment—

The SPEAKER: Order! Members will keep the noise level down and resume their seats. The member for Stuart.

Mrs HUTCHISON: Thank you, Mr Speaker. The railway lines in South Australia that have been or may be closed by Australian National are those that carry grain traffic almost exclusively.

Mr LEWIS: Mr Speaker, I rise on a point of order. The substance of the amendment that the member for Stuart seeks to move is in no way related to the substance of the motion before the House moved by the member for Custance, other than it refers to railways but in no other way is it similar. I take exception to that.

The SPEAKER: Order! The member for Murray-Mallee will resume his seat. I have just received a copy of the amendment; I will peruse it and make a judgment.

Members interjecting:

The SPEAKER: Nothing has been accepted at this stage.

Members interjecting:

The SPEAKER: Order! The honourable member gave notice of an amendment. There has been no call in respect of the amendment. I will read the amendment and see whether I agree with the honourable member's point of order.

Mr FERGUSON: Mr Speaker, I seek clarification. Is it not possible for the House to vote for the original proposition if it does not agree to the amendment, in any case?

The SPEAKER: I am not sure what the honourable member meant by that and I think that I will disregard that comment.

The Hon. Ted Chapman interjecting:

The SPEAKER: Order! I will peruse the amendment. In the interim, the member for Stuart may continue her comments on the motion set out on the Notice Paper.

Mrs HUTCHISON: Thank you for your ruling, Mr Speaker. As I said—

Members interjecting:

Mrs HUTCHISON: I will ignore the interjection from the rude member opposite. The railway lines in South Australia that have been or may be closed by Australian National are those that carry, almost exclusively, grain traffic. That impacts on my electorate of Stuart. It is the responsibility of the grain handling authorities (for example CBH, which is located in my electorate), to select the mode of transport that minimises costs and hence maximises the returns to their members. Where road transport is cheaper than rail transport for clearing particular groups of silos, road transport unfortunately is used in preference to rail—this is what has been occurring. It then becomes unnecessary for Australian National, in its view, to provide a rail service.

Australian National's view is that some components of the unused infrastructure, particularly the rail and fittings, is more productively used elsewhere. If no trains are operating over a particular route Australian National may then seek the Federal Government's approval to close those lines or line, as the case may be. If the Federal Government concurs with Australian National's request to close a line or lines, the Federal Government will seek the approval of the State Government.

There is provision under the terms of the Railway Transfer Agreement for the State Government to reject the Federal Government's request, in which case the matter will then go to arbitration. Effectively, this is happening with respect to the Mount Gambier regional rail service. However, the Crown Solicitor has advised that the only services that can be taken to arbitration are those that existed at the time of the transfer and are 'effectively demanded'. That is the crucial element. If there is no effective demand, there is no recourse to arbitration and the line or lines will be closed, no matter how strong or vocal is the State or local opposition.

The State Government has opposed some line closures and last year it actually opposed the closure of the standard gauge Snowtown to Wallaroo line because of its potential strategic significance. Despite the loss of all the traffic and the withdrawal of regular services, the Federal Government agreed to the State Government's request that the line be kept in place for five years. The Victor Harbor line was taken to arbitration and, as I said previously, the Mount Gambier passenger service is also being taken to arbitration. The withdrawal of the service on the Peterborough to Quorn line was investigated by a joint Federal/State committee and the potential of arbitration for the Gladstone service was examined but, unfortunately, did not proceed.

It is very important, and I concur with the member for Custance, that we voice our grave concerns on this matter to the Federal Government, which is the ultimate decision maker in this situation. The continued downgrading of AN services in regional country areas has been a concern to me personally and it will continue to be a grave concern to me and, I know, to members opposite, such as the members for Mount Gambier and Custance. We really need to put these concerns to the Federal Government. This amendment, if it is carried, will provide one way in which we can buy some time until the Select Committee on Country Rail Services in South Australia brings down its final report, at which point we will need to look at the whole matter again. I ask all members to support this amendment.

The SPEAKER: Having perused the amendment, the Chair believes that it is in order.

Mr VENNING (Custance): Reluctantly, I accept the amendment. The words 'let no further demolition' concern me, because most of the vital lines are already under contract. To bring down the gate now is too late because the horse has already bolted. I hope that we can do something about the lines that are under contract. I accept the amendment which goes in that certain direction. I understand that the select committee of another place has come down with a similar finding, and I hope that the Government's action will somehow save our vital rail network. I commend the amendment to the House.

Amendment carried; motion as amended passed.

VIDEO MACHINES

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

That in the opinion of this House the State Lotteries Act 1966 must be amended to allow for hotels and clubs to operate video machines as described in the regulations under the Casino Act 1983 as from 1 July 1991.

(Continued from 14 March. Page 3644.)

The Hon. T.H. HEMMINGS (Napier): I move:

Leave out all the words after 'House' and insert 'licensed clubs and hotels should be authorised to install coin operated gaming machines'.

I have much sympathy with the original motion, but in my opinion—and I am sure that I speak for others on both sides of the House—in its present form, restricting the motion to video machines, is far too narrow. If one takes some of the newspaper reports emanating from the Premier and if the Government is to use this motion, whether in its original form or in my amended form, as a litmus test—I take the words used by the Premier—we need to insert the words 'coin operated gaming machines'. If my amendment is successful this Parliament can signal to the Government that we are serious about gaming machines being allowed in hotels and licensed clubs. That will give the Government sufficient scope to produce an options paper which will canvass all the areas so that it can make gaming machines available to the public.

My amendment, and even the original motion, express the view of this House. If it is successful, the options paper will come back to this Parliament where it will be adequately debated. It will be subjected to a full and comprehensive examination by members of Parliament; it will give members a chance to canvass views in the community; and it will give those who have a vested interest, such as the licensed clubs and hotels, an opportunity to make their views known, although, reading the previous contributions made by members, I suggest the licensed clubs and hotels have for some time been making their views known to individual members of Parliament: that they wish to have coin operated gaming machines on their premises. The clubs and hotels want them and, if my electorate is anything to go by, the community wants them. The original motion has been before the House since November of last year, and my colleague the member for Spence has adequately canvassed the reasons why it was allowed to lie on the Notice Paper until recently. In that time community support has started to firm up. We have a responsibility to the community and to the licensed clubs and hotels, in effect, to explore all the options available in relation to coin operated gaming machines.

Some of the comments in the *News* yesterday sum up the situation. There has been some criticism of the Government. I am not here in private members' time to defend the Government, nor will I, but there has been some criticism about statements that were made when Parliament discussed the setting up and approving of a casino, to the effect that gaming machines would not be allowed in the casino. Subsequently, video machines have been made available in the casino. However, since those statements were made, there has been considerable change not only in community attitudes in South Australia but, of all places, in Queensland. Two years ago, if we had said that a Queensland Government would consider allowing poker machines in hotels and clubs, they would have said that we had rocks in our heads.

However, Queensland moves with the times and, as an individual member of Parliament, I would hate to think that we as a Parliament will not be progressive but will be hidebound by a decision made some years ago that gaming machines would not be allowed in the casino, or in hotels and clubs. In Victoria, moves have also been made that could completely remove the competitive edge of our casino, greatly disadvantaging hotels and clubs in South Australia.

I am not just saying that we should make a decision based purely on the fact that dollars are going out of this State: there are other aspects to the matter, but I am sure that if my amendment is successful they would be the kind of things that the Government would pick up. In my own electorate a regular stream of people go to New South Wales to take advantage of poker machines. It is a ready market and, as an individual member of Parliament, I hear time and time again here in this House that we need more money to be available to pay for all the things that the community is demanding. For that very reason, it causes me some concern that a regular stream of the gambling dollar is going out of this State to New South Wales, as it is. That could become a flood if the Victorian Government goes ahead—and we know it will go ahead—in setting up its casino and gaming machines in that State.

I think that briefly sums up the reason for moving this amendment. Others may wish to support or oppose the proposition that I have put before the House but I reiterate: this amendment expresses a view of the House and it in no way gives *carte blanche* approval. As I understand it, an options paper will be produced by the Government which will be circulated in this Parliament and which will ensure all views are being expressed. I am sure that, when that debate does take place in this Parliament, it will mean that all areas will be canvassed, and I am sure the final result will be for the benefit of the community of South Australia.

Mr BLACKER (Flinders): I want to use a couple of minutes to put on record my views on this situation. I have been totally opposed to the introduction of electronic gaming devices—or poker machines or whatever we want to call them—in South Australia, and I was rather concerned when Parliament voted to allow them in the casino. However, it is now a different ball game and in this situation I ask why one section of the community should be allowed to have these electronic gaming devices while the sporting clubs in particular and other clubs around the State will no doubt find it even more difficult to keep themselves going. I am of two minds as to what one should do in relation to this matter. My initial reaction is still to vote against such a proposal because, as with a disease—and the Minister of Agriculture was talking here about the control of diseases in potato crops—whether one should try to contain the use of these devices within a certain area and try to prevent their spread across the State, or whether to allow them to be introduced across the State, is a very vexed question.

I listened with interest to what the member for Napier had to say and I am inclined to believe that his approach is right, given his assurance, namely, that a position paper be referred to this House so that Parliament can make a decision on the basis of all the evidence available from the wider community.

At this time, that is the appropriate way to go. I do not believe that the Casino should necessarily have an exclusive right to those machines. I would have much preferred that the machines did not come into South Australia at all, but I am very conscious of the effects of the interstate trade. There is no doubt that there has been a thriving tourist trade based on busloads of people going interstate to play the poker machines. I note that a further amendment has been foreshadowed and, no doubt, that will be debated in this House. However, at this time my sympathies are with the member for Napier in what he has to say, on the express assurance that it is only a position paper that is being discussed at this time and that this motion gives no commitment to the Government on behalf of this House for the wider spread of the use of electronic gaming devices until full debate has taken place.

The Hon. J.C. BANNON (Premier and Treasurer): I should like to enter this debate for two reasons: first, to clarify and place on record the Government's position in relation to the carrying of a motion by this House; and, secondly, to explain my own position in relation to the matter. This is a matter that our Party is not treating as a Government measure on which there is Government policy: the issue traditionally has been handled as a conscience matter and, therefore, members of the Government are able to speak, vote and indeed to move such amendments or changes as they wish. I understand that the position would be similar for members opposite.

I refer, first, to the Government's position. If this House expresses an opinion through this means—and, as the member for Flinders has just said, it can only be an expression of opinion; it is not a legislative framework—the Government will take note of that opinion. It would not matter what particular form that opinion was in, because the Government's intention would be to produce an options paper that canvasses the issue fairly broadly and looks at a number of the ramifications and models that could be adopted if coin operated gaming machines were to become generally available in South Australia. Following production of that options paper, which we believe would give members some assistance in considering their own views on the matter, we would propose to introduce a Bill to the House during the August session, the framing of which, again, is something that has not been determined but which will in part derive from expressions of public opinion following whatever is done in this place, as well as consideration of and response to the options paper itself.

Of course, that Bill, although introduced by the Government and given Government time for its debate and consideration, will be subject to amendment by any members who wish to do so. I imagine that on such an issue there would be a plethora of amendments to be moved, but one would hope that we can resolve this issue fairly rapidly and that, while the legislation must be carefully drawn and the implications of it understood, it should not be a complex piece of legislation and the issues will have been well canvassed. Therefore I hope that we can have a debate that can lead to a resolution of this matter, consideration by

members in another place, and a legislative framework that can operate before the end of this year.

Having said that, perhaps I should state why the Government feels that, rather than let this matter drift as a private member's matter, it should take some specific action in the event of the motion passing this place. The reason is that the debate concerning these machines and the climate surrounding them has changed considerably in recent months, almost. For many years the situation was that coin operated gambling machines, the traditional poker machines, operated solely in New South Wales. Since they were introduced in New South Wales there has been a development of casinos in the various States of Australia.

As far as South Australia is concerned, there has been the recent introduction of video gaming machines into the Casino itself, an appropriate move that was supported by members of the Government and, certainly, by me. In relation to other States, in Queensland early last year an announcement was made that poker machines would be introduced into that State. That process is still not complete. In fact, the latest release I read from the Queensland Minister of Tourism, Sport and Racing referred to the intention to have poker machines installed and operational in Queensland's 1 200 registered clubs and 800 hotels in time for the new financial year, that is, the year beginning 1 July 1991. However, over the 12 months or so during which this matter has been considered in Queensland, proposed legislation, administration and other aspects have gone through a number of changes. Of course, there has been input from the corruption inquiries in Queensland and due regard has been paid to those aspects of this area of gaming. So, we have a considerable precedent to draw from in the case of Queensland.

Secondly, and even more importantly, I think, as far as South Australia is concerned, was the intention announced on 12 March of this year by the Victorian Premier (Mrs Kirner) that the State Government intended to allow gaming machines in licensed clubs and hotels throughout Victoria. There were a series of conditions around this: the operators would be the TAB and Tattersall's; they would be allowed to install up to 5 000 gaming machines throughout the State in the first 18 months, with no more than 100 at any single venue; a Minister of Gaming was appointed to oversee this; and an independent Gaming Commission is to be created to control the machine industry.

They will be video game machines in the sense that they will be linked to a central computer to protect the integrity of the system. That intention has been announced and is under way at the moment. Legislation still has to be considered by the Victorian Parliament, and in what form it finally emerges is not yet known. The crucial fact is that across the border from South Australia we will have another State in which these machines will be freely available. That could have a considerable economic impact on those districts on the border of this State, and we have already seen some impact in the fact that New South Wales has had such machines in operation in areas such as the Riverland, although that has been for a long period and we have adjusted to the implications of it. However, this is an entirely new scene, which could have a profound effect on the South-East. Secondly, and equally importantly, I suggest, the impact could flow to our tourist industry.

Our major source of tourists is from Victoria. Victorian tourists come to this State for amenity and lifestyle, and the Casino has proved a very powerful attraction, but we will no longer have a unique advantage in that regard. Simply to protect our market it is necessary that we look very seriously at the issue of gaming machines. When I talk about the general social and community climate, I guess one must look at the constraint the current economic conditions are applying to the operations of clubs and, even, hotels. No doubt, the income revenue generated will be a substantial boost to the amenity of those clubs and hotels and would be very welcome. It will aid the recreational and other opportunities of the community. I suggest that there has been a shift in the availability of funds and so on that makes us reconsider this matter.

In terms of the options paper, I have already referred to the precedents and experience we can draw in the case of New South Wales but, more particularly, Queensland and Victoria. Some intensive work has been done within the Lotteries Commission over the past 12 months on this issue as well, partly generated by the fact that the Casino has been moving to obtain video gaming machines. The Lotteries Commission has analysed some systems overseas, and just a week or so ago the Chairman and General Manager returned from a study tour during which they looked at various systems—games and things of that kind—which the Lotteries Commission has under investigation.

One of the most interesting of those developments, and one that the Lotteries Commission has been urging the Government to allow it to introduce on a pilot basis, is a video lottery system that is operated by the Atlantic Lottery Corporation. This corporation is a kind of lotto bloc that covers four of the Canadian maritime provinces. It has a market of about 2.3 million people. As from the end of last year, video lotteries, which involve terminals in various outlets operated through a central function, have been operating very successfully indeed. They have some six manufacturers and a range of different games, with push buttons and touch screens. The maximum bet allowable under this system at the moment is $2.50, with 25c and $1 coins being accepted. The maximum prize is $500. It is run by the corporation with some variation.

Mr Fioravanti, the General Manager, is preparing a detailed report. I have seen the initial draft of that report, in which he strongly recommends the introduction of such a system here in South Australia. An estimate some time last year suggested that the revenue benefits would be of the order of $20 million to the Government, based on a particular breakdown of the takings and a major return, of course, to the players in such a game. A subsequent reassessment suggests that it could be as high as $50 million. The figures are what might be called rubbery, depending on the number of terminals, the nature of the games and so on, but advance work has been done.

The Lotteries Commission would contend that its present Act would authorise it to introduce such a system without the need for parliamentary amendment, regulation or whatever. I have taken the view that, on a matter like this, it is appropriate that the Parliament has control and has an opinion on it. To allow the Lotteries Commission simply to go ahead with this, as it would do, whether or not it is within power, would be inappropriate. It should be considered by the Parliament. Obviously that system and the detailed work that has been done on it would be one of the options we could canvass in such a paper.

That really raises the question of who should run the system. Obviously the Lotteries Commission is mentioned in the motion before us, because it refers to the State Lotteries Act and therefore implies some role to the State Lotteries Commission, even though it does not cement that in. I would certainly favour that view personally. I believe that a central authority such as the Lotteries Commission would be very appropriate as the controlling body. I would not like a situation where it was unrestricted or where there

was an arrangement that did not allow some central authority to have control of the process, the purchase of the machines, the issuing of licences and so on. That, too, will be one of the options that will be put in our paper, because there are a number of different models. I have already mentioned the Gaming Commission that the Victorian Government proposes and so on.

What sort of machines should be used? Apart from the Atlantic Lottery Corporation video lotteries which I have just mentioned, there are machines as in the Casino and there is a range of other coin operated gaming machines. In the original motion, reference is made to video machines as described in the regulations in the Casino Act. I believe that machines of that kind are the appropriate machines for consideration. I would be very uneasy about the so-called one-armed bandits or their equivalent. I do not support them personally. I think they have problems, and it is for that reason that I am opposed to the amendment proposed by my colleague the member for Napier. I will vote against that amendment. However, if that amendment is carried, I am prepared nonetheless to support the motion as amended because I believe that the matter needs further consideration.

I believe that the motion of the member for Davenport is the appropriate basis on which this House should express an opinion and from which an options paper of some sort should be derived. The question of where they should be located is an issue as well. Hotels and clubs generally are referred to in the motion of the member for Davenport, and I would suggest that it is probably reasonable that we have that broad option before us. On the other hand, licensed clubs and hotels are referred to in the amendment moved by the member for Napier. The foreshadowed amendment of the member for Hanson—and he will be speaking to his amendment shortly—will restrict it to community and cooperatively owned hotels. I do not support that amendment. That is unduly restrictive. In fact, I do not support either of the amendments. I will be supporting the original motion that is before us.

The question of what take and return there should be is obviously also an important issue. Under the Canadian system, approximately 90 per cent is returned to the players and the remaining 10 per cent is divided on a 60/30 basis between the Government and the club which has the terminals. There are various models. The Victorians have suggested one and there is another in Queensland. All these things can be canvassed and set out in the options paper. We need make no decision about that until such time as the Bill is presented and the House can do with it what it will.

I have covered who should run them, what sort of machines they should be, where they should be and what sort of take and return there should be in this instance. I come back to my opening remarks. If the House is of the opinion that the time has come for the introduction of these machines, the Government will accept that view and take the initiative in order to ensure that this Chamber and another place can fully debate these matters at the earliest opportunity, which will be in the next session. I oppose both amendments but, as I have indicated, if they are carried, I am prepared to support the final motion as an expression of an opinion without in any way compromising the views I have already expressed as my personal views on this question.

Mr BECKER (Hanson): I move:

That the amendment moved by the Hon. T.H. Hemmings be amended by inserting the words 'community and cooperatively owned' before 'hotels'.

I do not want to go back and reiterate what I said in 1986 when I moved a private member's motion for the authorisation of electronic gaming devices in certain premises in South Australia, but I well remember the bucketing I received from the member for Florey, who spoke on behalf of the Government, when he criticised my move, condemning and damning what I was proposing. We now see the Government doing a complete backflip by introducing amendments to the motion of the member for Davenport and also with the comments of the Premier. I have always believed that, at some stage, South Australians would grow up and accept the principle of poker machines and that they would be installed in licensed clubs.

For so many years, the Hotels Association in this State has done everything possible to ensure that licensed clubs never really got off the ground. As a matter of fact, that association has almost stifled their growth. Sunday trading was the beginning of it. Licensed clubs in the metropolitan area in particular fulfilled a particular need for a certain group of people.

The Hotels Association could see the popularity of licensed clubs, to some degree, on Sunday mornings. They combined social and sporting activities and the Hotels Association was able to lobby the various political Parties for approval for Sunday trading. That was the beginning of stifling the growth of licensed clubs, particularly in my area.

Many small clubs fulfilled the need for comradeship and friendship, with people supporting one another, having a convivial drink on a Sunday morning or Sunday afternoon, with participation in a sporting activity. The local hotel made sure it killed off that kind of club, denying up to 300 people the opportunity to participate in a first class sporting organisation and in competition and to share the friendship and comradeship that came with club activities. Local hotels do not provide any of that; they do not give a damn. As long as they sell booze, they do not give a damn.

Mr Lewis: Unless it is community owned.

Mr BECKER: As the member for Murray-Mallee says, unless it is a community owned club. In this State the hotels are owned by individuals, companies (the brewing companies), nominees or interstate and overseas cartels. They are not interested in providing support for local sporting organisations or health, welfare and voluntary agencies as do community clubs.

True, each of them will give a donation, but it is so minimal that it does not matter. It is just conscience money that allows them to say, 'We support the local community.' I can assure the House that most members probably give more in donations and trophies to local sporting clubs than do some local hotels.

Mr Lewis: I can vouch for that.

Mr BECKER: As the honourable member says, that is the case in his area and it is the case in mine. If we are to accept the installation of electronic gaming devices or poker machines, I believe that they should go into the licensed clubs. Let us look at what happened in New South Wales. I was there in 1954 when it started. True, it was mayhem and what occurred in those first few years was incredible. However, I do not recall any hotels going bankrupt or suffering. New South Wales had plenty of hotels, one on every corner, but they were beautiful hotels, hospitality establishments, providing good accommodation and venues for people to enjoy friendship.

Licensed clubs developed a whole new entertainment field, a new industry, and created employment for thousands of people. More importantly, people in those days could join a local licensed club for $2 (it was £1 although some fees were £10). People from all walks of life could become

members, particularly the average working man. He was able to go to the hotel and have a few drinks after work, but he was also able to go to his local club on the weekend; he could take his wife and enjoy a meal and club facilities at a reasonable price. If he wanted, he could put a few shillings into poker machines.

The average New South Wales citizen is not sitting there blindly feeding every penny they have got into poker machines. They leave that to the tourists—the South Australians or the Victorians or whoever visits New South Wales. The licensed club industry in New South Wales has established high credentials and principles and has provided magnificent benefit to the community. The same thing has happened in South Australia where our community hotels have sponsored and supported the provision of necessities in our small country towns, especially developing first class sporting facilities. That would never have happened if it were not for community hotels.

Local hotels do not contribute much to the local community—not at all. They are there to make a profit, to make a quid. The trouble in South Australia is that we have had too many hotels for too long. A considerable number of people have come from interstate, particularly from Victoria, because hotels have been cheap in South Australia, and bought one, two or three hotels. Now they have found that they paid too much for those hotels and they are experiencing a rough trot. I do not recall any hotel going broke during a recession or depression. My family has been involved in hotels and farming, so I can go right back to the early days of the establishment of this State with respect to my relatives in the hotel and farming industries. Indeed, I was brought up in a hotel for most of my years and I loathed it. I have seen both the good and the terrible side of hotels.

If we are to establish gaming devices in South Australia, I believe that the majority of South Australians would want any profits from gambling to benefit the members of the community, particularly sporting clubs and health, welfare and voluntary agencies and not the entrepreneurs, as we have seen to date. I commend the amendment to the House.

The Hon. TED CHAPMAN (Alexandra): I do not believe in this place that we can legislate to protect the public against itself. Accordingly, I do not believe that we should be dictating what form of gambling people may participate in. I make those comments again in this place, because I believe as a matter of principle that that is an attitude of which we should constantly remind ourselves.

I do not like poker machines or the concept of video operated gaming machines that we already have in South Australia: they are grubby little boxes that do not provide any social or real enjoyment atmosphere as do, for example, the Adelaide Casino, racecourses or similar sporting venues. But that is a personal view. Accordingly, I have not and do not intend to indulge in that blind gambling practice, but that does not mean that others cannot or should not do so.

If there is to be an extension of coin operated gaming devices in the South Australian community, be it in hotels, motels, licensed clubs or any other premises, I shall be moving, if someone in the Government has not already provided for it, that this House insist upon the appropriate legislation to require the public display in that place housing the devices the odds they are designed to provide for the respective houses.

I do not want to canvass further the background of that subject now, because I have done so previously *ad infinitum* and members on both sides of the House understand that issue. Judging by the nods of heads of members opposite now, it appears that they support that principle. However, what does disturb and greatly annoy me in this instance is the background associated with the introduction of video-type machines already in South Australia. Following the lobby by the Adelaide Casino to install video machines in its premises, it was given the nod by a Minister in this State to indulge in enormous public and investor expenditure in those premises. It was given the nod to proceed to adjust the building in order to carry the weight of those devices.

It was given the nod to proceed actually to acquire the machines and to pay for their installation before the motion for disallowance of the subject regulation proceeded through this House and, indeed, before the Casino authority in South Australia formally approved of the use of those machines. Incidentally, that formal approval was granted only on the Friday before the machines operated last month.

Given that background, given one or two other factors, not the least of which has been the repeated announcements by the Premier that there will be no poker machines in South Australia under his Government, and given the other hypocritical elements of this whole issue that have arisen in the meantime, we now have the Premier, in a desperate attempt to gain revenue, jumping on the bandwagon to support the member for Davenport's private motion. He is putting aside all his other principles and previous announcements. In fact, he is ignoring the report to this House as far back as 1983—the Wilson select committee report—which recommended that there be no poker machines in South Australia in any premises, let alone in the Adelaide Casino, which was pending at that time and which was ultimately established, as we know.

Against all that, the Premier now comes out and says, 'It's not that we want the money.' What he should be saying if he is fair dinkum is, 'We want the money; we are in desperate need of the money.' He is, in effect, saying, 'There is no alternative but to support this motion.' By doing so, he is conveniently using this motion and he will finish up with the revenue he so desperately requires. He is providing the facilities in hotels, motels, licensed clubs or wherever, or he is providing the ultimate opportunity in legislation for those premises to have devices in order to attract trade and revenue, and the stigma associated with that rotten issue from A to Z will rest with the Opposition. It is a skilful political exercise, as well as a blatant disregard for principle, and it is an abdication of the Premier's own position, virtually overnight, in order to get the money.

An argument is already up and running between the Casino authorities and the Minister of Finance in this State. I am aware of the communications that took place yesterday about the deep concerns and divisions that exist between the ministry and the Adelaide Casino. I believe that the Adelaide Casino is the more guilty party in ignoring the position that the people of Adelaide take on the matter of gambling generally. It has ignored the fact that Adelaide is an extremely conservative Australian city. It is certainly more conservative than any other city, perhaps with the exception of Hobart in Tasmania. Adelaide people have traditionally been concerned about any sabotage, erosion, criticism or attempt to bypass the role of their hospitals, libraries, universities, churches or Parliament. Indeed, the Casino and those associated with it in recent times have forgotten those matters of fact and they have bowled along on the premise that they have wide public support for their activities. Well, they have not.

As I stated in this House in recent days, the legislation for the Casino went through this Parliament by the skin of its teeth. So, in my view, they do not have any room to manipulate or to muck around with the interpretation of what the Act does or does not provide. They have the video

machines, and that is the worst thing that they could have done. A few weeks ago the Casino destroyed its own credibility as a classy establishment in this State. There is no question but that the Adelaide Casino building—the instrument of a fully licensed gambling facility—and the whole perception of the premises is most favourable. It is a great asset to South Australia and a delightful place in which to be involved—if one wants to be involved at all in a gambling institution. It is an instituion of which all South Australians can be proud. However, all of that credibility was destroyed when the platform was set for the ultimate financial downturn, if not destruction, of the Adelaide Casino itself. It has indulged in a practice of expanding those sophisticated and exclusive gambling facilities that are identified in the Casino Act, and it became greedy. As I said, it lobbied the Government. There is absolutely no correspondence giving the permission to do what it did the other day. However, it has cast the die for its own destiny and, I believe, ultimate destruction as an economic and properly secured delightful premise as we see it today. It will deteriorate.

The DEPUTY SPEAKER: The member for Alexandra will link his remarks to the motion before this place.

The Hon. TED CHAPMAN: Well, I am endeavouring to do so and I believe that I am well within the boundaries of the discussions that have taken place so far, particularly by the Premier.

The DEPUTY SPEAKER: Order! The member for Alexandra will link his remarks to the motion.

The Hon. TED CHAPMAN: In doing so—whilst he went all over the place, talking to the amendment, to the motion, to his own personal views, and to what happens interstate and elsewhere in relation to gambling and such devices as are described in this motion—I am confining my remarks to what has happened in recent times in South Australia in relation to this form of gambling. I am relating my remarks to the Premier's absolute hypocrisy as an individual in this Parliament on this issue and in relation to his remarks about the motion before us. I am relating my remarks to the ultimate destruction of that classic institution—the Adelaide Casino—by and large as a result of its own greed and its indulgence in an extraordinary gambling activity in that place for which it was never designed and which was never supported, even at the outset in the Wilson committee report of 1983.

The scene has now been set for an extension of those video-type and/or traditional poker machine facilities elsewhere in this State. That, in turn, will create competition with which those involved will not be able to live. I cannot imagine how the Government has been so slack as to allow this to occur, except that I understand the economic pressure that the Government is under at the moment. I have now had it demonstrated to me, as has every member of this House, just how weak and lily-livered is this Premier in stooping to the level that he has today and yesterday by indicating that he will tip out the baby with the bathwater. All the principles that the Premier has espoused are cast aside because he needs the money so desperately.

It is a quite disgraceful situation. I recognise that the Caucus-style vote applies, even though this is private members' time. Signals have been given by a number of members on this side of the House that they will support the motion and/or the amendment—I am not too sure where they are going in that regard.

It would appear that something along the lines of a licence for the Government to produce a green paper will occur today. By the way, far be it from me to assume what will happen in this Parliament, because I have never done that. However, given the indications, I shall not be a party to it. I think that it is crook. In the event of it occurring, as I said at the outset, I shall insist on there being a proper public display of the odds that apply to the house for every form of gambling device that there is in this State, including those which have already been installed in the casino and those which may ultimately be installed in other premises in this State.

Mr FERGUSON (Henley Beach): At the outset, I indicate my support for the Hemmings amendment.

The DEPUTY SPEAKER: Order! The honourable member must refer to other members by their electoral district.

Mr FERGUSON: I beg your pardon, Mr Deputy Speaker. The amendment before me has on it, 'Amendment to be moved by the Hon. T.H. Hemmings', and I took it that that was the way to address it. However, I accept your ruling, as I always do.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr FERGUSON: I thank those on the other side for their assistance. I should like to put on record my reasons for supporting the amendment proposed by the member for Napier. I have much sympathy with the contribution made by the member for Flinders. The last time that this proposition was debated in the House, I indicated my absolute opposition to the introduction of poker machines and/or gaming machines. I joined the Minister of Labour in crossing the floor to vote against a proposition that vaguely looked at this matter.

The reasons for my opposition arose from the royal commission into gambling that was conducted in Victoria. The Victorian royal commission made some very strident criticisms of the operations of poker machines, particularly in New South Wales. It referred to the rorts that were going on in that State, which started with the machine manufacturers and finished with the managers of the various clubs and everybody in between getting involved in taking a slice of the action from the poker machines. We even had phantom cleaners and phantom barmen being put through the books by office managers for wages that were coming out of the proceeds of the poker machines. Further, from time to time people who were hanging around the poker machines used devices to open the machines, put their hand in the till and take out a handful of coins.

Since that time—we are talking about eight years ago—technology has brought us to the stage where it is almost impossible for cheating to take place with poker machines. Victoria has now announced that it is to introduce a gaming machine—not necessarily a poker machine—which means that good South Australian money will be crossing the border unless we do something about it. Those two factors made me change my mind.

Members interjecting:

Mr FERGUSON: Goodness me, the empty vessels are rattling everywhere. Those two factors made me change my mind about the introduction of these machines. We now have this proposition before us, and my inclination is to support the amendment proposed by the member for Napier. However, I am not inclined to support the further amendment that has been proposed by the member for Hanson, and there are several reasons for this. I have had the opportunity to make comparisons between hotels in South Australia and in New South Wales. Hotels in New South Wales have not had the benefit of having these machines introduced, as opposed to the New South Wales clubs. The hotels in New South Wales are terrible; they are awful institutions.

For example, in parts of Sydney and elsewhere in New South Wales one could be forgiven for thinking that one was in the last century because the hotels there are not very salubrious at all. One of the reasons is that they have been left behind in the competition. We have heard from members opposite about a level playing field. I believe that, to be fair to all people in South Australia, whether they use an hotel or a club, this Parliament should be prepared to allow poker machines to go into hotels so that they can continue to improve and provide facilities at least equal to the facilities being provided in the clubs.

No-one has yet spoken about the problems that sporting clubs are having in this State. Sporting clubs are constantly coming to see me seeking some form of revenue to assist them in their endeavours. I have had the advantage of going with the South Australian parliamentary bowling team to New South Wales and utilising the facilities in that State. The facilities in the sporting clubs in New South Wales are nothing short of excellent. Not only are they excellent, but entrance fees are so reasonable that very few people who want to engage in sport cannot do so. However, in South Australia one has to be truly well heeled to take advantage of the sporting facilities provided here. Members of bowling clubs are now paying huge fees to keep their clubs going. Therefore, I can see the advantage of introducing gaming machines in South Australia.

Although I am not supporting the further amendment proposed by the member for Hanson, in due course, when legislation is introduced in this Parliament, he will have the opportunity to reintroduce amendments to be tested by the Parliament. We are merely setting a principle. For that reason, I have great pleasure in supporting the amendment moved by the member for Napier.

The Hon. B.C. EASTICK (Light): We are at what might be termed the shadow boxing stage—preparing for the big event. There is no argument but that one can get hurt shadow boxing. Indeed, that was demonstrated here this morning by the Premier who destroyed his credibility, having gone to the people over a long period saying that there will be no pokies in South Australia. The policy during recent elections has been: no pokies in South Australia. Here we have a person who, in the shadow boxing stage, has already destroyed his own credibility.

On a number of occasions I have said that I deplore the idea of video or poker machines being introduced in South Australia. If I had my way, there would be none, but I have always said on the public record, and I intend to stand by it, that, if by any means the Government were to give the Casino an inside running, I would support a situation that gave the same opportunity to the pubs and the clubs, and I will therefore vote accordingly on this occasion in the shadow boxing stage.

However, by drawing attention to the fact that we are only shadow boxing at present, I come back to the point that a considerable amount of legislation must be put before this House before the elements of this change of attitude finally become law. It is quite possible that during that debate, which might or might not result in the passage of the relevant legislation, the benefit that the Adelaide Casino currently enjoys could also be removed by the decision of Parliament. That is not an invitation to members of the Government to stultify the introduction of the legislation they have promised in relation to the changes required and their undertaking that it will be introduced during the next session of Parliament. It is important that we realise that, in taking the step that is requested of us by our colleague the member for Davenport today, we are fulfilling an obligation that has been made over a number of years to people in the hotel and the club business. I do not resile from that, but there is still a long way to go.

The other point I would make is that, speaking purely and simply as a member representing an area, I see it as extremely important that I take this stance at this juncture, for the survival of the people whom I represent and who are the members of the clubs and the proprietors of the pubs. That is because what the Government has done—quite unnecessarily and surreptitiously, I believe—is to give the Casino an inside running behind the back of the parliamentary system and it has put additional pressure back onto those clubs and pubs. Members opposite would know the difficulties that occur when one hotel in a town gets a TAB licence and the other does not. They would recognise the problems that now exist where pubs are being refused a TAB licence because they cannot guarantee a turnover of $5 000 a week. Where can anyone get that sort of money in a depressed rural situation at the moment?

I realise that we are not dismissing the TAB in this motion, but it is relevant to the circumstances that exist out there in the countryside today. This Government and its Federal colleagues have already destroyed the livelihood of a large number of people in the rural community, and they are gradually starting to destroy people in the city areas, because of their inability to buy, which flows on, yet we are prepared by what the Government has done to give an inside running to one organisation instead of to the lot. I hope I have made my position clear. I vote for this measure, not because I believe in this form of gambling but in the interests of an element of equity. However, the real battle will be in the next round, not in the shadow boxing stage.

Mr HAMILTON (Albert Park): I will be supporting the amendment moved by the member for Napier, and I think it is important for the House to understand my reasons. Members in this place will recall that, some time ago when the Casino Bill was introduced in Parliament, I did not support the Casino's establishment, and I am somewhat of a similar view to that of the member for Light in that, if we are to put this equipment into the Casino, the hotels and the clubs should be given that same opportunity. I do not walk away from that at all. In talking to many of my constituents since the Casino Bill was introduced in this Parliament, I have received many angry requests for the installation of machines and equipment in the clubs. These people are saying that much of this money is taken away from the clubs and is going through the Casino. Similarly, as many other speakers have put to this House, many people in South Australia, particularly pensioners (and I have no difficulty with what they do with their money), have gone interstate, and it has been suggested to me that a lot of money and business is taken out of this State and away from those clubs.

That is the feedback that I have received since the Casino Bill became law in this State. I know of one person in Semaphore Park who has been at me time and time again on this issue, and I have indicated to him that if and when such a proposition came before Parliament I would give it due consideration. I know that he would be pleased with the response that I have given to the Parliament here today. However, there is another area that I believe we should also consider, and that involves the hoteliers. From my experience, there is no doubt in my mind that hoteliers have donated considerable amounts of money to local clubs and organisations, and I speak specifically about my electorate. They have been most generous to the various clubs in the

community, and I can recall one occasion when my wife, who was a member of a sporting organisation, went to a hotelier and sought some assistance. This occurred many years ago, and I was surprised that the hotelier provided some $600 to that organisation.

What my wife does is up to her, and quite properly so, but I found it quite generous—this was about 10 years ago—in supporting an organisation—a fledgling club, if you like—that was trying to assist some disadvantaged kids in the Semaphore Park area. I was particularly taken by the generosity of that establishment and since then, in other areas in which I have been involved, I have noted the generosity of hoteliers throughout South Australia. They have been very generous in their support of the activities of sporting clubs and organisations in which I have been involved. I am aware that many other members in this House want to speak on this Bill and I have been asked to wind up quickly, so I will curtail my remarks, but I believe that it is important that I indicate to the House my feelings and the reasons why, given that I did not support the Casino in the first place, I have supported the proposition put forward by the member for Napier.

The Hon. D.C. WOTTON (Heysen): I am opposed to the motion before the House, which is to provide the opportunity for the State Lotteries Act to be amended to allow hotels and clubs to operate video machines. I am opposed for a number of reasons. I am opposed because I believe that this House and all members of this House have been manipulated in the way in which this matter has been introduced, and I feel very strongly about that. I do not believe that video machines or poker machines are necessary in this State. Indeed, having spoken to the people who are involved in social welfare issues in this State, I could in no way support the introduction of poker machines in South Australia.

I fail to see how people on the Government side who are very closely involved with the welfare portfolio, or those who have been involved on this side of the House, could vote for the motion currently before us. As members would know, I opposed the introduction of the Casino in South Australia. Last week I opposed the introduction into the Casino of video or poker machines—I do not care what they are called; they are all the same as far as I am concerned. We were told last week that the Casino had put in some 450 machines and was hoping that that number would be increased to 800 in the very near future.

I strongly concur in the comments that have been made by the member for Alexandra during this debate today, and hope that any person who reads this debate will take very careful note of his contribution. This debate and the position that has been taken by the Government and, in particular, by the Premier is nothing more than a farce. As has been stated on a number of occasions, we have seen the Premier in a more hypocritical role in this debate than we have seen in many others. Over a long period the Premier has indicated that no poker machines would be introduced under a Bannon Government. He has continued to say that members on his side of the House would have a conscience vote on this matter. All those principles have gone out the window.

All I can say is that I am pleased that members on this side of the House, at least, can continue to have a conscience vote on an issue such as this. Quite obviously, that right has been removed from members opposite. I wonder how some of those members who continuously opposed the introduction of poker machines are feeling about the matter at the present time. These machines are being introduced purely because the Government sees the need for the revenue that will be raised as a result of this move. We were told last week that 450 machines would be introduced into the Casino with the hope that that would be increased to 800. If this motion passes and legislation is put in place as a result of it, as well as that we will see some 600 hotels and 1 200 clubs being given the opportunity to have a number of poker machines. I opposed the motion last week and I oppose it today. As far as I am concerned, two wrongs do not make a right.

I want to refer briefly to some statistics that were provided to the House last week by the member for Coles and, with her concurrence, I will mention them again. Last week the honourable member said:

> It is worth noting the enormous increase in the level of gambling in this State since 1965. In 1965, the population of South Australia was 1 063 075, and the amount spent on gambling in that year was $59 725 000, in other words, approximately $56 per head. In 1989, the population of this State was 1 424 700, and the amount spent on gambling was $1 171 412 000, approximately $822 per head, creeping up towards $1 000 per head of population—man, woman and child—in this State in contrast with $56 per head 25 years ago.

We learn that, over a period of three years, the community's expenditure on the TAB has increased from $5 million to somewhere in the vicinity of $100 million. Like the member for Alexandra, I am concerned about the decrease in standards in relation to the Casino. There has been considerable concern about the possibility of a pawn shop being provided in the Casino building. I am not quite sure but I believe that that possibility has now been removed. Certainly, agents are still available to assist people who, for one reason or another, would want to pawn their possessions in order to gamble.

We have heard people from both sides of the House say today that, because Victoria has poker machines, we need to have them now. I remind the House of the experience I have had in the United States. There are 50 States in the United States of America, very few of which, as this House would know, provide gambling facilities. Why in the world do we want to do that, other than to recognise the Premier's need for further revenue for this State? I strongly oppose this motion. I oppose the introduction of legislation to facilitate poker machines being introduced, and I will have no problem in making that very clear to the hotels and clubs in my electorate. I strongly oppose the motion.

Mr LEWIS (Murray-Mallee): More than anything else I resent the way in which this matter has been foisted upon us today, but I also resent very much the devious way in which the Government has set about achieving this end. The Government's motivation in all of this is revenue: it is strapped for cash because of the economic downturn and because of the blithering, blundering foolhardiness of the Premier and the way in which he failed to meet his obligations to the State with respect to the State Bank.

The motion as it stands and the amendment to it are designed to deliver as quickly as possible into the Government's hands the revenue obtained from a further expansion of gambling facilities in this State. I could see at the time the Casino legislation was first before this place that it would be only a matter of time before we were finally caught in this trap. It is unquestionably a deliberate strategy, not only in the first instance to establish a Casino but then by deceit to put in gaming devices and to compel us as a Parliament to address the loss of revenue that would result to community based organisations that supported physical activities, sports and so on, as well as community infrastructure important to the survival of those communities, against the loss of revenue they were suffering because people were

taking money away from those organisations and their activities and spending it in the Casino.

Of course, the Casino distributes its profits outside South Australia. The Government does not give a damn about that: its power base is in the metropolitan area, and it does not matter if the country areas fall to pieces. In addition, the unfortunate consequence is that the Casino claims that in this economic downturn it needs to widen its revenue base. The Government in its sophistry then extends to it the right to use poker machines, calling them video gaming devices.

Unquestionably, that has meant that more revenue will be taken from community organisations, be they sporting bodies, clubs or whatever else, and will go into the Casino. The Government will still get its take from that—it does not mind that at all. The profits will go to Genting, the firm that owns the licence. We are therefore compelled to address the unfair advantage that is given to the Casino. In all this, people are going bankrupt and the Premier has not kept his promise of several years ago to have an inquiry into the effects of gambling in this community.

The Premier's promises do not mean a darn thing—we have seen that election after election, whether it is to do with gambling or anything else. He stands up here and gives a commitment, swears it on a stack of bibles, and everyone believes him because he says it so plausibly. He is a fantastic actor, but we know he does not mean it because time and again he simply breaks the promise—it is inconvenient or it will be done another day. Well, seven years is overdue. Notwithstanding that point, we now find ourselves confronted with the necessity to shore up the infrastructure of facilities that provide our communities with the essential recreational activities that they must undertake if they are to remain cohesive and healthy.

For that reason I draw an analogy in respect of being raped. It does not matter whether you are a man or woman, if it is inevitable that you are going to be raped, some people say that you may as well lay down and enjoy it. At least I would say: minimise the pain and try to restrict the trauma. In this case, that is about how I and others feel we have been treated on this issue. I put it to the House that, if we want to ensure as far as possible that the money stays in South Australia and in our communities where it will help provide those recreational facilities for young people who do not have as much money as people who have been around longer and who have earned and saved—those who have been out in the work force—if we want them to continue in appropriate physical activities, and if we want our communities to finance the essential infrastructure that they rely on to keep those activities and others going, we will have to provide for a restriction in the franchise but extend it beyond the Casino. The money has to be retained here in so far as it is at all possible.

One needs to look at some of the organisations around my electorate. The Karoonda and District Bowling Club says that it should not happen. It does not want video gaming machines to come into the State at all. The Murray Bridge Community Club says that, if they must come in, for goodness sake give access to those who are responsibly trying to provide these facilities. The Murray Bridge Community Club does not really want them—that is clear from its letter. However, if they are to be introduced, there is no question about the fact that it is better that community clubs, cooperatively owned hotels and instrumentalities of that kind are given the opportunity to recover their revenue base in a level playing field situation with the temptation that otherwise exists to go and spend the money in the Casino and thereby save it. As I said at the outset, I am annoyed that this has been foisted upon us at such short notice. I urge members at this point to support the amendment of the member for Hanson so that, given that there is a majority, we do not all get screwed.

The Hon. H. ALLISON (Mount Gambier): However euphemistically we may describe the motion of the member for Davenport, ostensibly to create a situation of fair trade with an all-in or all-out position for the establishment of poker machines in clubs and hotels, I see with great dismay that we are part of what I conceive to be a chain of manipulation emerging from what was ostensibly a relatively innocent motion coming in private member's time. One of the most astounding features of today's debate has been the *volte face*, the about turn, of the Premier, who previously has said publicly on many occasions, 'No poker machines in my time.' Well, whom can you trust now? We have the Premier, the Leader of this Government, saying that poker machines will be introduced into the Casino in great numbers and into clubs and hotels. This issue has been very badly managed by Parliament. By latching on to a private member's motion, the Premier has found the lifebelt which he so desperately needed to get him out of this sinking *Titanic* of gambling.

The history of this seems to be compounded by everything that Parliament does. A few years ago clubs were struggling. They sought liquor licences and won them. They had a simplistic approach and no union overheads. Hotels in their turn quite rightly complained about the situation because they were controlled by awards. They were there first and had to pay high fees before they could open each year. They had great responsibilities imposed by statute. So, the hotels complained about the clubs and, rather than reduce the problem which had been created, it was exacerbated by the creation of another downward spiral and by introducing gambling in addition to liquor as a possible means of survival, both for the clubs and for the existing licensed hotels. Too many, too much competition, too little chance of survival for all of them. Gambling was seen as a possible out.

Gambling is a revenue-raiser for the clubs and hotels and, of course, a revenue-raiser in turn for the Government, but a survival technique nonetheless. Incidentally, we already have another industry under threat. We have people in the community providing beer tickets and games for social clubs. If this legislation is passed, those existing industries will go to the wall in favour of the Casino and electronic gambling. Also, there seems to me to be a total lack of logic in some of the arguments that have been propounded on both sides of the House. Here we have members of Parliament polishing their community haloes and saying, 'Reduce liquor advertising, reduce tobacco advertising and reduce their consumption, but go ahead and gamble your lives away.' We will introduce another wrong, ostensibly to redress a wrong that already exists in the community.

What wonderful logic we are presenting as a collective group to the community at large. I simply cannot follow that line of argument. The Casino, the clubs, the TAB and the hotels are all potential gambling facilities, all competing for the same gambling dollar. It is a fairly mindless pursuit—we all acknowledge that. Here we have the Premier solidly on the hook because the Casino was allowed to introduce poker machines before the regulations had passed this House. The regulations are still under dispute—they are still under a motion of disallowance—yet the machines have been introduced already and are in operation. There could be a motion for disallowance of the regulations at any time in this House, as members would acknowledge,

but the nod has been given by the Government, and the equipment is already operating in the Casino.

Again, that is a smack in the face for Parliament. I thought we were the ones who set the regulations. Members are just fooling themselves. Incidentally, I have no qualms at all about trying to set standards for people in the community. I was put into this House for qualities that people perceived I had. It was a form of leadership and I do not intend to abbrogate that form of leadership, whatever it might be, in favour of saying that licence and freedom can be confused through your local member. This Parliament sets standards for the local community, or at least it jolly well should set standards, and you should aim for the highest standards and not the lowest. That is the challenge presented to you. You are the highest court in the land in this House—not the lowest one. You set the standard by which all other institutions in South Australia are judged—leave the Commonwealth out of it. So, I will not abbrogate my responsibility to exercise my conscience, which I see as a community conscience exercised on behalf of the responsible people in my electorate. I say that unashamedly and unequivocally.

I do not intend to assist the Government to get out of its dilemma in having regulated to assist the Casino to introduce another expanded form of gambling. It is a solid gambling lobby, but it could be to the detriment of the survival of clubs and hotels. That is the Premier's dilemma and he is using the member for Davenport to give him that lifebelt to get out of the situation. In conclusion, I just ask members to look at the things you have done in the past 20 to 25 years, about 22 of which have been under Labor Governments.

You have gone through a whole gamut of legislation. I will not say whether it is detrimental or not—you think about it. There has been legislation relating to abortion, prostitution, homosexuality, and diminished censorship of literature, film, video and child pornography; there has been expansion in the community of AIDS and drug problems. We may be confusing freedom with licence, and by that I mean licentiousness.

I point out that, while we regard ourselves as a civilised community today, ancient Rome declined and fell on the principles of supporting debauchery. You have gone through the whole gamut of that legislation in the past 25 years—

The SPEAKER: Order! The member for Mount Gambier for some time has not been addressing the Chair and has used the term 'You' in reference to the debate and decisions of this Parliament. I ask him to direct his remarks through the Chair.

The Hon. H. ALLISON: Mr Speaker, I would be quite delighted to have every 'you' expunged from the record, as *Hansard* may properly do, and simply say 'honourable members of this House', because 'honourable' is the term that should apply and, as I said, I cannot support either the motion or the amendment.

Mr MATTHEW (Bright): I oppose this motion and the amendments under which poker machines would be introduced in licensed clubs and hotels in this State, be they coin operated poker, video poker, analogue, digital or whatever other name we want to give them, just as I opposed the introduction of video poker machines into the Casino last week. There is no need for me to repeat the words I used then, because they are well documented both in *Hansard* and in the media. In the brief time available to me I want to cite an extract from an article that appeared in the *Sunday Mail* of 13 December 1987 headed 'Plea for pokies in South Australian clubs'. In part, the article stated:

> Poker machines should be allowed in clubs, but not in the Adelaide Casino, a Senior Government Minister said.

The article also states:

> Mr Blevins said the Casino was a highly successful and highly profitable operation, and its role in boosting tourism justified the stand he had taken on the private member's Bill. However, he said the Casino had given the State's sporting and community clubs a bit of a knock-around and he believed the clubs ought to be allowed to install poker machines to restore their financial viability. 'If we are going to have pokies, I believe the clubs should have them exclusively, at least for the first year or two,' he said. 'The Casino is already making good profits and the hotel and restaurant industry has received a very strong boost from increasing tourist trade.'

What a hypocritical statement! That says it all. In order to justify it, we have seen a differentiation of the terms 'pokies' and 'video poker machines'. They are one and the same, but the second part of the package obviously involved the licensed clubs and hotels in this State. I have listened as members in this place have changed their position from the stance they took in the Casino debate. Most notable, of course, was the member for Albert Park, who did a complete about face on the basis that they have now been introduced into the Casino. If that is what caused him to change his mind, why did he not vote against it last time? I conclude by referring members to a paragraph that appeared in the report of the Select Committee on the Casino Bill in 1982, which stated:

> The Licensed Clubs Association made the only submission seeking the introduction of poker machines . . . the committee further accepts that the rigging of poker machines in New South Wales has resulted in an estimated $20 million being skimmed from the machines.

The report further states:

> . . . it is the committee's belief that neither the Parliament nor the people of South Australia would accept the introduction of poker machines. The committee rejects the Licensed Clubs Association submission.
>
> Therefore, the committee recommends that clause 27, which prohibits the possession or control of a poker machine by a person in this State, should be retained.

That is an extract from the select committee report. That was followed by numerous hours of debate in this Parliament, and now members seek to raise the matter again. It is about time that they woke up to themselves, stopped being hypocritical and rejected this motion out of hand.

Mr Gunn: The Casino operators have got no credibility and their word is not worth the paper it's written on.

The SPEAKER: Order! The member for Coles.

The Hon. JENNIFER CASHMORE (Coles): I oppose the motion and both amendments. My substantial objections to gambling were outlined in the debate of 21 March 1991 and also in my contribution to the Casino debate. This motion and the amendments make me feel very angry and very sad. I cannot help feeling that some members in this place have taken leave of their senses in imposing something like this on a community that is on its knees. Inflation is up, investment is down, commodity prices are down and unemployment is up. The only things that are up in this State are the things that are damaging us. Do members opposite realise that one in five young people aged between 16 and 25 years cannot get a job? Yet they seek to impose on that tragic situation a tripling—not just a doubling, but a tripling—of the gambling outlets in this State.

The member for Henley Beach said that we cannot legislate to protect people from themselves. What does the honourable member and every other member think is the purpose of the law? The sole purpose of the law is the protection of one section of the community from another. All I can say is heaven help South Australians if some members in this place are here allegedly as their protectors.

We will expose people to the most enormous risk and there has been no research whatsoever to calculate the level of that risk. However, we know that we will make vulnerable people even more vulnerable and that we are not going to create one dollar of wealth through this measure. We will simply fleece people who cannot afford it and recirculate wealth. It is a totally foolish and immoral economic act and one that should never be inflicted upon the people of South Australia. I oppose the motion and the amendments.

Mr S.G. EVANS (Davenport): There is little time for me to respond to all the contributions. I respect the points of view that have been put by individuals for and against the amendments and the motion. I oppose the amendment moved by the member for Hanson. I believe that it would be ludicrous for us to ban video gaming machines in hotels—they are struggling now—if they are to be installed in clubs. I moved to ban the machines from the Casino and I personally oppose poker machines. I believe in a level playing field. I support the amendment moved by the member for Napier and I ask those who hold a similar view to do likewise. I apologise to those who may follow me that I am unable, because of the time constraints, to put all the views that I would like to put at this stage.

The House divided on Mr Becker's amendment:

Ayes (2)—Messrs Becker (teller) and Lewis.

Noes (42)—Messrs Allison, Armitage, L.M.F. Arnold, P.B. Arnold, Atkinson, D.S. Baker, S.J. Baker, Bannon, Blacker and Brindal, Ms Cashmore, Messrs Chapman, Crafter, De Laine, Eastick, M.J. Evans, S.G. Evans (teller), Ferguson, Goldsworthy, Gregory, Groom, Gunn, Hamilton, Hemmings, Heron and Holloway, Mrs Hutchison, Messrs Ingerson and Klunder, Mrs Kotz, Ms Lenehan, Messrs McKee, Matthew, Mayes, Meier, Oswald, Quirke, Rann, Such, Trainer, Venning and Wotton.

Pair—Aye—The Hon. D.J. Hopgood. No—The Hon. Frank Blevins.

Majority of 40 for the Noes.

Amendment thus negatived.

The House divided on the Hon. T.H. Hemmings' amendment:

Ayes (27)—Messrs Armitage, P.B. Arnold, Atkinson, D.S. Baker, Becker, Blacker, De Laine, M.J. Evans, S.G. Evans, Ferguson, Gregory, Groom, Hamilton, Hemmings (teller), Heron and Holloway, Mrs Hutchison, Messrs Ingerson and Klunder, Ms Lenehan, Messrs McKee, Mayes, Oswald, Quirke, Rann, Such and Trainer.

Noes (17)—Messrs Allison, L.M.F. Arnold, S.J. Baker, Bannon and Brindal, Ms Cashmore, Messrs Chapman (teller), Crafter, Eastick, Goldsworthy and Gunn, Mrs Kotz, Messrs Lewis, Matthew, Meier, Venning and Wotton.

Pair—Aye—The Hon. Frank Blevins. No—The Hon. D.J. Hopgood.

Majority of 10 for the Ayes.

Amendment thus carried.

The House divided on the motion as amended:

Ayes (31)—Messrs Armitage, P.B. Arnold, Atkinson, D.S. Baker, S.J. Baker, Bannon, Becker, Blacker, Crafter, De Laine, Eastick, M.J. Evans, S.G. Evans (teller), Ferguson, Gregory, Groom, Hamilton, Hemmings, Heron and Holloway, Mrs Hutchison, Messrs Ingerson and Klunder, Ms Lenehan, Messrs McKee, Mayes, Oswald, Quirke, Rann, Such and Trainer.

Noes (13)—Messrs Allison, L.M.F. Arnold and Brindal, Ms Cashmore, Messrs Chapman (teller), Goldsworthy and Gunn, Mrs Kotz, Messrs Lewis, Matthew, Meier, Venning and Wotton.

Pair—Aye—The Hon. Frank Blevins. No—The Hon. D.J. Hopgood.

Majority of 18 for the Ayes.

Motion as amendment thus carried.

[*Sitting suspended from 1.9 to 2 p.m.*]

PETITION: FERRYDEN PARK PRIMARY SCHOOL

A petition signed by 488 residents of South Australia requesting that the House urge the Government not to close or amalgamate Ferryden Park Primary School was presented by Mr De Laine.

Petition received.

PETITION: PSYCHOLOGISTS

A petition signed by 10 residents of South Australia requesting that the House delay consideration of measures for the registration of psychologists and regulation of psychology until definitions relating to hypnosis are clarified was presented by Mr Quirke.

Petition received.

QUESTIONS

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

STATE BANK

In reply to **Mr S.J. BAKER** (7 March).

The Hon. J.C. BANNON: The estimate of the State Bank Group's non-accrual loans of $2.5 billion is based upon actual data as at 31 December 1990 together with projections over the next three to five years.

I have been advised that New Zealand exposures accounted for approximately 9.2 per cent of the group's non-performing loans of $1.895 billion as at 31 December 1990.

SGIC

In reply to **Hon. H. ALLISON** (13 March).

The Hon. J.C. BANNON: I have been informed by the Chief General Manager of the SGIC that he receives fees from some directorships of wholly owned subsidiaries, and these fees are taken into account when assessing his or any other senior officer's package levels. A band of senior package levels is listed below, and directors' fees from wholly owned subsidiaries are included. You will note that as a package, the figures are total remuneration cost, and include such items as vehicles, superannuation, fringe benefits tax, etc. The bands for commission members of SGIC, incorporating fees received from wholly owned subsidiaries, is also listed below.

SGIC
Senior Executive Remuneration Bands

$		$	
80 001	-	90 000	13
90 001	-	100 000	5

SGIC
Senior Executive Remuneration Bands

100 001	-	110 000	1
110 001	-	120 000	2
120 001	-	130 000	1
130 001	-	140 000	1
140 001	-	150 000	1
220 001	-	230 000	1

SGIC
Commissioners Remuneration Bands

$			
10 001	-	20 000	2
30 001	-	40 000	1
40 001	-	50 000	1

STATE BANK

In reply to **Mr SUCH** (20 March).

The Hon. J.C. BANNON: I understand that the only current officer of the State Bank Group named in the warrants issued on 19 March 1991 is Mr Graeme Yelland, the Executive Director of the Professional Services Division of Beneficial Finance.

SGIC

In reply to **Hon. D.C. WOTTON** (3 April).

The Hon. J.C. BANNON: SGIC has provided $115 million of credit risk insurance on corporate securities. In determining the financial risk associated with such insurance it is important to appreciate that a large proportion of obligations arising from such insurance is asset backed. This is in contrast to other areas of insurance business which normally involve a total loss situation to the insurer. Thus, if an obligation is called upon, SGIC will receive an asset or claim to offset its obligation to pay out. For this reason, any list of SGIC's gross obligations bears little relationship to the actual financial risk which would eventuate in net terms.

It is not possible to provide a schedule of 'net' exposures because most corporate security accounts are relatively new and at this stage there is little expectation of any loss. The net exposure, therefore, will be very much less than the gross figure of $115 million. It should be noted that any insurance provided for corporate securities are carefully selected by SGIC and it does not provide insurance on securities with less than an A rating. Following negotiations with Treasury and the SGIC regarding their involvement in providing credit risk insurance on corporate securities, I have requested that SGIC does not undertake direct guarantees of corporate securities unless they are approved by myself on a case by case basis. I refer the member for Heysen to my response to the member for Mitcham's question in regard to what action I took in response to the Under Treasurer's minute.

In reply to **Mr S.J. BAKER** (3 April).

The Hon. J.C. BANNON: The State Treasury and its officers are responsible for providing me with advice on matters relating to State financial institutions including SGIC. On the issue raised by the member for Mitcham I received a minute in April 1990 from the then Under Treasurer outlining the various forms of credit and financial risk insurance which SGIC was undertaking and expressing a view that SGIC's expansion into this area and the associated increase in the State's contingent liabilities needs careful review. After receiving this minute, I immediately sought advice and further investigation on matters raised by the Under Treasurer. With regard to whether SGIC's involvement in providing financial and credit risk insurance was considered by Parliament it should be noted that the activities of SGIC are governed by section 12 of the State Government Insurance Commission Act 1970 which was passed by this Parliament. This Act states that the commission is authorised to:

> Undertake and carry on in the State such general business of insurance or any class or form of insurance according to the practice, usage, form and procedure which is, for the time being, followed by other persons engaged in the like business or to undertake and carry on such business in such manner and form and according to such procedure as may be considered necessary or desirable.

The key point is whether the provision of credit risk insurance by SGIC is consistent with the type of business that other insurers provide. Applying this test there is little doubt, given the widespread provision of financial and credit risk insurance by other insurers that SGIC is empowered by its Act to also engage in this business. SGIC provides quarterly reports to Treasury summarising its financial/credit risk insurance activities. Treasury has also had ongoing discussion with SGIC to analyse and review the commission's credit risk portfolio.

Following these discussions it was agreed that SGIC would limit the size of its credit risk insurance portfolio and that it would not undertake any more property put transactions until obtaining further approval. As already stated a review is being undertaken into SGIC and its finances. This review will investigate SGIC's involvement in financial/credit risk insurance and the contingent liabilities that will involve.

In reply to **Dr ARMITAGE** (3 April).

The Hon. J.C. BANNON: On the recommendation of the Under Treasurer in his minute of 19 April 1990 I gave approval for SAFA to provide an ongoing domestic loan facility of up to $200 million to the SGIC. This approval was provided on the basis of Treasury advice which pointed out that such a facility would enable SGIC to undertake investment opportunities at short notice when it may not be appropriate to liquidate existing investments to finance a particular transaction.

As the Under Treasurer indicated in his minute the provision of such funds is consistent with SAFA's role of onlending funds on a commercial basis to State financial institutions and is consistent with SAFA's role as the State's central borrowing authority. Approval was not given, however, for SGIC to borrow within the $200 million limit from financial institutions. It should be noted that to date SGIC has not borrowed under the $200 million loan facility.

MINISTERIAL STATEMENT: WHEAT GROWERS

The Hon. J.C. BANNON (Premier and Treasurer): I seek leave to make a statement.

Leave granted.

The Hon. J.C. BANNON: I wish to inform the House of the latest developments in moves to assist both South Australian and Australian wheat growers through the establishment of a guaranteed base price for wheat. Last week the case for a guaranteed base wheat price was put very forcefully to me and the Minister of Agriculture during our visit to Yorke Peninsula and Eyre Peninsula. As members would be aware at the time of that visit, the Premier of Western Australia (Hon. Carmen Lawrence) announced that the Western Australian Government would go it alone in establishing a scheme of this type.

This decision was announced while other States, including South Australia, were negotiating with the Commonwealth

Government for a national scheme to be introduced. I have now received advice from the Crown Solicitor that a State guarantee of a base price for wheat could be held by the High Court to contravene section 90 of the Constitution, which gives the Commonwealth exclusive power to grant bounties on the production or export of goods. Any scheme introduced on a State basis could well be subject to constitutional challenge by growers in States or by State Governments not able to participate in such a scheme.

The Western Australian Premier has advised me that the scheme she is contemplating may need the approval of both Houses of the Commonwealth Parliament before it could come into operation. The legal opinion from the Crown Solicitor reinforces our view that any minimum price scheme has to be introduced at a national level by the Commonwealth Government. Accordingly, I will be travelling to Sydney tonight to meet with other State Premiers, including the Premier of New South Wales, to discuss the issue and how the States might make a united approach to the Commonwealth Government. I anticipate that a proposal from the States could then be put to the Prime Minister for his consideration.

The problems facing the rural community are very real and very serious. In many cases they are caused by factors outside the control of farmers. If we are to convince the Commonwealth Government of the necessity to take action on the base price at a national level we must have bipartisan support. The issue of the survival of our rural sector goes beyond Party politics. I have therefore written today to the Leader of the Opposition asking him to clarify his statements on this issue and to give his unqualified support to South Australia's attempt to get assistance for our farming community.

As members would be aware, on 7 March this House passed a motion calling for a guaranteed minimum price to wheat growers. That motion received support from all Parties and was forwarded to the Commonwealth Government. Yet last week the Leader of the Opposition issued a statement which was taken as a criticism of my calls for a national guaranteed minimum wheat price. He was quoted in the Adelaide *News* as saying he was 'amazed' at my proposal and said it was a 'cheap way to avoid doing anything realistic to assist with the current rural crisis'. I am hopeful that the Leader will be able to give his support to our efforts and those of the United Farmers and Stockowners in developing constructive solutions to the problems faced by the farmers.

QUESTION TIME

OPTIONS PAPER

Mr D.S. BAKER (Leader of the Opposition): My question is directed to the Premier. Will the options paper, which the Government is to prepare on coin operated gaming machines, canvass the introduction of poker machines in South Australia?

The Hon. J.C. BANNON: This matter was, of course, resolved in this place a short while ago. As I was able to make a contribution to that debate to explain the Government's position, and as the Leader of the Opposition was not present during my remarks, I am happy to pick up his question and to explain our intention.

As I announced yesterday—and the House having expressed an opinion—it is our intention to go through a two-stage process: first, to prepare an options paper, and, secondly, to introduce a Bill in the next session. I pointed out that, while that Bill will be a Government measure, in that it will be introduced by the Government and Government time provided for its consideration, it is not treated as a Government measure in terms of those of my colleagues addressing the issue and being free to move what amendments they may wish to move. Of course, that applies to members on the other side of the House as well.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: Well, I understood that, in fact, the conscience did apply. If I am incorrect, I would like to have that explained because I know, for instance, that in a particular case—and obviously I cannot refer to other debates—it is very clear that what has generally been regarded as a conscience matter is not so being treated in the Liberal Party. So, if I am wrong in saying that members opposite are free to follow their consciences on this issue, I would like to be corrected.

To get back to the point: the options paper will be just that, its aim being to canvass the widest range of options which, of course, would include any coin operated machine under any basis. In talking about options, as I indicated in my contribution to that debate, we are looking at questions such as who should have control in this situation; what locations; how many machines, and on what basis, should be provided in locations; what sort of machines they should be (and there is a wide range of machines); and any other questions, including the take, (as far as the tax applied to them and the share of proceeds going to the club are concerned), etc. All those options will be put into the paper. If we omit some options, obviously they will be drawn to our attention.

The idea of the paper is to act as an aid to members in the consideration of this question, an aid to the Government in the preparation of the Bill, and an aid to members of the community in terms of any representations they may wish to make on the issue in the intervening period. I believe that that is a sensible way of handling what is a delicate and difficult issue which, nonetheless, needs to be addressed as a matter of urgency.

WOMEN'S RECREATION WEEK

Mrs HUTCHISON (Stuart): Can the Minister of Recreation and Sport provide the House with any details of Women's Recreation Week, which is due to commence on Sunday 7 April 1991?

The Hon. M.K. MAYES: I thank the member for Stuart for her question and interest in Women's Recreation Week. It is fair to say that over the years it has placed itself on the calendar in South Australia as one of our significant festivals. From the point of view of women's sport and recreation, it has become a significant focal point for the community to see the range of recreations and sports which are available for women in our community and the degree of professionalism that women have reached in the administration of sport and their attainments within those areas. I am delighted to provide the honourable member and other members with the background information to what will be happening from 7 to 14 April for Women's Recreation Week. As I shall be overseas with the member for Hanson and members of the Commonwealth Games bid committee, my colleague the Minister for Environment and Planning and Water Resources will be representing the Government at those events, which will be held from 7 to 14 April.

The week is to heighten the awareness of the value of an active life for women and girls. The Government is con-

cerned that particularly at certain ages, in the middle teens, a number of young women stop participating in sport and recreation. This is an opportunity for us to promote the benefits which come from an active life. We can see this through role models. Some very famous Australian women have been patrons and presidents of the various Women's Recreation Weeks. A number of South Australians come to mind, such as Libby Kosmala, and Dawn Fraser has been involved as well.

Opening day will be 7 April. Monday 8 April will be students' day. Last year thousands of young students participated in a running event. Tuesday 9 April will be senior women's day. Wednesday 10 April will be women in the work force. Thursday 11 April will be women in sport. Friday 12 April will be for our country women. That has always been a very active part of Women's Recreation Week. Saturday 13 April will be for women in the community. The conclusion will be recreation day, when we will have a mass participation of women in the community, highlighting and finalising the week.

I should like as many honourable members as possible to go along and support the events. It will be a week packed with exciting sporting, recreational, social and community events and displays. As a community, we need to get out there and encourage our young women particularly to participate, because that is important in terms of the quality of our lifestyle in the community and their health and well being.

A brochure is available. I will not display it, but it is a very irridescent colour; one cannot miss it. That program sets out, under the heading, 'Women's Recreation Week,' what is available from 7 to 14 April. I am delighted to be part of this. I am very pleased that my colleague will be representing me at this function. I hope that it will be a great success, as every other year has been. I look forward to its continuing to be very much a part of the social and sporting calendar in this State.

COIN OPERATED GAMING MACHINES

Mr INGERSON (Bragg): My question is to the Premier. As Minister responsible for the Lotteries Commission, did he consult the commission before his announcement yesterday to extend coin operated gaming machines in South Australia; does the commission support the proposal; or does the Premier share the concerns of the Adelaide Casino that it will threaten the Casino's viability?

The 1988-89 annual report of the Lotteries Commission identified the commission's responsibility for the viability of the Casino by stating:

> The commission is the licensee of the Adelaide Casino, with responsibility for ensuring that the Casino operates as a viable commercial enterprise.

While the Casino now states that its viability is threatened, an analysis of figures shows that, after providing for prize money and a distribution of just over $60 million to the Government since it began operating, the Casino has had more than $245 million of net gambling revenue to fund running costs and provide for profit.

The Hon. J.C. BANNON: There are two aspects to this question, one dealing with the Adelaide Casino and the other with the Lotteries Commission. Let me deal with the Casino question first. The position of the Casino is that, obviously, over the years it has felt at a considerable disadvantage by reason of the fact that the Act under which it was established specifically precluded the introduction of poker machines in the Casino. In the past 12 months, regulations have been promulgated which have gone through the process of the Casino Supervising Authority and both Houses of this Parliament and which have allowed for the installation of video gaming machines, which are in accordance with the Casino Act—and do not breach it, in other words. In that, the Casino has become much more competitive.

One of the strong points made by the Casino is that it was the only casino in Australia that did not have access to these sorts of facilities. I guess the Casino would argue that, if poker machines, as defined, were introduced generally in South Australia, it should have the right to introduce such machines itself. I think that would be an extremely valid argument, and one that would need to be addressed in the context of any legislation that was passed by this Parliament. The Casino does have the video machines, and they have been very successful. The Casino's competitive advantage *vis-a-vis* other casinos around Australia has been assisted, and its viability in respect of operating in South Australia has been aided by the machines.

It will take some time for any system to be introduced in hotels and clubs in South Australia if legislation passes this House. The Casino will have that marketing and operating advantage prior to that occurring. The Casino is obviously very keen to have some period of what it would call 'breathing space' before any further extension of these machines takes place. In effect, it will be getting that, but it was not given any guarantee that that would be the case. Obviously, it was understood that, having outlaid its capital, it would have a run for a while, and it will get that, even with the proposals that will be introduced later this year. So, I do not believe there is cause for concern there. The Casino just has to get on with its marketing and operations, which it has been doing very successfully.

The position of the Lotteries Commission *vis-a-vis* the Casino is something of an anomaly. While I think that, at the time of its establishment, its relationship with the Lotteries Commission as the head lessee was an appropriate way to go and, certainly, one that Parliament supported, it is increasingly apparent that the Casino and the Lotteries Commission are in some kind of competition and it would probably be better actually to sever that relationship. Now that the Casino is established and its operational format is understood, a lot more confidence in what was then a very new and untried venture in this State has been generated. Obviously, the Casino Supervising Authority has the prime role. In a way, the Lotteries Commission is in a double bind: it has a statutory responsibility but no real means of exercising it, because the Casino Supervising Authority overrides that and the Casino is operationally separate, in competition with the Lotteries Commission.

In relation to coin-operated gambling machines, I did not consult with the Lotteries Commission—nor was it necessary for me to do so—about the announcement made yesterday on our intentions if the motion should pass this place. It was not really possible to do so, because the outcome of that motion and the question of when it would be considered and so on were really not known until quite late in the proceedings.

As I have already said today, the Lotteries Commission has had before me, as Minister, a proposal for the introduction of a video gaming system which would apply to clubs and hotels, based on one which has been operating successfully, albeit for a short time, in the Atlantic provinces of Canada—the four maritime provinces I think they are called—in a catchment area of about 2.3 million people. They have done some intensive study on the system, and the General Manager (Mr Fioravanti) is at the moment finalising a report in which he will go into that in a great

deal of detail. Quite frankly, I find that an attractive proposal.

The Lotteries Commission has contended that it has a right under its Act to, in fact, introduce that without reference to the Parliament or to regulation. In fact, it put this proposal on the basis that it would introduce a pilot operation of that kind. As Minister, I felt it appropriate to intervene in that and say to the Lotteries Commission that I did not think it was appropriate that it should do it, whether or not it had legal advice to the effect that it had the power, without Parliament having some sort of sanction. I would hope that members of Parliament would support me in that view, so that the process we will go through can be properly gone through. Obviously, that is one option that could be adopted. It is one that has been well researched and well developed by the Lotteries Commission.

Of course, it may be that that particular system will not be embodied in legislation that is passed, but that does not preclude a role for the Lotteries Commission in this area. I for one—and I have expressed this personal view—believe it has a valid and important role. In view of my attitude, obviously I will be consulting with it about how best that may be carried out and expressed. Again, though, the Lotteries Commission and the Government, in a sense, are in the hands of the Parliament in terms of the final shape of any legislation that may come out in the process.

PINES STADIUM

Mr QUIRKE (Playford): Can the Minister of Recreation and Sport advise the House of the current situation concerning the Pines hockey surface? On Tuesday night last, Channel 7 journalist Stephen Titmus said:

> The State Government was told it was wasting nearly $700 000 in putting down a Supergrasse surface at the Pines in the first place. It ignored that advice only to suffer an International Hockey Federation ban because the surface was both uneven and caused inconsistent bounce.

The Hon. H. Allison interjecting:

The Hon. M.K. MAYES: The member for Mount Gambier says that it is absolutely true. I am not sure of his source, but I can tell him that it is not true. The segment which was run on Channel 7 was outrageous, and I am sure that all members are very concerned about the opening line which was, 'Adelaide's bid for the 1998 Commonwealth Games has suffered a blow.' I can see that the member for Hanson shows some surprise at that statement. Hockey is not a Commonwealth Games sport, and the facilities that we are presenting to the international federation this coming week have nothing to do with the stadium. Certainly, it is an important facility and the issue of the surface will be addressed—it is being addressed at this very moment.

I understand that, in a democracy, the media have a perfect right to criticise Governments or Oppositions in relation to these issues, but to swing onto the issue of the Commonwealth Games bid and how it has suffered a blow because of the surface is, I think, irresponsible. That kind of reporting does not do the local television station or the community any service at all. Frankly, it will have no impact on what we are putting to the international federation next week concerning our bid for the 1998 Commonwealth Games.

The facilities we are looking at are related to the 10 sports involved in the Commonwealth Games. There is a considerable amount of concern, and I have been approached by a person who is involved with the West Lakes Bowling Club and who is very concerned that this in some way has jeopardised our bid. Of course, that club has been designated to host lawn bowls. I assure the community that this will have no impact whatever.

The bid is going ahead full steam with the continued enthusiasm and support of the Government, the Opposition and the community. In fact, such statements can cause irreparable damage in the community. Therefore, let me make clear from the outset that the bid proceeds and it is proceeding with the same professionalism and enthusiasm as in the past. This issue has nothing to do with our Commonwealth Games bid. I refer now to the surface.

The Hon. H. Allison interjecting:

The Hon. M.K. MAYES: I will not respond to the member for Mount Gambier. In fact, I just do not understand his criticism.

The SPEAKER: I ask the Minister to come back to his response.

The Hon. M.K. MAYES: I certainly will, Mr Speaker. The issue of the surface is being addressed now. The Government is concerned about the surface, and I have acknowledged that that issue needs to be addressed. The statement by the channel 7 reporter regarding the choice of the surface is not accurate. The information was weighed up by the technical experts and in making the decision we consulted the Australian federation and the local federation. Indeed, the information about available surfaces was provided by the international body. It is clear that the decision to use the Supergrasse 10 surface was made in conjunction with both the State association and the national association. The chronological order of events that led up to the decision—

The SPEAKER: I ask the Minister not to draw out the answer too much further and conclude his remarks.

The Hon. M.K. MAYES: Mr Speaker, it is important that I put on the record information to straighten out the situation.

Members interjecting:

The SPEAKER: Order!

The Hon. M.K. MAYES: Mr Speaker, I will go through it with due haste. From 3 March 1987 the South Australian Hockey Joint Council was involved in the process. The South Australian Hockey Joint Council and the South Australian Hockey Board of Management accepted a design solution prepared by the Public Works Standing Committee. The South Australian Lacrosse Association accepted the management structure on 12 March 1987. On 19 March 1987 the international federation (FIH) provided information about those surfaces. Astroturf, Superturf, Poligrass, Supergrasse and Desso were the five surfaces approved by FIH. On 25 May 1987 the Internaional Hockey Federation—

The SPEAKER: Order! I ask the Minister to resume his seat. Far too long has been taken in answering this question. Before I resume my seat, I request all members in asking and responding to questions to keep their comments as brief as possible to enable the House to get through the questions.

SECOND CASINO

The Hon. H. ALLISON (Mount Gambier): My question is directed to the Premier. Following his statements yesterday that South Australia must review its approach to casino-type gambling because of increased competition for the gambling dollar from Queensland and New South Wales, does the Government now intend to reconsider its opposition to proposals to introduce a second casino at Mount Gambier and possibly Renmark, projects which have been

put forward in anticipation of Victoria introducing casino operations and poker machines? Will the Government be introducing further amendments to the Casino legislation which currently stipulates that there shall only be one casino in South Australia?

The Hon. J.C. BANNON: No, the Government has no intention of doing that. I am well aware of the proposal—

Members interjecting:

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

The Hon. J.C. BANNON: —for Mount Gambier to which the honourable member refers and which has been promoted. However, I point out that while Victoria has announced its intention to introduce casinos, it has not suggested a range of regional casinos. Therefore, the competitive pressure that the honourable member is talking about in that instance does not arise. Certainly, it will arise if poker machines, video gaming machines, or whatever are introduced into the western districts of Victoria, across the border from Mount Gambier and the honourable member's district. Of course, that is one of the reasons why we must give very serious consideration to this matter. However, at this stage I do not feel that there is justification for a plethora of casinos. Indeed, if the introduction of coin operated gambling machines—to use a value-free term—becomes common, the sort of needs being expressed in the proposal to which the honourable member referred can well be satisfied.

MARDEN HOUSING DEVELOPMENT

Mr McKEE (Gilles): Can the Minister of Housing and Construction advise what development is planned for the former Glenbrook caravan site at Marden? In recent weeks work has increased on the site, which is on the edge of my electorate. I and my constituents are interested in the future development.

The Hon. M.K. MAYES: I thank the honourable member for his question and I am sure that he is interested in the type of development involving the Marden site. From a housing and community point of view, it will be a very exciting development, which will take into account the physical aspects of the location, as well as being in harmony with the adjoining river valley linear park, which is such a wonderful asset to that area.

It will be a well treed site with good views into the park area and, of course, it will have the Adelaide Hills as a backdrop, which will give a particular vista. The design will optimise the frontage of the site to the linear park, while maintaining many of the fine trees, in particular the eucalypts in that area. Those of us who have taken the opportunity to go along the linear park would well appreciate the importance of bringing to the fore the benefits of those trees and the park nature.

The central 'village green' will be created with fingers of open space providing access to the linear park. Therefore, those people who are fortunate enough to live within the development will have access through the pathways to the linear park, and that will be a feature of the development. The total proposed reserve development area is well in excess of requirements. Once again, those people who are fortunate enough to live there will enjoy the benefits of having a greater park area. The form of housing will be mostly two-storey townhouses on separately serviced allotments, which will enable future tenants to purchase if they so desire. That will be an important aspect as well. Apartment buildings will also be developed for rental accommodation. So, there will be a mix of rental properties and potential purchase properties.

The Hon. Ted Chapman interjecting:

The SPEAKER: Order! The Minister will resume his seat. The member for Alexandra.

The Hon. TED CHAPMAN: I draw your attention to the signal that you gave all members of the House a moment ago and ask you to exercise it again.

The SPEAKER: I have been watching the time being taken, and at this stage I am not concerned about the length of the Minister's response. However, I again remind the House of the provision for 15-minute statements being available to all Ministers. The honourable Minister.

The Hon. M.K. MAYES: As I was saying, there will be a mix of rental, apartment-type and two-storey units. In accordance with the Government's policy of residential mix, a portion of this site will be made available for private sector development. That will be important to the honourable member and I am sure it will interest him. In due course, 10 individual allotments will be offered for sale at public auction with a combined potential for development of approximately 32 strata titled, semi-detached dwellings in one and two-storey configuration. Encumbrances will be registered on the titles to ensure that the private development is of a form and standard that complements the trust's development.

Contracts have already been let for two of the trust's building areas, involving about $2 million, so we have already commenced what is a major part of the project. Sales of allotments will occur following the issue of separate titles, within the next couple of months. So, I am delighted to advise that it will be a very desirable and complementary development in the area and I am sure that the honourable member and the people fortunate enough to live in the area in a few years time will agree with me.

STATE BANK

Mr S.J. BAKER (Deputy Leader of the Opposition): Does the Treasurer have complete confidence in the current Chief Executive of the State Bank, given that when he had responsibility for billions of dollars of the bank's investments he did not know the difference between a listed and an unlisted trust? I have copies of internal bank memos which show that at a bank board meeting on 24 November 1988 Mr Steve Paddison was unable to answer a basic question posed by Mrs Molly Byrne concerning the difference between a listed and an unlisted trust.

Mr Ferguson: Do you know the difference?

Mr S.J. BAKER: Indeed, I do know the difference. At the time, Mr Paddison had been promoted by Mr Marcus Clark to General Manager, Personal and Business Banking and was responsible for billions of dollars of the bank's funds. In Mr Paddison's subsequent memo requesting help he says:

> As to the difference between listed and unlisted trusts my answer was that the difference was mainly in size . . . could you please give me a one pager that tells us the real story.

The Hon. J.C. BANNON: That question is really a pathetic one on the part of the honourable member. I do not know what is his aim. If it is a personal attack in a spiteful way, he is certainly succeeding in that and I do not think that such a question deserves an answer. I am already on the record as saying that I believe that Mr Paddison has been doing a very good and hardworking job in difficult circumstances. Mr Paddison is employed by and answerable to the State Bank Board and its Chairman, Mr Clark.

COMMONWEALTH GAMES BID

Mr HAMILTON (Albert Park): Will the Minister of Recreation and Sport advise the House of the outcome of his visit, along with the member for Hanson, to Africa in relation to the XVIth Commonwealth Games bid? As the Minister indicated in response to a previous question, members of the West Lakes Community Club have already approached him. I have received similar requests from West Lakes Community Club members as to the outcome of the trip. Adelaide is one of the proposed venues for the Commonwealth Games.

The Hon. M.K. MAYES: I thank the honourable member for his curiosity regarding the trip to Africa by the member for Hanson and me representing the bid committee. I speak only on my behalf, as I am sure the member for Hanson will be more than happy to convey his own views. It was a very successful trip and opened many doors in regard not only to the Commonwealth Games bid but also many trade issues. The trip ran from 4 to 15 March and we visited four countries—Zimbabwe, Zambia, Botswana and Swaziland. The people we met representing the Commonwealth Games were the President and Secretary of each of those federations and the various Ministers of Sport or the Interior, who were positive in terms of our presentation.

We provided a very professional bid for the Commonwealth Games in 1998. The staff are to be congratulated on the work they have done. The people who had the opportunity to see our video and material and to hear what we had to say were very impressed with our presentation and with the facilities available. Our city and our bid representing Australia goes for the big vote on 23 July 1992, and it is the first time that all facilities required for staging the Commonwealth Games will have been in place: it will be the first time that that has ever occurred, and that is a significant factor in our bid.

The facilities we are providing include, as the honourable member has already said, Football Park, which will be a focus of the opening and closing of the Games and for athletics; and the West Lakes Bowling Club will be another focus, They are first-class facilities and those people who have seen the venues are very impressed with what we have to offer and with how the Commonwealth Games could be staged.

I am very pleased with the results of our visit. We still have some work to do but I think that we have certainly opened the door, and are well ahead of our competitors in opening that door and explaining to people why we are bidding, what we are bidding and what we have to offer as a city. I think Adelaide can stage the most successful Commonwealth Games ever, and I am confident that we can achieve that with the full support of the Opposition, the Government and the community as a whole.

Members interjecting:

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

RURAL INTEREST RATES

The Hon. TED CHAPMAN (Alexandra): Will the Premier make an urgent appeal to the Federal Government for sufficient funds to subsidise interest rates on rural debts as at 30 June last year to enable a reduction to a maximum rate of 8 per cent, or 50 per cent of the Commonwealth Bank prime lending rate, or which ever is the lesser?

In asking the Premier to take that action, I also ask whether he agrees that Government grants to write off capital debts is an inappropriate practice to adopt. All political Parties and the public now recognise that there is no benefit in further canvassing or dramatising the serious situation confronting rural communities and, indeed, businesses in the city. It is now vital to address what positive action can be taken within the scope of Commonwealth/State assistance to those rural businesses and commercial operations in urgent need. It is believed and has been put to the Liberal Party that, urgently, there should be a reduction in the burden of high interest rates and that it is the fairest and most effective way of helping our struggling farmers, small businesses and commercial families which form the backbone of our rural communities. Today the Premier confirmed his support of the principle of bipartisan effort to positively assist the South Australian rural community, and that action is well noted and supported by the Liberal Party.

The Hon. J.C. BANNON: The honourable member's question is yet another option, as it were, to assist the beleaguered rural industry in the current crisis. In fact, that specific matter of changes in interest rates and the Rural Assistance Scheme has been well dealt with by my colleague the Minister of Agriculture on a number of occasions, particularly on 21 March in this place in reply to a question from the member for Goyder. I refer the honourable member to the Minister's response to that question.

It is fair to say that since then our approach to this whole issue has sharpened up considerably. We have a lot more material and the Minister has been working intensively on a series of propositions that can go to the Federal Government. Some of those propositions have already been canvassed with the Federal Minister for Primary Industries and Energy (Mr Kerin). However, it is clear that, at the moment, we need to maintain our effort very strongly indeed in representations to the Federal Government. As the Minister said, I think yesterday, the Government, having undertaken to provide a rural industries assistance statement by the middle of this month, has now postponed that to the end of this month, and that has quite grave consequences. Even if the Federal Government is not able to produce the comprehensive package, at least something should be available within the next week because this is the time it is needed. My colleague has been vigorously advocating that, and I intend to continue in that vein with the Premiers in Sydney and with the Prime Minister as well.

We have concentrated much of the discussion, as did my statement today, on the base price question or the minimum price guarantee (whatever term one chooses to use), but that is just one aspect of it. The element of interest subsidy or carry-on finance—the sort of issue that the honourable member has raised—is also on the agenda. My colleague is preparing a comprehensive set of recommendations which deal with such issues. In other words, we believe that it is not an either/or situation. A package should be looked at. If elements of that package are unacceptable to the Federal Government, there are other things that can be done, and action along the lines of what the honourable member suggests needs to be looked at. We have taken into account the United Farmers and Stockowners' submission on this matter. We believe that that is not acceptable in all its elements, but some elements are acceptable, and we will certainly pursue those matters.

The SPEAKER: Before calling on the next question, I point out to the member for Alexandra, as one who is always eager to indicate to the Chair when answers are too long, that his question was far too long and it contained too much comment. I draw the attention of the House to questions being asked and the need for brevity.

HIGHER EDUCATION

Mr HERON (Peake): Does the Minister of Employment and Further Education support the need for a coordinated set of goals for the State's higher education sector? Flinders University recently proposed that an overall plan for higher education was needed in South Australia. I understand that Flinders proposes that such a plan would not deal with matters at an institutional level, but would indicate a direction for the university system as a whole.

The Hon. M.D. RANN: I thank the member for Peake for his interest in this area. Flinders University's Registrar, Dr Vin Massaro, recently proposed that we get our heads together to formulate a plan for higher education towards the next century. I am sure that every member of this House believes that it is essential that the State takes a strong role in working with our universities in determining priorities for our higher education sector now that the major institutional changes have been achieved in a cooperative way.

The South Australian university system is one of the most vital resources that this State has. It is crucial that, like any resource, it is used to ensure the maximum benefit to the people of South Australia. As such, it is desirable that a long-term development plan for higher education in South Australia be constructed, perhaps looking at the year 2000 as a focus. Such a plan would indicate a vision for the university system as a whole and, as Flinders points out, not necessarily deal with matters at an institutional level, but lift our sights beyond that. However, a South Australian plan would provide a framework within which institutions could operate effectively as we move towards the next century.

Some suggestions as to what might be contained in a plan for higher education include future demands on the higher education system in terms of both numbers of students and areas of study; women in higher education, clarifying the nature and extent of women's participation and identifying priorities, strategies and targets; Aborigines in higher education; and non-metropolitan people in higher education, which would include how we can use new learning technologies and our TAFE campuses to bring university education to regional centres and rural areas. For the socio-economically disadvantaged we must ensure both access and outcomes. We must look at areas such as credit transfer and course articulation and the marketing of courses overseas. I believe that such a plan should address the issues of research and interactions with industry, commerce and Government.

I certainly intend to take up Flinders University's suggestion, to correspond with the chief executives of the three universities and to meet with their committee, which is known as SAGE, to look at how we can draw up such a plan and how it can be achieved to identify strategies and time lines for pursuing these important goals.

RURAL CRISIS

Mr MEIER (Goyder): My question is directed to the Minister of Agriculture. Now that the Minister has said that banks should not force farmers off their land, can the Minister assure this House that his Rural Finance and Development Division is not seeking to recall outstanding debts from farmers during the current rural crisis? I understand that a Kangaroo Island farmer, currently subject to an eviction order from the State Bank, has recently received an order for immediate payment of his total outstanding debt to the Rural Finance and Development Division (formerly the Rural Assistance Branch of the Department of Agriculture).

The Hon. LYNN ARNOLD: I can assure the honourable member that the Rural Finance and Development Division will also be asked to consider any non-performing loans with the greatest sensitivity, as I am in the process of discussions with the various banks that have had rural exposures. I have had a series of meetings already with a number of banks in South Australia. Of course, the point must be made that this should not be considered to be a free-for-all situation. Banks do have a right to ask their clients questions about the loans that their clients have with them; they have a right to get information about cash flow analyses; and they have a right to find out the prognosis for each account. That applies no less to the Rural Finance and Development Division in the Department of Agriculture. It too has the right to follow through those issues.

It is encumbent upon both the banks and the Rural Finance and Development Division to work with those clients to come to the most satisfactory arrangement possible that is in the interests of both the client and the lending institution itself. We would not want to see a situation created whereby banks and the Rural Finance and Development Division were themselves forbidden from holding any discussions with their clients or in any way from trying to have their clients perform as well as possible in very difficult circumstances—and I admit the difficulties of the present circumstances.

That point does have to be made and has to be respected, but I can assure members that in recent days I have been holding discussions with the Department of Agriculture about the way in which the Rural Finance and Development Division can perhaps provide something of a lead in terms of the way in which it manages its accounts, and to do so both protecting the taxpayers' interests—and that is something we have to look after—and, at the same time, protecting the clients' interests, as well as ensuring that the rural economy is served to the best possible advantage.

I have indicated that it is not in the interest of banks to force a rash of mortgagee sales for three essential reasons. One reason is the especial hardship it would cause so many farming families if that takes place, but it must be admitted that there are times when mortgagee sales do have to take place; that has always been the case and it will continue to be the case. However, a rash of mortgagee sales leads to two other complications, which are very serious indeed.

One is serious for the rural communities themselves, because it puts at risk other farmers who technically may already be non-viable due to lower land prices and artificially low international commodity prices yet who are good farmers, people whom we really want to keep on the land. If we had a rash of mortgagee sales, these people would suddenly be forced from technical non-viability maybe into the realm of mortgagee sales themselves, and that would have a devastating effect on those rural communities.

The third reason that needs to be taken into account to avoid any rash of mortgagee sales is that that then forces a crystallising of the loss for the lending institution, which is in itself bad for that institution, when it might have a chance of a scheme of arrangement that helps that loss to be minimised over a longer period. What that comes down to is that we cannot ever say that there should be a ban on all mortgagee sales; that situation cannot be arrived at. However, what we want to see—and I am trying to tell the banks that it is in their interests; they have to be investors, so they have to be investors in the solution as well—is that we minimise the number of mortgagee sales that take place. That precise message to them will be given no less to the

Rural Finance and Development Division, which has, I believe, an opportunity to play somewhat of a lead in providing an example from which banks could learn.

ILLEGAL ALCOHOL SALES

Mrs HUTCHISON (Stuart): Is the Minister of Aboriginal Affairs aware of allegations of grog running whereby it is alleged that people cross the Northern Territory border into South Australia with vehicles laden with alcohol in order to sell it in Aboriginal dry areas at grossly inflated prices?

The Hon. M.D. RANN: I thank the member for Stuart for her interest in this area as a member of the Pitjantjatjara parliamentary committee. Any member of this House who saw the *Four Corners* program the other night on Aurukun could not help but be shocked by the cynical exploitation of those people whose only motive would be corrupt greed. Any incidence of alcohol illegally entering Aboriginal lands is of great concern to me and to members of both the Maralinga and Pitjantjatjara parliamentary committees, members from both sides of the House. Aboriginal landowners in South Australia are permitted to outlaw alcohol, and both the Pitjantjatjara and Maralinga people have taken this initiative, to their credit.

Last year, we moved amendments to the Aboriginal Lands Trust Act to allow communities in the Aboriginal Lands Trust lands to take similar measures. One community has already taken up this challenge. However, the parliamentary committee was advised on its last trip that unscrupulous grog runners obtain supplies from Northern Territory outlets, bring them back onto the lands in South Australia and make considerable profits from their sale. The two liquor outlets which have raised the most comment in this regard are those at Curtin Springs and Erldunda in the Northern Territory. The majority of residents detest this practice of grog running. It results in domestic violence, child and family neglect, social disruption and health problems. It is a situation which community members find difficult to control.

The communities have requested that I, as Chair of the Pitjantjatjara parliamentary committee, approach the Northern Territory Government on their behalf to request the imposition of conditions on the take-away provisions of liquor licences, and that limits be imposed on take-away purchases. Such conditions apply at Marla in South Australia, as I am sure the member for Eyre can testify, and appear to address the problem successfully.

In the past few months my officers have held several talks with Northern Territory authorities, including members of its Legislature, and I recently wrote to the Northern Territory Sessional Committee on the Use and Abuse of Alcohol by the Community, to ensure that the members of that area are aware of the seriousness of the problems and of the need to review liquor licences in the Northern Territory because of the impact on Aboriginal people in South Australia. In addition, I will be holding further talks about this problem with both the Federal and Northern Territory Ministers for Aboriginal Affairs next month to ensure their support for resolving this very serious problem.

PORT LINCOLN SEWAGE TREATMENT WORKS

Mr BLACKER (Flinders): Can the Minister of Water Resources advise the House of the progress of the latest planning for the proposed sewage treatment plant at Port Lincoln and when it is expected that construction of the first stage will commence?

An honourable member interjecting:

The Hon. S.M. LENEHAN: No, I shall not be putting anything off. I shall be very pleased to inform the honourable member and give him an update of the progress of the Port Lincoln sewage treatment works. As members would know, Port Lincoln is the last remaining site in South Australia where sewage is discharged directly into the sea. It is now considered necessary that we treat this sewage to protect the marine environment. It is interesting to note that, in the middle of 1989, I agreed to proceed with the design for a sewage treatment works at Port Lincoln with construction proceeding when funds were available. Budget estimates placed the value of the project in the $5 million range. A concept design has been adopted and further work is currently being undertaken to confirm the ability of the proposed plant to meet possible effluent criteria to be set under the Marine Environment Protection Act.

A successful public meeting was held in Port Lincoln on 20 February this year and presentations were made on the progress of the design of the plant and of the Marine Environment Protection Act. A registration of interest for the use of effluent has also been called, and I understand that two companies have registered an interest and negotiations with these companies will continue. The existing sea discharge will still be required for the disposal of the majority of the treated effluent. It is programmed to submit the project to the Public Works Standing Committee later this year, and it is certainly my intention to have the plant operating in 1994.

It is appropriate to put on the public record the enormous amount of support that the member for Flinders has shown concerning this project. He has shown a keen interest not only in obtaining a sewage treatment plant but also in the intricacies and workings of such a plant and the way in which some of the effluent may be used from future plants. I thank the honourable member for his support and interest in this matter.

MENTAL HEALTH AUTHORITY

The Hon. J.P. TRAINER (Walsh): Can the Minister of Health inform the House on the progress of the reorganisation of the Hillcrest Hospital and, in particular, can he indicate whether the Government, following the reorganisation, will move to establish a centralised mental health authority to oversee the delivery of mental health services in this State?

The Hon. D.J. HOPGOOD: Work progresses. It has received considerable public support. People like Richard Woon and Liz Dalston have spoken up in favour of the reallocation of acute beds from Hillcrest. However, to get to the nub of the honourable member's question, yes, it is intended that a central mental health authority for the State be set up. There are a number of models to which we could point. I suppose that the Drug and Alcohol Services Council is a successful example of a centralised model of service delivery, advocacy and advice which seeks to address a particular area and which comes under my general ministerial portfolio. So, the concept of doing something like that without necessarily replicating the mechanism in every instance in the mental health area is one that has considerable support.

There has been some speculation about why the devolution of the Hillcrest beds to other units should be occurring in advance of the setting up of this authority. I see that the

authority has a long-term goal, a set of aims, particularly one that has to grapple further with the whole question of the appropriateness of treatment, in acute beds, outpatients or in the community, of mental health patients. It is an ongoing debate. It is one where further policy needs to be set and where we will require advice, five, 10 or even 15 years hence. In the meantime, what seems to me to be a very cost effective move concerning Hillcrest is one that should proceed and one that should not be delayed while this important authority is being set up.

WINE GRAPE PRICES

The Hon. P.B. ARNOLD (Chaffey): My question is directed to the Minister of Agriculture. In view of the Minister's public support for a minimum price for wheat, will the Government set minimum wine grape prices to be paid by wineries in their next vintage following the disastrous returns to growers this year, and is a further vine-pull scheme being contemplated by the Government?

The Hon. LYNN ARNOLD: First, I advise that what has been supported by all members in this House essentially has been a base price scheme. We have been referring to it as a guaranteed minimum price scheme but, if one takes the very message of the Grains Council proposal for a minimum price, it really is one that varies according to the final yield, so that the $151 figure they are quoting is $151 on an average yield. If it is a bumper crop, it is not $151 but significantly less than that.

The concept of a minimum price for wine grapes does not have that flexibility. If there is a bumper crop, it still applies to a bumper crop as much as it does to an average crop. That is an essential difference between traditional guaranteed minimum price concepts and the base price proposal referred to.

We have all been party to some of that misunderstanding because, for example, the motion moved in this House by the member for Flinders, which I and the member for Goyder were pleased to support, did use a guaranteed minimum price concept. That is the first difference involving what has been referred to in other guaranteed minimum price arrangements. The second, and I suspect the more important situation in this instance, is that if there is to be anything that applies in the wine grape industry it has to be something that is not a one-State affair but something involving three States.

I have authorised officers of my department, in talking with other Departments of Agriculture in other States, to see what we can arrive at in terms of some coordinated approach. However, we have essentially been supporting indicative pricing mechanisms, so that growers have good market reporting on what are the supply and demand aspects for grapes, and so that they know when they are offering their grapes for sale that they are not offering them at an artificially low price or being taken for a ride by the potential buyer. Indeed, I know that there has been evidence of growers being taken for a ride, and the member for Chaffey is certainly acknowledging that. An indicative price mechanism is effective in preventing that happening, because growers then know what the marketplace is determining as the suitable price, regardless of whether it is a bumper crop condition, a below-average harvest or an average harvest.

The other issue that needs addressing here with respect to wine grapes, as opposed to the wheat industry, is that with wheat we have a price that is significantly affected internationally. At the moment it is affected by marketing outrages taking place in Europe and the United States through the subsidies they are putting in place, and that is pulling out the price rug, so to speak, from under wheatgrowers in this country. The situation with wine grapes is more domestically oriented. Admittedly, there is a growing export of wine—growing very handsomely indeed—but it still represents the smaller portion of the overall wine market. I think that we are now running between 10 and 12 per cent of the volume of wine produced being exported. So, the majority is still for domestic consumption. I think that that also changes the way one approaches pricing mechanisms.

For a number of reasons there are differences between what is happening in the cereal area and what is happening in the wine grape area. I intend to continue having discussions with Victoria and New South Wales, and having my officers conducting discussions with those States so that we can reach a three-State agreement. This year we were badly let down by the MIA simply pulling away, not even agreeing to stay part of a voluntary arrangement. Of course, as the honourable member knows, the Trade Practices Commission warned us to be very careful of any arrangements we might enter into.

Finally, in relation to a vine-pull scheme, a proposal has been put to the Government by the Riverland Growers' Unity Action Group, but at this stage the Government has no intention of proceeding with a vine-pull scheme. Those proposals from the RGUAG rest on the table.

PERSONAL EXPLANATION: PREMIER'S REMARKS

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

Leave granted.

Mr D.S. BAKER: In his ministerial statement, the Premier made certain allegations and I have just had a letter delivered to him replying to those allegations. The letter states:

Dear John,

Your letter foreshadowing a ministerial statement on the rural crisis was delivered by hand to my office at 1.58 p.m.—only a few minutes before you made that statement. In that letter, you called for bipartisanship. You may recall that on 11 October last year I moved a nine-point urgency motion to address the rural crisis. You criticised that motion and at that time your Government refused even to acknowledge that there was a rural crisis.

The Liberal Party subsequently has continued to put forward constructive and realistic proposals to assist our farmers with problems which are not of their own making. Last week, I was asked to respond to a proposal by the West Australian Premier that a State Government should underwrite the wheat crop. My response pointed out the inconsistency between this proposal and the abandonment by the Federal Labor Government of the national floor price scheme for wool. I also said that it would not be possible for the South Australian budget to underwrite this State's wheat crop, particularly in view of the need to cover the losses of the State Bank. I am not and never have been in the business of offering farmers false hope.

You have misrepresented my remarks to infer that I would be opposed to any decision by the Federal Government to underwrite the wheat crop on a national basis given the need for our wheat growers to maintain market share and the other unique and hopefully one-off circumstances they currently face. In your endeavours to achieve this, you will have my full support. At the same time, this must not negate the need for your Government to consider what more assistance may be possible for other crops and at a State level, in the event that the Federal Government maintains its present attitude.

In this respect I have proposed the following: seek from the Commonwealth more funds for rural assistance; apply those funds more flexibly, particularly through the implementation of an interest rate subsidy scheme; and, investigate an extension of a rural assistance trust introduced by the State Bank for farmers with large deficit problems.

Yours sincerely,

The SPEAKER: Order! I draw the attention of members to the fact that some doubt exists on my part about a personal explanation being used simply to read a letter into the record. I will refer the matter to the Standing Orders Committee as it seems not to be quite appropriate for a personal explanation.

MINISTERIAL STATEMENT: PINES STADIUM

The Hon. M.K. MAYES (Minister of Recreation and Sport): I seek leave to make a statement.

Leave granted.

The Hon. M.K. MAYES: I make this statement in order to place on the public record the events surrounding the installation of the artificial hockey surface at the Pines Stadium. I emphasise that from the commencement of negotiations to develop an artificial surface at the Pines Stadium there has been full and ongoing cooperation and consultation between the Government and the South Australian hockey authorities, contrary to recent reports in the local media.

The relevant chronology of events relating to this issue is as follows. On 3 March 1987 the South Australian Hockey Joint Council recommended an artificial surface as the most appropriate development for hockey in South Australia. On the same day the South Australian Hockey Board of Management accepted the design solution as prepared for the Public Works Standing Committee. On 24 June 1987, the Australian Hockey Association approved six artificial surfaces, including Supergrasse, for Australian national championships, and advised that any of these six surfaces would be satisfactory for an international standard facility. On 19 August 1987, the Australian Hockey Association confirmed that the surface laid at the Homebush Stadium in Sydney was Supergrasse 10. The same letter indicated that this surface was suitable for international competition.

This correspondence indicates that there was agreement between hockey and the Government about the suitability of Supergrasse 10 as a surface for international standard competition. The Government is working with the South Australian Hockey Association to resolve the subsequent problems with the surface. We have emphasised to hockey that this resolution must be achieved on the basis of a partnership approach to the problem, and this approach has been readily accepted by the association.

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

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

Motion carried.

PARKS COMMUNITY CENTRE (MISCELLANEOUS) AMENDMENT BILL

Received from the Legislative Council and read a first time.

SELECT COMMITTEE ON THE WRONGS ACT AMENDMENT BILL (No. 2)

Mr GROOM (Hartley) brought up the report of the select committee, together with minutes of proceedings and evidence.

Report received.

NATIVE VEGETATION BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2 (clause 3)—After line 4 insert definition as follows:

'conciliator' means a person appointed and holding office as a conciliator under Part III Division IA:.

No. 2. Page 2 (clause 3)—After line 8 insert definition as follows:

'isolated plant'—see subsections (2) and (3):.

No. 3. Page 2, lines 13 to 20 (clause 3)—Leave out these lines and insert:

including a plant or plants growing in or under waters of the sea but does not include—

(a) a plant or part of a plant that is dead unless the plant, or part of the plant, is of a class declared by regulation to be included in this definition;.

No. 4. Page 3 (clause 3)—After line 3 insert subclauses as follow:

(2) A plant will be taken to be an isolated plant if—

(a) it is at least one metre in height;

and

(b) there is no other plant comprising native vegetation that is 200 millimetres or more in height within 50 metres of it.

(3) Each plant of a group of two or three plants or of a group of plants that is the subject of a determination by the council under subsection (4) will be taken to be an isolated plant if it would be an isolated plant under subsection (2) except for its proximity to another plant, or the other plants, in the group.

(4) The council may, where in its opinion the circumstances of a particular case justify a determination under this subsection, determine that each plant of a group of four or more plants will be taken to be an isolated plant.

(5) A determination under subsection (4) must be agreed to by all the members of the council present at the meeting at which it is made.

(6) The distance between two plants for the purposes of subsection (2) will be taken to be the distance between those parts of the plants that are above ground level and are closest to each other.

No. 5. Page 3, line 22 (clause 6)—Leave out 'are' and insert 'include'.

No. 6. Page 3, line 23 (clause 6)—Leave out 'to provide incentives and assistance' and insert 'the provision of incentives and assistance'.

No. 7. Page 3, line 25 (clause 6)—Leave out 'to conserve' and insert 'the conservation of'.

No. 8. Page 3, line 27 (clause 6)—Leave out 'to limit' and insert 'the limitation of'.

No. 9. Page 3, line 31 (clause 6)—Leave out 'to encourage' and insert 'encouragement of'.

No. 10. Page 3, line 34 (clause 6)—Leave out 'to encourage' and insert 'encouragement of'.

No. 11. Page 6, line 12 (clause 14)—Leave out subparagraph (ii) and insert subparagraph as follows:

(ii) the re-establishment of native vegetation on land from which native vegetation has been cleared;.

No. 12. Page 6, line 15 (clause 14)—Leave out 'the revegetation of cleared land' and insert 'the re-establishment of native vegetation on cleared land'.

No. 13. Page 6, line 20 (clause 14)—Insert 'existing' after 'of'.

No. 14. Page 7 (clause 17)—After line 29 insert subclause as follows:

(1a) The report must set out the purposes for which money from the fund was applied in the relevant year and the amount applied for each purpose and must explain why the fund was applied in that manner.

No. 15. Page 7—After line 31 insert new Division as follows:

DIVISION IA—CONCILIATORS

Appointment of conciliators

17a. The Minister must appoint at least three persons who have wide knowledge and experience in the preservation and management of native vegetation to be conciliators for the purposes of this Act.

Conditions of appointment

17b. (1) A conciliator will be appointed for such term and on such conditions as the Minister thinks fit.

(2) A conciliator may be removed from office by the Minister—

(a) for misconduct;

(b) for neglect of duty;

(c) for incompetence;

or

(d) for mental or physical incapacity to carry out the duties of office satisfactorily.

(3) The office of a conciliator becomes vacant if he or she—

(a) dies;

(b) completes a term of office and is not reappointed;

(c) resigns by written notice addressed to the Minister; or

(d) is removed from office by the Minister under subsection (2).

(4) If, upon the office of a conciliator becoming vacant, the number of conciliators falls below three, a person must be appointed in accordance with this Act to the vacant office.

Allowances, etc.

17c. A conciliator is entitled to such remuneration, allowances and expenses as the Minister may determine.

No. 16. Page 8 (clause 18)—After line 4 insert subclause as follows:

(6) The council must in each year apply such amounts as it considers appropriate from the fund for research into the preservation, enhancement and management of native vegetation and to encourage the re-establishment of native vegetation on land from which native vegetation has been cleared.

No. 17. Page 11, line 19 (clause 25)—Leave out 'issued by the council' and insert 'adopted by the council under Part IV'.

No. 18. Page 11, lines 38 and 39 (clause 26)—Leave out 'seriously at variance with the principles' and insert 'contrary to subsection (1) *(b)*'.

No. 19. Page 11, line 40 (clause 26)—Leave out 'only one plant' and insert 'one or more isolated plants'.

No. 20. Page 12, line 2 (clause 26)—After 'that plant' insert ', or those plants,'.

No. 21. Page 12 (clause 26)—After line 21 insert subclause as follows:

(8a) Section 41 (10) of the Pastoral Land Management and Conservation Act 1989 does not apply to, or in relation to, a property plan requested by the Pastoral Board under subsection (8).

No. 22. Page 12, line 24 (clause 26)—Leave out 'and any' and insert ', all subsequent owners of the land and any other'.

No. 23. Page 12 (clause 26)—After line 25 insert new subclause as follows:

(9a) The council may, pursuant to subsection (4), give its consent to clearance of native vegetation if, and only if—

(a) it attaches to the consent a condition requiring the applicant to establish native vegetation on land specified by the council;

and

(b) the council is satisfied that the environmental benefits that will be provided by that vegetation significantly outweigh the environmental benefits provided by the vegetation to be cleared.

No. 24. Page 12—After line 39 insert new clause as follows:

Referral to conciliator

26a. (1) An applicant for consent to clear native vegetation who is dissatisfied with the council's determination of the application may request the council to refer the application to a conciliator for assessment.

(2) The council must refer an application to a conciliator in pursuance of a request under subsection (1) for preliminary assessment.

(3) If, after preliminary assessment, the conciliator is of the opinion that a full assessment and report should be made under subsection (4) he or she must proceed with the assessment and report.

(4) After making the assessment the conciliator must submit a written report to the council that either confirms the council's determination or recommends that the council vary or revoke the determination and make a determination recommended by the conciliator.

(5) The report must include the conciliator's reasons for his or her recommendation.

(6) Upon receiving the conciliator's report the council must, if the report recommends that the determination be varied or revoked, reconsider the application and in doing so the council must have regard to the conciliator's recommendation.

No. 25. Page 13, lines 18 to 21 (clause 27)—Leave out subclause (4) and insert subclauses as follow:

(4) Where the respondent has cleared native vegetation in contravention of this Act, the court must make an order against the respondent under subsection (3) *(d)*.

(4a) The order must require, or include a requirement, that the respondent make good the contravention or default by establishing native vegetation on the actual land on which the original vegetation was growing or was situated before it was cleared and where that vegetation, or part of it, is still growing or situated on that land, the court may order its removal so that the new vegetation can be established on that land.

No. 26. Page 14, line 35 (clause 31)—After 'or' insert 'in exceptional circumstances'.

No. 27. Page 15, line 37 (clause 33)—Leave out this line and insert 'an authorised officer, or a person assisting an authorised officer,'.

The Hon. S.M. LENEHAN: I move:

That the Legislative Council's amendments be agreed to.

I will briefly recap the amendments that have come from the other place. I remind members that the Native Vegetation Bill, which was debated recently in this place, has now passed through the Legislative Council. In the Council, a number of amendments were made to the Bill and it is now back before this House for consideration of those amendments. The Government has moved some minor amendments, the principal one being the provision of conciliators in the legislation. This provision was included as a means of providing the opportunity for landowners to have the decisions made by the Native Vegetation Council reviewed by a third party.

The Bill now contains provisions which allow landowners to request the Native Vegetation Council to have applications which they may have before the council referred to a conciliator for review. These amendments have been accepted in the Upper House and I believe they should be accepted in this Chamber. An amendment moved by the Democrats, which caused considerable discussion, was in relation to the ability of the Native Vegetation Council to make a decision for clearance seriously at variance with the principles when dealing with isolated plants. Amendments moved by the Democrats have had the effect of increasing the number of isolated plants which can be dealt with under this mechanism to more than one.

The Native Vegetation Council can make a decision seriously at variance with the principles when dealing with groups of up to three plants. This provision has been included particularly to cover issues associated with scattered trees in a paddock which has been developed and grazed for a number of years and where clearance of those trees would facilitate the efficient management of the land. The amendment goes further and provides that more than three isolated plants can be considered for clearance by the council providing the council is unanimous that such plants should be removed and with an extra proviso that a replanting program of species set by the council and in locations on the land specified by the council can be undertaken.

All members would agree that with those provisos the amendments from the Legislative Council could certainly be agreed to. In relation to the objects clauses of the Bill, the Democrats have suggested that these objects become inclusive. The Government supports this proposed amendment as it provides that other objects can be considered under this legislation and that such objects not be confined purely to those specified.

In clauses relating to the functions of the council, the Opposition has added extra functions requiring the council to reconsider the establishment of native vegetation on land which has been cleared and the encouragement of research into preservation enhancement and management of existing native vegetation. The Government supports these slight changes. In the debate in this place, there was discussion as to how much of the native vegetation fund should be applied to activities associated with research. Members might recall that a figure of 25 per cent of all moneys applied for management of this legislation should be for the application of research.

The Government moved an amendment in the Legislative Council which provided that the Native Vegetation

Council must apply such amounts as it considers appropriate from the fund for such research. I urge the Opposition in this place to support that amendment because, whilst it clearly states in the legislation that research is an integral part of the whole management program, it also gives the council flexibility to be able to ascertain how much research is needed for projects in a particular year. I hope that this will enable moneys to be put into the management and retention of vegetation in the initial years and perhaps build a research program which would have the support of all members of this place and indeed the community.

In clauses relating to proceedings for an offence under the legislation, the Opposition moved an amendment that accepts that proceedings for an offence against the Act may be commenced at any time within three years after the date of the alleged commission of the offence or in exceptional circumstances with the authorisation of the Minister at any later time within six years after the date of the alleged commission of the offence. The Government is prepared to accept this amendment.

It is important to remind members that the legislation we are being asked to finally agree to in this Chamber is probably one of the most significant pieces of legislation that we will be asked to approve. It indicates that South Australia is leading Australia in protecting native vegetation. Whilst it is fair to say that broad scale clearance will now have ceased, the new legislation recognises that small scale clearance may be necessary for good property management or for the management of existing vegetation.

I think it is important to recognise that there has been what could only be described as unprecedented cooperation between two major groups in our community, namely, on the one hand, the United Farmers and Stockowners, which represents the farming community and, on the other hand, a major conservation group, the Nature Conservation Society, which has broad support and representation in the nature conservation movement. The fact that both of those organisations have been prepared to work so closely together is a recognition that, not only is this the first time in the history of the State that these two organisations have got together to deal with an issue of such vital importance to the future of South Australia, but it is also testimony to the individuals who have been involved in these negotiations and, indeed, who have reached an agreed, supportive position in respect of the Government's legislation.

I want to pay tribute to both those organisations and, in particular, to Mr David Moyle, the spokesperson for the Nature Conservation Society and to Mr Don Pfitzner, the President of the United Farmers and Stockowners of South Australia Incorporated. Both these gentlemen have been remarkable in the way they have handled what have been, at times, very difficult matters. I think it is also important to have it on the public record that, without the support, diligence, dedication and commitment of officers of my department and, in particular, Mr Nicholas Newland, I do not think that we would be here debating this legislation and, indeed, agreeing to these amendments.

Without the goodwill of the three principal parties, namely, my own department (in particular, Mr Newland), the UF&S and the Nature Conservation Society, I do not think that we could have had this successful outcome with the minimum of any kind of dissension and the maximum of cooperation. As the Minister responsible, I am certainly very proud of and pleased with my department and its officers. I think it is also important to acknowledge the work that has gone on, particularly in the Upper House. I would like to congratulate the members of the Upper House on the way in which the debate on this very important legislation was undertaken, and I commend the Legislative Council's amendments put to this House for acceptance. In conclusion, I think it is appropriate to thank members of this Chamber for the way in which they have participated in the debate, and certainly for the manner in which they have supported the major principles and thrust of this Bill.

The Hon. D.C. WOTTON: The Opposition supports the amendments, some with more enthusiasm than others. There are some amendments that I still question and, quite obviously, as with all legislation, the Opposition will be anxious to monitor the legislation to ensure that it is working effectively. There is a significant amount of business on the Notice Paper this afternoon, and I do not intend to go into any detail regarding the amendments other than to say that there are members on this side who are still concerned about the penalties issue, for example. We still have concerns about how those penalties will be implemented, and we will be anxious to ensure that adequate penalties are handed down for those who are clearly outside the requirements of this legislation.

The Minister also referred to the cooperation between, particularly, the UF&S and the Nature Conservation Society. I also commend both those organisations but, in doing so, I indicate, as I have particularly to the President of the UF&S, that a significant number of people in rural areas are not totally satisfied with this legislation. Some are members of the UF&S. Again, those people will be monitoring the effectiveness of the legislation, and we shall certainly be keeping in touch with those people as well.

The Opposition supports the introduction of the consolidation. I believe that it is appropriate that these people should have an important involvement. I have concerns about the definition of 'isolated plant'. I really do not know how that will work. Again, we shall be interested to follow it. In some ways, that will remove some of the flexibility of the council in determining what should be cleared by way of isolated plants. We will wait and see what happens.

In regard to the amendment moved by the Democrats to include 'plant or plants growing in or under the waters of the sea', I have read carefully the reasons why the Democrats moved in that way in another place. I do not share all the concerns of the Democrats in this area. I should have thought that the legislation which is already in place to protect the marine environment and fisheries would be sufficient. While I doubt that they are necessary, I shall not oppose them.

Again, I doubt the necessity for the amendment moved by the Democrats in another place whereby the report must set out the purposes for which money from the fund was applied, the relevant year, the amount applied for each purpose and why the fund was applied in that manner. I doubt whether that is necessary.

The Minister has referred to the amendment moved by the Opposition in this place originally suggesting that 25 per cent of the fund should be set aside for organisations with a particular involvement in revegetation. I believe that the amendments that have come from the Upper House cover our major concerns and our concern to ensure that sufficient funding was put into research as well.

It will be necessary for us to watch closely the way in which the legislation is implemented and administered. Much will depend on the responsible way that the new council carries out its duties and how the legislation is administered. The Opposition supports the amendments of the Upper House.

The Hon. TED CHAPMAN: If I were the Minister for Environment and Planning in this situation, I, too, would have captured the opportunity to exploit a situation that

she has alleged to have had at her disposal, and that is the quite unique support, I think she said, of two major organisations in relation to this legislation. She claimed that one was the Conservation Council of South Australia and the other was an organisation which purported to represent the rural community of South Australia—the UF&S. Let me put the record straight about this matter of perceived support by the UF&S for the Bill. The Minister received the support of the President and senior officers of that organisation, I understand.

The Hon. S.M. Lenehan: The council.

The Hon. TED CHAPMAN: I am not arguing with that, because the President of the UF&S is cited in one of its magazines as being in support of the legislation. What the Minister said is not untrue, but in fact it is misleading.

I want to give the Minister and the Committee the benefit of some information that was drawn to my attention subsequent to the introduction and passage of this legislation. Zone 14 of the United Farmers and Stockowners Association embraces the area known as Kangaroo Island, on which there are approximately 420 rural primary producers, of which a significant number have, since the commencement of the association and more latterly the United Farmers and Stockowners Association, been members of those organisations. At a recent meeting of zone 14 it was overwhelmingly, if not unanimously, resolved that they withhold their fees to the UF&S. The stand taken on this issue by the field members within the past week is as a result of their hierarchy allegedly taking positions on vital subjects important to the rural community and the membership without having properly consulted the membership.

Mr Gunn interjecting:

The Hon. TED CHAPMAN: I am supported in this expression of concern by my colleague the member for Eyre. There are only a few districts left in South Australia where there is any extent of native vegetation. As we all recall, when the Bill came before this place it did not deal with native vegetation within the metropolitan area; it did not, in effect, deal with native vegetation across the pastoral regions, which represent 85 per cent of South Australia. In effect, it dealt only with those parts of Eyre Peninsula represented by my colleague the member for Eyre, those parts of the Flinders district at the extreme south end of Eyre Peninsula represented by the member for Flinders, some very isolated pockets in the South-East of South Australia, a significant area in the Mallee district and, indeed, the area embracing parts of Fleurieu Peninsula and a substantial amount of Kangaroo Island in the District of Alexandra.

It is understandable that we in this place who represent those districts should have some concern about the impact of the legislation that the Minister has introduced. I shall not again canvass my concerns about the various aspects of the legislation, but, having passed through this House of the Parliament and of the other place and now returned to this House, I think we should take the opportunity to clarify some of the statements that have been made.

The only one about which I want to make a particular point is that to which I have already referred. I do so with due respect to the Minister and the Government who, understandably, feel proud of their achievements to date and who have not been remiss in their reference to the support that they have in writing. I fully appreciate the confirmation of support that the Minister has received, but I raise the subject in this instance to put on the record that all that we are told here does not necessarily stand up in fact. This is yet another classic example where that august group, known as the United Farmers and Stockowners Association of South Australia, has been misrepresented *en bloc* by a few of its leaders. Such actions are not unique in South Australia. We had a situation where that very organisation misrepresented the views of its on the ground membership on the issue of WorkCover—a piece of legislation that was before us only a year or so ago.

We have been misled on other vital issues of concern to the membership of the UF&S when the respective leaders and executive officers have been out of step with their membership on the ground. So, it is no wonder that the membership of the UF&S has deteriorated at about as fast a rate as has the membership of the Australian Workers Union in Australia and in South Australia in particular. It is no wonder that zones of the organisation, as is the case with zone 14, have taken action to withhold payment of their fees. It may be claimed by some that the action to withhold the fees is because the UF&S has not been firm about its support for the underwriting of the floor price plan for wheat. It may be that some of the reasoning behind the membership's reluctance to pay its fees or at least, in the meantime, its withholding its fees from payment to the UF&S is as a result of that organisation's failure to address itself properly and responsibly on behalf of its members in other areas.

Be that as it may, there is a problem on that front, and the leadership does not have the support that it ought to have in order for it to be a responsible and accepted voice for its membership on behalf of the rural community. I do not blame the Minister for taking advantage of that situation in this instance, but she ought not to get carried away with boasting about it too loudly, otherwise it might bounce back and bite the Government in due course. I have seen this Government in South Australia in bed with the UF&S today and out of bed tomorrow. They blow hot and cold. When things are different, they are not the same. It is a bit like situations in some other partnerships and some other marriages: they do in fact blow hot and cold, but at the moment, they are in love. The UF&S is in bed with the Government yet again. One could pursue that subject further, but it really is not appropriate for me to do so—and it is no joke.

An honourable member: Listen to the voice of experience!

The Hon. TED CHAPMAN: No, I have never been in bed with the Minister, so do not get carried away. I respect some of the decisions that she has taken on certain legislation; I think she has got a bit carried away on this particular issue, and I really do not want, as much as I am goaded and provoked, to involve myself further in that line of discussion.

The important issue is that we are stuck with a piece of legislation, as it has come down from the other place, which will grossly hog-tie those in the rural community who have carefully preserved their funds and their native vegetation plots. This legislation now dictates what they shall or, more particularly, what they shall not do with their own land. It has gone too far; I really believe that to abolish the right of landholders to develop their own land, albeit responsibly and in an environmentally sensitive way, is indeed sabotage of the rights of human beings in Australia, and in South Australia in particular. I am very disturbed about what has occurred.

I am further disturbed that we now have a situation in South Australia where persons holding freehold titles—that is, absolute ownership of their own land—as a result of the desire of minority groups in the community to maintain that land in its natural state, are denied any form of compensation whatsoever. A few people are providing a so-called natural asset for the rest of the State for no recompense at all, and that principle is wrong, wrong, wrong. I

do not believe that, in making laws in this State, we ought to be indulging in such wrongful actions as have occurred and as are so blatantly reflected in this piece of legislation. It is with some sadness and great disappointment that I hear in the concluding stages of the passage of this legislation that we are now stuck with a takeover bid of the rights of the individual yet again and, more especially, that the United Farmers and Stockowners in South Australia has hopped into bed and supported the abdication of that principle which was introduced by the Minister and which is now to become State law.

Mr GUNN: I am pleased to have the opportunity to participate very briefly at this late stage of the debate, as I was not here when the real debate on this measure took place. However, I did involve myself by making quite strenuous representations to all and sundry in relation to my views on this matter. Like the member for Alexandra, I have some concern that the UF&S would wholeheartedly embrace this legislation. It made a very poor fist of the original legislation when it was negotiated on behalf of the farming community, so I have some concerns. Of course, the problem is that the majority of the members of the UF&S have never been involved in land development or clearing native vegetation and do not understand how to manage it, and those of us with some experience, such as the member for Alexandra and others, who have tried to do the right thing will now be penalised because of the actions of a few.

I regard the Conservation Council of Australia as a group of people who are anti-South Australian; they are an impediment to our development. I do not care what anyone says; I regard them as an impediment to the proper development and the welfare of the people of this State. They are members of an unnecessary group and they should be completely ignored, because they are not rational, they are not responsible and, above all, they are anti-farmer. As far as I am concerned, the quicker we stop pandering to those sorts of irrational groups, the better for the people of this State. We have placed this nation in the hands of fools in relation to this matter. This fellow Toyne and others who set themselves up as spokesmen for the nation should be ignored, and the Government should tell them to get on their way, earn a living and attract enough money to fund their own operations without coming cap in hand to the Government, with the Government foolishly funding these groups. The mining industry, the agricultural sector and the tourism industry will keep the country going if given a fair go, but this sort of legislation is just hog-tying them.

The unfortunate situation we have today is that too few people understand anything about the problem. Anyone knows that, if people use bad farming practices, there will be problems. The way to solve these problems is to have viable farming units. That is the only way to put into place good agricultural practices, because all these outside groups that want to put their fingers into the management pie have no understanding. They are not involved financially so it does not affect them if they make irrational decisions. A bit of commonsense has to be applied. I have considerable concerns about some of these amendments, but others are reasonable.

The involvement of the Democrats in another place has rarely improved parliamentary standing. The Democrats are a minority group whose sole purpose is to appeal to a very small section of the community, and that in itself creates bad legislation, not rational legislation, so their involvement is always with a view to appeasing about 10 per cent of the population at the most. They really have no regard for ensuring that legislation is sensible and can be put into effect or for determining whether it will be detrimental or beneficial for the industries involved. They merely want a headline.

My concern as a practical farmer and as someone who has had some experience is that whatever legislation we pass in this Parliament will be workable and administered in a commonsense way. There are hundreds of farmers in the electorate I represent, as well as in the Districts of Flinders, Murray-Mallee and Alexandra, who are involved in managing native vegetation. Some of them on a regular basis burn or graze their native vegetation—they do all sorts of things. The last thing those people want is to have people looking over their shoulder and telling them what to do. They will not accept that. Therefore, if we are not very careful, we will have a stand-off position.

The first way the Minister can improve the situation is to assure this Committee today that the Government has no intention to make life difficult for the rural sector and that it will aim to cooperate with it. Secondly, the people on this council must be practical people, and I understand that some effort has been made in that regard. A terrible mistake was made with the previous Vegetation Clearance Authority, the personnel concerned being anti-farmer, with no practical understanding and, in my view, that caused unnecessary agitation because of the way they treated people. Some outrageous things were done, and I could list them, but I will not. The board should have been sacked. I do not blame the employees—it is like the State Bank situation—it is those in charge, including the Chairman, who are responsible.

In conclusion, I still have many concerns. I believe that it will be necessary, when we have a change of Government, to rewrite some of these provisions because I am very concerned with the day to day management of rural properties. My other concern is that the farming community will have people looking over their shoulder on a daily basis. Some of us had a discussion last night, during which people were drawing up provisions concerning spray drift and those sorts of things. The most impossible and ridiculous suggestions were put forward by people who were anti-farmers. When you set up advisory committees and try to appeal to everyone, you end up with the worst scenario instead of the best. Whatever happens, people must get right off the backs of the rural community and give it a fair go. The rural community must be allowed to get on with the job of producing income and helping sustain this nation. If we get off its back, it will perform reasonably well.

I appeal to the Minister not to have people racing madly around the country looking over people's shoulders. She must ignore the nonsense from the Conservation Council and other ill informed groups who are not rational in their comments. At the end of the day, commonsense must prevail. If this legislation has any chance to succeed, it will need the full cooperation of the farming community and will not need a hostile anti group. The first time that someone is unnecessarily dragged before the courts there will be tremendous hostility across this community, and the matter will blow up in this place—there is nothing surer than that. I suggest to the Minister that she ignore those irrational groups in the community and endeavour to work in a cooperative manner with the rural and farming communities, particularly in those areas where they have tried to do the right thing, and the legislation will then have some chance to operate. If that does not take place, there will be considerable antagonism as long as the legislation remains on the statute books.

I appreciate the response of the Minister following my submission prior to my absence from this Chamber for a

couple of weeks. I appreciate the time and effort put into it, my discussions with her officers, and the manner in which they dealt with my concerns. That has been somewhat reassuring. I hope that the Minister will give those assurances and that the legislation is implemented in a sensible manner.

Mr BLACKER: I still concur with many of the comments I made at the original passage of this Bill through this House. I note the comments of the members for Alexandra and Eyre in relation to the support to which the Government has laid claim from the UF&S and agree that it is not accepted by the general majority of people involved in the rural areas who have some contact with the native vegetation area.

When the matter was originally before the House, there was no indication as to how much of the native vegetation remained and how much could be eligible for heritage agreements and compensation. It was indicated that the Government had not gone halfway at that stage and therefore the cost would be too excessive for it to still play fair with everyone. That was the general presumption that pervaded the debate at that time. I have since found out that more than 75 per cent of the area that would otherwise have been eligible for heritage agreement has in fact been bought and compensated for, subject to payments yet to be made. In reality, three-quarters of those people who have areas that were otherwise eligible, or would otherwise meet the criteria of heritage agreements, have in fact been paid. One-quarter of the people concerned have now been prevented by this legislation from being compensated in such a way. Clearly, that discriminates against that section of the community and, more importantly, it leaves those 25 per cent paying the total cost of the heritage conservation for the whole of the State.

Surely we have now identified a small number of people who are being prejudiced or disadvantaged by this legislation. I guess there is an ironic twist to this, because in the past 12 months there has been a serious decline in the value of land and it may well be that, in being fair to all, the Government could have paid that compensation at only a fraction of the cost of what it has already incurred in respect of payments to the other 75 per cent of farmers who have had native vegetation and who were eligible for the heritage agreement. Since we last debated this issue in this place, an even more distorted unfairness has been identified involving a small section of the community who are now no longer eligible for heritage agreements when they should have been. I do not think any member of this House could stand here and justifiably say that we have already paid out 75 per cent of the people and we should not pay out the remaining 25 per cent. That is what really worries me. It is hitting a minority for a six and expecting them to pay for those compensation levels. With all due respect, I have not had the opportunity to go through these amendments, and I am not—

The Hon. S.M. Lenehan: They were tabled yesterday.

The CHAIRMAN: They were tabled yesterday. The honourable member for Flinders might have just received a copy, but copies were available at the table yesterday afternoon.

Mr BLACKER: It was put in front of me by a clerk only a matter of 15 minutes ago. There are many issues in relation to the identification of an isolated plant. Putting that in its context is a little difficult. If the opportunity had been available, I would have asked why an isolated plant was defined in the legislation. I particularly refer to the other plants less than 200 mm in height. There must be a reason why that figure was established, because 200 mm is not the height of any grass, either native or planted, that would be growing. There must be some logical explanation for including that figure. I am dissatisfied with the legislation, and I made that perfectly clear at the time, because a small section of the community will be financially disadvantaged and, in some cases, this measure will contribute considerably to the ultimate downfall of their farming enterprise.

Motion carried.

INDUSTRIAL CONCILIATION AND ARBITRATION (COMMONWEALTH PROVISIONS) AMENDMENT BILL

In Committee.

(Continued from 3 April. Page 4024.)

Clause 15—'Power to grant preference to members of registered associations'—

which Mr Ingerson and the Hon. R. J. Gregory had moved to amend.

Mr INGERSON: Last evening when we discussed this clause I made special reference to an arrangement, deal or agreement made between two independent Labor members and the Government and, after reading the amendment overnight, I note that not only do we still have a strong preference in terms of engagement and retention, but we have had removed from this clause the words that made most sense in the previous amendment—'of all things being equal'.

In watering down its amendment in respect of preference, the Government has still placed a positive role on being a member of a union. The Opposition has received many telephone calls in the past 24 hours and it is important that the Committee is aware of the community concern resulting from the article on the front page of yesterday's *Advertiser*. Members of the community could not believe, if the number of calls that came to the Leader's office is any measure, that the Government in today's economic climate could introduce this special rule or opportunity for one group in the community. Clearly, the provision sets out two distinct classes of workers.

The Hon. T.H. Hemmings: Them and us.

Mr INGERSON: No, we are not workers: we are in that elite group that the honourable member tells us he does not like. The member for Albert Park always seems to be concerned about people who invest capital and make a few dollars through hard work. He seems to get upset about it all. The Opposition's concern is that this clause will create two classes of worker: those who work in an industry and have union membership and those who work in the same industry but do not have any membership.

Members interjecting:

Mr INGERSON: It is fascinating that the member for Albert Park should call them scabs. I would have thought that in the 1990s such pathetic language would have disappeared and that we would not have such discriminatory language used by any member of Parliament, particularly as the member for Albert Park has been so strong in his support of anti-discrimination and equal opportunity laws. I would have thought that he, above all members in this Chamber, would choose to use his words carefully, but I see that his old working habits have not left him. I do not suppose one can ever expect a leopard to change its spots.

The Opposition and I are concerned that we are creating two classes of worker. As I stated yesterday in the second reading debate, Mr Tumbers, who is a leading employee representative, went to great lengths on radio to say that he

believed that people who did not want to join a union or work in an industry in which unions were involved should not even bother to turn up and be employed in that industry. I believe that that view is disgraceful. Certainly, it is a line that I would hope no representative of any association and particularly not a member of this Government would adopt. Can the Minister explain why the words 'of all things being equal' have been removed from the legislation and why the Government is so hell bent on creating two classes of worker?

The Hon. R.J. GREGORY: We have removed the words because they are no longer needed. I thought the member for Bragg would understand that. I asked him and I challenged all members opposite in the second reading debate to demonstrate where the Commonwealth Conciliation and Arbitration Act 1947, as it applies in South Australia or anywhere else in Australia, gave the President, Deputy Presidents and Commissioners the power to grant preference, and where that actually created any of the situations that have been forecast by members opposite. The member for Bragg, again, was unable to demonstrate where that had happened.

Mr Ingerson: Try the motor industry.

The Hon. R.J. GREGORY: The member for Bragg says, 'Try the motor industry.' That agreement was reached between unions and the employer. I am talking about an industrial dispute where the Commissioner has power to award preference to a particular employee in a specific set of circumstances. The member for Bragg has been unable to demonstrate any decision of the Arbitration Commission or the Industrial Relations Commission that has created what he calls compulsory unionism.

He has been unable to do so, and I challenge members opposite to tell the Committee where that has happened, but they cannot do that. I believe that they have asked the research people in the library—if they have not, they have been failing in their duties—but they have not been able to find anything. They might have found decisions that did not support their arguments and consequently they do not want to admit that. The Opposition has a set of prejudices and Opposition members do not want to admit that their prejudices are wrong.

Mr INGERSON: The Minister's statement needs some response. True, there have been few cases: I admit that, but the Minister is also aware that cases are not required when a legal opportunity exists enabling the enforcement of compulsory unionism, as has occurred in almost every Federal award in the manufacturing industry in this State. The Minister knows full well that, whilst there has not been a significant number of cases before the court, the fact is that preference is within the law and the Act as it applies in the Federal arena—and in certain instances it will apply if this provision goes through at State level—has meant historically (not in all cases) that unions have used it to enforce compulsory unionism.

It is easy for the Minister to say that there are no examples and that this is not occurring in industry. However, the Minister was involved in the motor industry much more than I was and he is aware of the tactics that were used. He is aware of the ability of unions to enforce agreements in that industry. I picked out the motor industry because it is the biggest employer that still has relatively closed shops in this State. There is no doubt that the Federal clause has enabled that industry to go down that line. That is why employers are telling us that the preference clause has enabled the closed shop area to go beyond what normally would have applied. I accept that in some instances employers want it, but a significant number would like to be relieved of that position. However, that cannot occur because of the preference clause in the Federal award, and the Minister well knows that.

The Hon. R.J. GREGORY: The Minister does not know what the honourable member says I ought to know. The honourable member again parades his ignorance and lack of knowledge in this area. The honourable member said that with this clause the Federal awards provide for compulsory unionism.

Mr Ingerson: I said that it creates compulsory unionism.

The Hon. R.J. GREGORY: I used to wander around metal shops for a long time and I came across very few that were totally closed. A lot of them have no unionists working in them at all. On that basis the member for Bragg's statement does not hold up, and it does not hold up because two issues need to be taken into account. First, members opposite and their Federal colleagues trumpet the concept of enterprise agreements. They talk about those agreements being reached, and they say that that is the way it should happen. They say that there should be enterprise unions. What happens if an enterprise union reaches an agreement with an employer that that employer will employ only members of that union? I venture to say that the employer would walk into that agreement with his or her arms open, because they see an advantage in that type of arrangement. One of the things that needs to be understood in dealing with people collectively is that, if one wants to reach agreement, people have to be members of an association, otherwise they would not be bound by the agreement.

Mrs Kotz: But it should be voluntary.

The CHAIRMAN: Order! The Minister has the floor.

The Hon. R.J. GREGORY: Why don't you spout your experience in this place. When we talk about the Vehicle Builders Employees Federation and the vehicle industry award, two aspects must be considered. I venture to say that no non-unionists work for General Motors-Holden's or Mitsubishi in South Australia, but I suggest that a lot of non-unionists work for people who are respondents to the vehicle industry award in areas such as crash repairs, motor repair facilities, parts distribution and so on. The Federal Act gives a commissioner the right to award preference, and yet it does not create a closed shop. Closed shops are created by agreement, not by award of the commission.

Mr Ingerson interjecting:

The Hon. R.J. GREGORY: Now the member for Bragg is saying that it is by thuggery. What he does not understand is that, when people want to enter into associations, they reach agreements. It is like going to Football Park. If one is not a member, one cannot go into the grandstand unless one has a ticket. The honourable member is saying that we ought to have a few free loaders who can go into the members' stand even if they do not have a ticket. The Opposition's argument in relation to this is false. Members opposite could move amendments to abolish the whole concept of this Act. In fact, they could propose individual agreements between employers and employees and then stand up in this place—as their Leader did yesterday—and say that they will implement a new measure that will advance Australia's industry and make South Australia great.

In 1830, people were sent out to Australia because they did exactly that. They were called the Tolpuddle Martyrs. They actually conspired together and said to their boss, 'Treat us as a group.' Members opposite now want to go back to that situation, and they say that this is new thinking. Let us also consider the article in the *Australian* this morning. I have not had the report researched, but I will because some journalists misunderstand or mis-state the situation. The article stated that Australia's productivity was falling

and that, in fact, it had dropped alarmingly. The article also said that productivity in America, Japan and Britain was also falling. However, productivity in Germany and Scandanavia was improving.

That is exactly the point: Scandanavia and Germany and the rest of Europe, where there are big unions that are decried by members opposite, have arranged with the employers to work with the unions at the large and small enterprise level, and that is where the productivity gains are taking place. That is what this legislation is trying to emulate and facilitate. Members opposite are trying to destroy that. They are on the path to ruin. The Government believes these amendments will take us into the future—a future that has some life and meaning for all Australians.

Mr S.J. BAKER: I am fascinated by the Minister's response. I think that it is appropriate that he talked about the 1830s because that is where he belongs. The Opposition is trying to bring Australia forward, but that does not happen by creating different classes of citizens, which this amendment attempts to achieve. In fact, the provisions in the Bill—and now the amendment—attempt to set citizens and workers apart. There are those who belong to the union and those who do not, and, according to the Government, those who belong to the union should have special privileges under the sun. The Opposition totally rejects that proposition. We also reject it because there is a fundamental human right of association. The Minister of Labor will have difficulty finding anything in the ILO convention that says that a Minister has a right to enforce compulsory unionism or preference in the form that we see here today. Anyone who looked at the original provisions of the Bill would be horrified—it belongs in Russia. Of course, it is being modified because there is an attempt to be more reasonable.

Members interjecting:

Mr S.J. BAKER: I am talking about a totalitarian approach to industrial relations, as we see with clause 15, which confers power to grant preference for a whole range of reasons and across all spectrums of activity, including the right to be employed, promotion and so on. The Liberal Opposition is concerned about this provision and the Minister's amendment because association should be voluntary, just as the UN Convention says it should be. Again, the Minister chooses examples of the European situation that are totally out of context because he knows that agreements are made right through Europe, and they are made by registered and unregistered associations along the length and breadth of Europe. However, this legislation precludes those sorts of agreements being made. It deliberately sets out to negate that proposition because the Minister knows that that is the real world and it is about to become the reality in Australia. The Minister wants to hold the laws back to the 1830s and talks about old times because that is where this Bill belongs. I do not believe that there is any need to hold up the Committee. We have a fundamental ideological difference, because the Opposition believes that no person should have the right of preference.

An honourable member interjecting:

Mr S.J. BAKER: That was the Minister; I did not raise the 1830s. If the honourable member had been in the Chamber, he would have heard the Minister talking about the 1830s. That is what I am responding to. If the honourable member wants to participate, he should at least listen to his Minister and be in the Chamber. We are trying to achieve some level of purity, which provides that everyone has a right under the sun to be equal, and that does not mean that those who belong to the union movement should enjoy some privileged position.

If the union movement wishes to achieve some element of credibility, let it do it on its own and because it is capable and can deliver the goods. That has happened in some of the European communities—the unions deliver the goods. However, in the past 50 years in this country we have failed miserably to do what is necessary. When the union movement performs, as it well may in the next 10 years, peak councils may actually work. However, at this stage, there is no indication from the union movement that it has any capacity to perform in a constructive fashion. The Opposition rejects the amendment, which provides that one should be a unionist otherwise one has no right to employment.

An honourable member interjecting:

Mr S.J. BAKER: I remind the honourable member that the amendment provides:

> . . . the commission may, by award, direct that, in relation to the engagement or retention of persons . . .

That amounts to the right to work.

Mr Hamilton interjecting:

Mr S.J. BAKER: That is the instruction. You can ask counsel about the meaning of the word 'may'. The commission shall consider the fact that people shall not have the right to work because they do not belong to the union. Our case rests.

The Committee divided on Mr Ingerson's amendment:

Ayes (22)—Messrs Allison, Armitage, P.B. Arnold, S.J. Baker, Becker, Blacker and Brindal, Ms Cashmore, Messrs Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn and Ingerson (teller), Mrs Kotz, Messrs Lewis, Matthew, Meier, Oswald, Such, Venning and Wotton.

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

Pair—Aye—Mr D.S. Baker. No—Mr Blevins.

The CHAIRMAN: There being 22 Ayes and 22 Noes, I give my casting vote to the Noes.

Amendment thus negatived.

The Hon. R.J. Gregory's amendment carried; clause as amended passed.

Clause 16—'Applications to the commission.'

Mr INGERSON: The Opposition is concerned that this clause restricts the applications by individuals before the commission. The number of employees is increased from 20 to 200, which we believe in essence takes away the right of small companies and unions to make application to the commission. It is my understanding that another provision in the existing Act enables a company, in which 75 per cent of employees are associated, to make application. The clause takes away the opportunity for a small business employing 20 people to make application, and we oppose that. Everyone in industry in this State should be able to make application before the commission. It is a backward step for individual companies and small unions, although I acknowledge the ongoing attempt to change the union structure through amalgamations to reduce the number of small unions. Whilst there are not many with only 20 members, many would have under 200 members. It is a backward step and the Liberal Party opposes it strongly.

The Hon. R.J. GREGORY: The Government thinks that it is a good idea. A number of matters raised by the honourable member are spurious and superfluous. I am not aware of any employer with fewer than 20 employees ever making application to the State Commission for an award. Under the State Commission a number of employers have an award and there is an application of common rule. If any small employer wanted to change that award, they

would find themselves involved in a full-scale argument with all the other employers as to whether the award ought to be changed.

That common rule applies to unionists, non-unionists and employers, whether or not they are members of an employers association. This provision will assist in the reduction of small-scale unions to achieve more efficient operations in the commission and in the industrial movement of South Australia.

Mr INGERSON: I know that the Minister does not know what happens in the commission on all occasions but I can assure him that there has been an instance in which a small business made an application to have an award varied, and I was directly involved in that. Cacas Pharmacies made application to have the award varied in terms of the amount that would be paid to workers who worked on the 6 p.m. to 12 midnight shift. So, there are instances in which small employers want to make specific application before the commission to have an award varied.

I would have thought that this Government, and any Government, would make sure that every single business that trades and operates within this State has an opportunity to make application. Whether that application is heard, and whether the commission decides to go another way, is entirely up to the commission. This is a backward step because, while they will be rare, there will be occasions in the future when small companies will want to make very specific applications to the commission.

Therefore, I correct the Minister's emphatic statement, and I believe that he ought to reconsider and at least return to the figure of 20, because there would no disadvantage to anybody under the overall thrust of this legislation. The Minister has heroically stood up in the community on many occasions and said that this Government is interested in small business.

Again, I ask the Minister to reconsider his position, because I do not believe that this is going to change the overall thrust of our falling into line with Federal legislation: it will only enable small businesses in this State to have better access to the commission.

The Committee divided on the clause:

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

Noes (22)—Messrs Allison, Armitage, P.B. Arnold, S.J. Baker, Becker, Blacker and Brindal, Ms Cashmore, Messrs Chapman, Eastick, S.G. Evans, Goldsworthy, Gunn and Ingerson (teller), Mrs Kotz, Messrs Lewis, Matthew, Meier, Oswald, Such, Venning and Wotton.

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

Clause thus passed.

Clause 17—'Unfair dismissal.'

Mr INGERSON: This particular clause introduces a maximum limit in relation to which unfair dismissals can be referred to the commission. The Opposition believes that, in terms of contracts of employment in which all classes of workers, managers and executives are included, it is unreasonable to impose a limit of $65 000 in relation to unfair dismissals.

Yesterday the Minister spent a great deal of time explaining to the Committee that one of the advantages of contracts of employment being covered by the Bill was that the cost to everybody would be reduced considerably. He also said that the need not to go to civil courts was very important. Yet, a speculatory limit of $65 000 is imposed, cutting out what I would have thought was a considerable number of managers, executives and highly paid public servants.

I might also ask the Minister from where the public servants come within this gambit, because a significant number of public servants would now be picked up through the transfer into this area of several public service boards. How would they be treated in terms of the $65 000 limit? What is actually included in the $65 000? Is it purely and simply the wage earned or does it include any other benefits that may be accrued as part of a $65 000 package?

The Hon. R.J. GREGORY: It says $65 000, and it is precisely that. It is annual remuneration, and that is usually taken as wages. One of the things that employers are anxious about is that section 31d should not include all the fringe benefits that an employee might get. Section 31d is specific in relation to public servants. It stops people from having access to section 31d if they have a right of review under any other Act. It provides:

> An application cannot be made under this section where the dismissal of the employee is subject to appeal or review under some other Act or law.

Therefore, GME Act employees and those who will no longer have their salaries fixed by the public service arbitrator as a result of the changes to the Education Act and the Technical and Further Education Act will have rights of review. Indeed, the member for Bragg ought to know that in the teaching profession where employees are subject to discipline and possible dismissal there is a right of review. If teachers are not performing and the director wants to dismiss them, before that can be done there is a right of review. Consequently, this does not apply.

The reason for having $65 000 is to place a limit. Many people, in some instances very highly paid, have sought the use of section 31d. I draw the attention of the member for Bragg to a celebrated case in Victoria. A manager was dismissed, he went along, the standard was applied—I think it was a year's salary—and he was awarded $240 000. The employing authority went berserk. Therefore, an upper limit has been placed on it in Victoria. The reason for having an upper limit here is that employees who are at that level of salary have usually negotiated conditions of employment, and $65 000 would be the tip of the iceberg. They receive other emoluments, usually in kind, to avoid paying income tax. That is why we have a fringe benefit tax. It is to stop people dodging tax in that way. However, employers still have these incentives for people and many people will negotiate them. The Government's view is that when people in this position seek employment they ought to have a contract of employment that spells out clearly what will happen in case of dismissal. The argument then becomes whether or not the contract has been complied with, and that is a proper argument for contract law in the Supreme Court.

Section 31d refers to the worker's contract of employment. I think that the member for Bragg has employed people from time to time. Indeed, most members opposite claim that they have. Therefore, they ought to know that the contract of employment between their employees and themselves is implied. Any document they might sign might mean that they have read a set of safety instructions and they may not have signed a contract. Consequently, it is those people who are making use of section 31d. It is a jurisdiction of no awarding of costs unless people have been totally vexatious. We see this as having a limiting effect on people in the upper salary bracket. They might be earning $500 000 a year or more. I do not know whether John Spalvins would avail himself of this provision after the recent decision of the board, but technically he could seek conciliation and arbitration to get his job back. I do not

think that he will avail himself of section 31d, but I think that he would be smart enough to have a contract of employment that would assist him in case of what happened to him recently.

Mr Ferguson: He has done all right.

The Hon. R.J. GREGORY: The interjection by the member for Henley Beach explains it all: he has done all right. I suppose that the member for Bragg wishes that he could have done as well as Mr Spalvins has done.

Mr INGERSON: The main reason for our objection to this clause is the inconsistency in the Minister's statement that there should be an upper limit. Yet, when we were talking about contracts of employment, the Minister was emphatic that every contract of employment had to be covered. He said that there were very special reasons why all employees had to be covered by this Act. If we cover every employee, what will happen to an employee who has a contract for $70 000 and he or she is unfairly dismissed? We will have made sure that they come under the Act in terms of the previous clause, but the Minister is telling this Committee and those people in particular that one of the conditions that this Act upholds means that they cannot be involved in it. That is nonsense. Either it is all in or it is all out. Either all employees are covered *in toto* by the Act or we set these ridiculous limits. The Minister cannot have it both ways. That is our major objection to the clause. I suspect that the major reason why the $65 000 limit is imposed is not as an arbitrary limit to keep certain people away but because the commission will not be able to cope with the work that is required with its present staffing arrangements. I suspect that is the most likely reason. We oppose this clause.

Clause passed.

Clauses 18 and 19 passed.

Clause 20—'President may make arrangements.'

Mr INGERSON: I should like to ask the Minister a question in relation to the conference that the President may call and must call at least once a year. Is there any intention that there will be a report or information made available to the public or, more specifically, to the Parliament?

The Hon. R.J. GREGORY: The President might make reference to it in his annual report, but there is no requirement compelling him to make a report of the conference. That is mainly to facilitate the working of the commission. It is for commissioners and deputy presidents to discuss matters which they feel are pertinent to the working of the commission. As I said earlier, the President, in making his annual report to me, may or may not refer to it.

Clause passed.

Clause 21 passed.

Clause 22—'Summons and evidence, etc.'

Mr INGERSON: This clause provides that the commission may decide the matters on which it will hear oral evidence or argument. It seems to me that on industrial matters—I use the example of appeals under the Workers Compensation Rehabilitation Act—there will be instances when the Chairman of the committee can in essence refuse to hear or to take any evidence. As that seems to me to be a denial of natural justice, I wonder whether the Minister could explain why this sort of procedure is creeping into legislation and whether there is a practical reason for it.

The Hon. R.J. GREGORY: I draw the honourable member's attention to the current procedure within the Industrial Relations Commission. The national wage case, if one likes to call it that, or the '$12' as other people call it, is being considered principally on written evidence, which means that the parties have had to send in written submissions. The President wrote to the parties asking them numerous questions to which they could respond if they wished. It has cut down the hearing time and will mean that a decision will be handed down soon.

I would like to correct an assumption made by the honourable member. The Commissioners, President and Deputy Presidents can at any time stop hearing people (indeed, the Speaker did that here today); they have that power, which they have exercised in the past and will continue to do so in future. As I said, the principal aim of this Bill is to bring the State Act into line with the Federal Act. It enhances many of the procedures of the commission. It was something that was argued a long time ago by a practitioner within that commission named Harry Krantz, who felt that a lot of time could be saved in commission hearings if matters were referred in writing; in fact, much of the evidence is handed up in writing, to save hours of talking at the bench.

Clause passed.

Clauses 23 to 34 passed.

Clause 35—'Stay of operation of award.'

Mr INGERSON: I move:

Page 14, lines 17 and 18—Leave out all words in these lines after 'Full Commission' in line 17 and substitute 'must stay the operation of the award'.

The Chamber of Commerce and Industry and the Employers Federation have considerable concern in this area, and I would like to read into the record the comment made by the Employers Federation, because I think it puts the position of both groups clearly:

> Whilst the proposed new paragraph 1 *(a)* is simply a redraft of the existing provision, the [Employers] Federation repeats its strong objections to the removal of the ability of an employer to seek a stay in the operation of a decision under section 31 to award re-employment. Should the employer seek to appeal the decision to re-employ the relevant ex-employee, on the grounds of disruption to the work force and/or the creation of industrial tension and/or the disputation arising from such a decision, the employer is substantially prejudiced by the ability to have a stay of this decision.

Accordingly, the Employers Federation has requested that the Opposition oppose the new subsection and amend it, virtually as recommended by my amendment.

The Hon. R.J. GREGORY: We do not support the amendment moved by the Opposition, and I am surprised: a little while ago it was saying that it did not want the unions and big employer organisations involved, yet now it is carrying out exactly what the big employer organisation wants. The Opposition's argument would have more credence if it had presented something from the Small Business Association. Members opposite cannot have it both ways; they cannot come in to this House and say they are opposed to big unions and big employer organisations and then at the same time be their mouthpiece.

What we intend to do with section 35 is that, if money is involved, there can be a stay but, when it comes to re-employment, there should be no stay, because when people are to be re-employed they will start earning money again. If the commission orders re-employment but no compensation, that matter could go to appeal and, for three or four months, the person concerned could be unemployed. In other words, members opposite want to starve those people to death. They cannot go down and get unemployment benefits, because as far as the CES is concerned, they have a job, because the Commissioner has said they have a job; all that has occurred is that the employer has made an application to appeal the decision.

The problem with matters under section 31d is that there is a long time between making applications and matters being heard and, sometimes, the matter being finalised. It

is felt by a number of people that the quicker that this is done the better it is for all concerned, and the longer the parties are apart the worse the conciliation can become. Indeed, in work injury matters, it is argued that, if people are away from their workplace for more than three months, getting them back into the work force is difficult. So, here, members opposite are supporting the concept that, even if a person wins re-employment, they must be kept out as long as possible so they cannot get back in. We are not copping that.

Amendment negatived; clause passed.

Clauses 36 to 38 passed.

Clause 39—'Approval of commission in relation to industrial agreements.'

Mr INGERSON: I move:

Page 15, lines 7 to 29—Leave out clause 39 and substitute:

39. Section 108a of the principal Act is amended by striking out paragraph *(b)* of subsection (2) and substituting the following paragraph:

(b) that the industrial agreement, when considered as a whole, does not provide for a level of remuneration that is inferior to the remuneration prescribed by a relevant award (if any) applying at the time that application is made for approval of the agreement under this section.

The purpose of this amendment is to make sure that unregistered associations that have the capacity to enter into an agreement with employees have that agreement registered with the commission. There are still several areas in the existing amendments about which we are concerned and as a consequence we want to remove the Government's amendment entirely and replace it with a new section, as set out above. The first area of concern, which is one that we have expressed earlier in our comments before the Committee, is the need to consult the appropriate peak councils. I accept that the Committee has not been prepared to accept our argument in that case, so I will not develop that any further, but there is a concern about the involvement of peak councils when unregistered associations of employees enter into agreements that they wish to have registered before the commission.

The second point that we would like to make is that, in deleting that clause, we also believe that there is no justification to have guidelines and/or a connection between an unregistered operation and the agreement with its employees and any national framework of employee associations. It is just illogical to have that sort of connection involved if we are to insist that industrial agreements can be entered into by individual employees and their workplace. We are proposing—and this is part of the package that we believe ought to be in the Act—that we should first enable unregistered associations to enter into these agreements; they ought to be able to be registered by the commission; and there should be only one criterion in terms of guidelines, namely, that award wage conditions should prevail. My amendment provides that the minimum requirement is that the level of remuneration not be inferior to the relevant award.

It provides that, in any of these industrial agreements, we can have an agreement in which award conditions are accepted and that the agreement can be registered with the Industrial Court if that is what is required. However, if the employer or employee decides to vary from the award conditions, the only proviso will be that there be an industry award wage. In other words, if the employer and employee want to vary the amount of holidays that they are prepared to accept, they can do so. If they want either to increase or to decrease the 17.5 per cent, they can do that. If they want to increase or reduce the sick pay and, as a *quid pro quo*, increase the salary on an hourly rate to take into account that compensation, and everybody is happy with it in a small, medium or large enterprise, they ought to be able to do that.

That provision ought to be in all State and Federal awards. It is in line with the Federal policy of the Liberal Party. It is a very important plank that we believe needs to be inserted in the Act so that there is an opportunity for more flexibility in the workplace. There is no suggestion that this is the only way and that this should be the absolute direction to which every employer/employee relationship should be bound. We are saying that in the 1990s there ought to be maximum flexibility in terms of opportunities for individuals in the workplace.

Having said that, we insist that there should be an absolute minimum award dollar payment which is set by the Industrial Commission, and that ought to be the only criterion that should be included. I do not expect that many individuals will suddenly rush in and want to do this, but they ought to have the opportunity if we are fair dinkum about giving the business community flexibility and freedom to work within their existing workplace. It is a very important proposition that I place before the Committee. If amended in this fashion, the Act will enable that to occur, because the existing Act recognises unregistered associations and it recognises that the agreement has to be registered with the Industrial Commission. This clause would make sure that there was a minimum level of wage payment which was not inferior to any existing award or industry status that currently exists. I recommend the amendment to the Committee.

Mr FERGUSON: This is an amazing attack on the trade union movement. This is straight out of the H.R. Nicholls Society. I have never seen anything like it. You can see what the Liberals have in mind. What they will do is run around and encourage unregistered organisations in plants here and there and cause disaffection between those employees and their unions. They will then attack the conditions for which the trade union movement has stood and fought for over a century.

It might come as a surprise to the member for Bragg—and I know that he does not have much industrial experience—to know that there are many workers in this State who have put conditions in front of money. Many a time I have stood in front of 2 000 people and tried to convince them, to the best of my ability, that they ought to go for a wage increase, but they have told me to go jump in the lake because they would rather have better conditions than extra money. So, what we now have in front of us, as I say, direct from the H.R. Nicholls Society, is a proposition that there be an attack on holiday pay, hours, annual leave loading, restrictions that females ought to lift certain weights—on everything that the trade union movement has stood and fought for in this country for over 100 years.

The member for Bragg has said 'provided everybody is happy'. What sort of a mechanism is he inserting in this Bill to make sure that those people who are unhappy are not victimised? If he is fair dinkum about this proposition, what sort of protection will the unhappy minorities get when he attempts to reduce working hours? I have been around the industrial world just a little bit, and I have been in factories where the majority of employees are the new wave of migrants, whoever they might be. They might be Italian or Greek. At the moment they are Vietnamese or, in fact, Indo-Chinese (migrants who have come to Australia from the six countries that make up that area). They are the ones who are filling the rubber factories and car assembly plants. They are good workers and they are good Australians. The reason they are in those industries is that the opportunities

are not open to them elsewhere: that is the only opportunity they have for employment.

What happens when the boss's secretary, either male or female, decides to set up an unregistered organisation? The boss runs around and says, 'Your chances of promotion will be improved immeasurably if you join this association that I have,' and six people are put together. No numbers are included in the honourable member's proposition—there could be just two people who have this unregistered organisation, and they run around the factory saying, 'We will increase the working hours to 48 hours per week, and if you don't like it there's the door.' This is straight out of the H.R. Nicholls Society handbook, and they are the ones who are pulling the strings for those members opposite.

What about all the protestations from the backbenchers—the law and order merchants—about assisting the poor people? What will they do to protect the women, in particular, in the factories? Surely members opposite do not support this proposition. If they do support it—and the member for Bragg assures us that they do—tell us how the newly arrived migrants will be protected in this country, especially the women who have difficulty speaking English and who can only obtain the employment that is available in these factories. Perhaps the unregistered organisations will support them.

There are certain members opposite who stand up for women's rights. I know that they stand up for women's rights, because they keep telling us so. What sort of protection will they give the women in these situations? Surely members opposite cannot tell me that they have looked thoroughly at this proposition in their Party room and that they are satisfied in their own mind that the new arrangements will give the protection to the women in this country that the present arrangements give.

I have never seen anything so ridiculous. The boom times are behind us, but the philosophy coming from the other side is that greed is good. There is not going to be any sharing of profits by firms with unregistered organisations. Those members who are now millionaires—and I congratulate some of the members opposite for their ability to accumulate wealth, because that has been amazing—want to turn their millions into zillions. They are willing to exploit the workers, the newly arrived migrants, the women and the weak in this country in order to do so. They do not mind if they undermine the trade union movement. They say, 'We support the trade union movement.' However, they are going to make sure that the trade union movement does not have any power to negotiate for those people on the work shop floor. They will make sure that the trade union movement does not get through the front door of their establishment.

They will seek to reduce working conditions by way of these unregistered organisations. This is the most disgraceful proposition that has ever graced this place: it is the greatest attack on working conditions in this State since we had a reduction in award wages in 1936. It is absolutely incredible. Certainly I do not know how those backbenchers opposite who purport to represent people in the outer suburbs of this city can justify this stand. Couples in those areas often have two wages coming in, but the woman in particular takes a job that perhaps she does not particularly like simply in order to support the family and pay the mortgage, yet here we have the Party that these people represent trying to reduce the conditions that have been fought for over 100 years. I find that quite incredible.

How can anyone opposite have the gall to say what they have in this place and do so because they say they want to be flexible? Under the guise of being flexible, the member for Bragg has already told us (and I want members who are studying this matter to refer to *Hansard* to see what he had to say) he is going to make an attack on working hours. The H.R. Nicholls Society blueprint is here, and the member for Bragg is receiving support from members in marginal electorates who think that, if they support ultra right wing conservatism, it will be a passage back to this place. I can tell the Committee that that will not be their salvation. I reject the proposition before us and I hope that it is rejected in total by this Committee.

Mr HAMILTON: I listened with a great deal of attention to the proposition advanced by the member for Bragg, and I must say that the member for Henley Beach has driven me out of my room and back into the Chamber because he put his view in a more eloquent way than I am about to do. I noted the great feeling in the member for Henley Beach's voice, and I can understand that. I came from a time when one had to struggle, scratch, claw and fight for better conditions, and now we have this proposition; and it is not just before this Parliament because, if it is passed, attempts will be made to push through similar provisions in every other Parliament in Australia.

I refer to the dishonest approach of the member for Bragg in stating the beliefs of members of his Party. *Hansard* will show that when speaking to a previous clause the member for Bragg indicated what employers were saying and not what the Liberal Party was saying. Yet, the member for Bragg had the gall yesterday in this place to accuse members like me of being dictated to by the trade union movement. That is puerile nonsense. The honourable member can laugh with his sickly grin, and he can be as personal as he likes, but I know that deep down he is aware that he is just a lackey for the bosses—that is all he is, a silvertail of the first degree.

Previously the member for Bragg thought he could buy a seat down in the western suburbs, but he was rejected out of hand. Now we have other members sitting behind him representing working class areas. They have just entered this place and are now giving him support. They laugh about it, but they are the very members who have argued here about the problems impacting on the families that they represent. They have talked about interest rates, the recession and other matters, but much worse is an attack on working class people.

If anyone wants to see evidence of the attack on working class people, let them go to the Pilbara area of Western Australia. I have been there and seen the attacks by the H.R. Nicholls Society and what it has attempted to do to working class people, that is, to break down all their working conditions. I listened to what the member for Henley Beach said about conditions, and I agree with him. The trade union movement has always fought not for money or overtime but for conditions. That is what the trade union movement is all about—it looks after its members. I have been a member in this place long enough (and perhaps for not much longer; certainly no more than another seven years), but I will not sit in my room or on the back benches without defending workers from what I believe is a puerile attack by employers.

In the media of late we have seen attacks on working class people and on the trade union movement. It is my belief that members opposite will rue the day when they launched this attack upon the workers, because the workers out there will start to wake up. It is true, they have been disaffected in some areas by what the Federal and State Labor Governments have done, but when we weigh up the scales, I believe members opposite will be in difficulty at the next State election. I will not be letting them forget

what they have done in respect of this legislation. This is the first of many attacks upon working class conditions here in this State. I just hope—and I know it is hope against hope—that the member for Bragg will reconsider and withdraw his amendment. I know he will not do that because he has been told what he has to do. He does not have a mind of his own.

I wonder whether the member for Bragg has spoken to the trade union movement about this particular clause. If he took a pragmatic and honest approach to this Bill, he would have. There is no way in the world, not a snowball's chance in hell, that he would have telephoned members of the trade union movement and asked them what they thought about this. May well he go white. It is a puerile, debased proposition, in my view, that has been put before this Committee. It is a blatant attack upon the trade union movement and, indeed, upon the working class of this State. I say to the member for Bragg: in my eyes and those of the workers, you stand condemned, because of this attack on their conditions and their livelihood and future generations. In my eyes, you stand condemned.

Mr INGERSON: It is always interesting in this place when you get under somebody's skin. The member for Albert Park always seems to have the ability to get very upset when someone puts forward a proposition for change. The member for Albert Park always likes to take matters to extremes and, like most things he has done in this place, does not listen to what was said. Unfortunately, the member for Henley Beach falls into the same category. I thought the member for Henley Beach had always been a fairly rational debater and had always argued his point of view from a very strong and solid base. However, today, for the first time I saw him become emotional and quite irrational. What I put forward has obviously got right under the skin of members on the other side. What I put forward is an opportunity for people to take home more pay per week, not an opportunity for them to take home less.

Members opposite have been involved in business for many years in this State, like I have, and they know that there is no way in today's environment, or I believe in a future environment, where you can go along to any worker and say, 'Look, I am sorry, you will have to take home less pay.' That is the greatest lot of nonsense that I have ever heard put forward by members opposite since I have been in this place. The amendment says that there will be award conditions in terms of payment for wages. It also says that individuals, along with their employer, can sit down and negotiate if they wish.

Mr Hamilton interjecting:

Mr INGERSON: The biggest problem for the member for Albert Park is that he does not understand that 44 per cent of the community are unionists and 56 per cent of them are non-unionists. When he wakes up to that he will recognise that 56 per cent of the work force may actually want to go down this track. The reason that only 44 per cent of the work force is covered by unions is that the union movement has lost touch with the community, and all of the conditions and employment arrangements are now old hat. Ask the young women in the work force. The member for Henley Beach raised the issue of young women in the work force. What area has the lowest membership of unionists in this State? It is young women. Why?

An honourable member interjecting:

Mr INGERSON: Yes, I will correct that: it is all women, but young women in particular. The member for Henley Beach ought to go and ask why. The reason is that the unions have lost touch with the workplace, and they have lost touch with young women in the workplace. As I have said, I have no objection to individuals being members of a union. However, I also strongly argue for individuals to have the right to do what they wish in the workplace, because in this country there is and there will always be a right to work, and nobody opposite will ever take that away from anyone. That right to work gives individuals the right to choose their conditions, their pay and how they work.

The member for Henley Beach gave us the greatest diatribe ever put forward. He said that we were talking about removing safety conditions. He knows that the Occupational Health and Safety Act, as it currently applies in this State, is a requirement of law. The Liberal Party, and any Party in which I am involved, will not in any circumstances attempt to say to any employer and/or any employee, for that matter, that they should break occupational health and safety laws.

The Hon. J.P. Trainer interjecting:

Mr INGERSON: The old member for Walsh—

The Hon. J.P. Trainer interjecting:

Mr INGERSON: Well, you look as though you are losing a bit on top. The old member for Walsh likes to poke his nose into this debate and talk about things that really do not matter. I think his contribution to the debate should be recognised for what it is: zilch. The less I say about the member for Walsh, the better. The Opposition's amendment recognises that unregistered associations are currently covered by the Act. It is the Government, not the Opposition, that is removing the ability for unregistered associations to have their agreements registered. It is the Government that is doing it, not the Opposition. The Government is attempting to remove a provision that has been in the Act for a long time. From my discussions with the commission, I understand that there are not many agreements, but there must be enough to worry the trade union movement, because this afternoon I have seen two very devoted trade unionists go off their head. I have not seen the member for Albert Park as cross as he was today since we circulated some leaflets at West Lakes seven years ago. That was the last time I saw him go right off his head and today he has done it again.

There is one other point I wish to address in answer to the member for Henley Beach. The proposition has been put that employers are always millionaires and that they always rip off employees. I put the proposition that most small business people in this State take home less pay on an hourly basis than do their employees. If the member for Albert Park were to check that, he would find that it is true. If he includes all the farmers, small business people and delicatessen operators—in fact, all the people who work considerable hours—he will find that their rate of pay, relative to the amount paid to their employees, is significantly less. The member for Albert Park probably did not know that because he would not have bothered to find out about it. The reality is that there are some successful people in every profession and I should have thought that the members for Albert Park and Henley Beach would encourage people to be very successful.

Finally, the Opposition believes that unregistered associations should be recognised under the Act, that they should be able to have their agreements registered if they enter into them and, if they vary from award conditions, they should be registered provided that they are fair and reasonable. I cannot understand why Government members get so upset about this matter because in the end the commission must approve the agreement. That is what the Act provides: the agreement must be fair and reasonable. If that is not the case, the commission will not approve it. The Government

presents this union-based diatribe which shows that it is not prepared to look at and support any change.

Mr FERGUSON: There is no doubt about it: the H.R. Nicholls Society trains its people very well. The member for Bragg gets up and tells us that all an unregistered organisation has to do is reach agreement with its work force. He does not tell me how he will protect those people who do not agree with the proposition being put by the unregistered organisation. I want to know how he intends to do that: how will he protect the minority of people who do not agree to a wage cut? How will he protect those migrant women who have recently joined the work force and whose boss comes and says to them, 'Your hours of work have just been increased to 48 per week'?

Mr S.J. Baker interjecting:

Mr FERGUSON: The Deputy Leader of the Opposition has revealed to us what their plans are. The Liberal Party intends increasing working hours to 40 hours a week. The H.R. Nicholls Society is working well on the other side. Let me give the member for Bragg a lesson in safety. The member for Bragg said that there would be no attack on safety standards, yet already the Deputy Leader of the Opposition has told us that he wants to increase working hours. If he had any brains in his head, he would know that, immediately you increase working hours, you increase the factor against safety. The number of hours—

Members interjecting:

Mr FERGUSON: It is a known fact that, as you increase the working hours, the number of accidents increases. The member for Bragg has already told us (and members can look back in *Hansard*) that his attack in the first instance will be on working hours.

The Hon. P.B. Arnold interjecting:

Mr FERGUSON: The member for Chaffey is a fool, an absolute fool, to come up with a proposition like that. He is throwing insults across the Chamber—

Mr INGERSON: On a point of order, Mr Chairman. I think it is unreasonable for the member for Henley Beach to use that sort of language about—

The CHAIRMAN: Order! It is not unparliamentary. The member for Henley Beach.

Mr FERGUSON: When a member on this side is insulted by a member on the other side it is only fair that we should retaliate. When insulting remarks continue to fly, Sir, I will continue to retaliate. The member for Bragg is trying to pull the wool over our eyes by suggesting that all an unregistered organisation has to do is to reach agreement with its members and then go to the commission, and the commission will give the workers in that factory the protection that they need. That was the inference of the proposition he put to us. But, what he did not read out was his amendment, which is so framed that the commission cannot provide the sort of protection that he is talking about.

All the amendment provides for is that minimum rates of pay—and I emphasise 'minimum rates of pay'—are to be paid and that all other conditions are open for negotiation; and provided agreement has been reached, there is no way the commission can stop that agreement being registered. The attack on wages and conditions by the H.R. Nicholls Society and the Liberal Party in this State will be well under way if this amendment is carried. What I want to know from the Opposition—

The Hon. P.B. Arnold interjecting:

Mr FERGUSON: I know that the member for Chaffey is a redneck. I know that he would be inclined to squeeze his employees as hard as he can.

An honourable member interjecting:

Mr FERGUSON: He has done very well, and I congratulate him. But, there is no need to push the workers of this State further down the ladder in order to try to accumulate more money. That is what it is all about—a typical H.R. Nicholls Society tactic. What I want to know, before any of these principles are put by the Liberal Party, is how it will protect the people in the establishment with which they have bargained. That is what members opposite have to answer. If they have any morality at all, they should stand up and tell us how they will protect those people in the factories who disagree with the bargaining proposal that was put to them. The Deputy Leader has already said that he wants to increase the working hours to a 40-hour week. The member for Bragg has not been prepared to put a figure on it. I could suggest a figure and say that he is looking for a 48-hour week.

Mr Hamilton: And 12-hour shifts.

Mr FERGUSON: And longer shifts. He says that he will not attack safety, but he will have longer shifts.

The Hon. J.P. Trainer: Look what last night's late shift has done to his thinking processes!

Mr FERGUSON: That's right. I know that the member for Bragg is under instructions from the McLachlans of this world and the H.R. Nicholls Society but, if he has any morality at all, he should stand up and tell us how he will protect those people who are in a weak bargaining position. At the moment, they join a trade union movement. There are two reasons why people join a trade union movement: collective bargaining and collective protection. That collective protection is provided in a myriad of ways. The Liberal Party's proposition, backed up by its country members, is to attack the conditions that apply throughout the awards and undermine the unions in South Australia.

I can trade insults with anyone. In fact, I am a bit better at trading insults with people, because I started on the factory floor, and the honourable member started with a silver spoon in his mouth. I did not have $3 million left to me by my father which I have now turned into a fortune. I have not had the slightest opportunity to exploit people—

Mr INGERSON: On a point of order, Mr Chairman, when the member for Henley Beach stands up and inaccurately refers to what has been left to me by my parents, I think the remarks should be withdrawn. I will comment further on the smart alec comments of the honourable member.

The CHAIRMAN: The honourable member can make a personal explanation at the appropriate time if he feels that erroneous statements have been made concerning his personal life. Before calling on the member for Henley Beach, I ask him to make his comments more relevant to the amendment under consideration.

Mr FERGUSON: Mr Chairman, I agree with your criticisms of me. If the member for Bragg is offended, I unreservedly withdraw my remarks; I absolutely apologise. However, that does not absolve him from the responsibility of the H.R. Nicholls-type proposition that he now has in front of us. I hope that he turns back from the proposition of exploiting labour, because that is his very intention in this proposition. With his own mouth, he has already told us that he wants to increase the working hours.

The CHAIRMAN: Order! The member for Henley Beach will refer to members by their electoral districts.

Mr FERGUSON: I beg your pardon, Sir, I thank you for the correction. I have said enough about this proposition: it is a thinly-veiled attack on the trade union movement in South Australia. On the one hand they say, 'We like unions. We are prepared to tolerate unions,' but, on the other hand, they want to cut unions off at the legs to make sure that

they are not in a position to negotiate for their members and to make sure that they do not even get in the front door. I hope that this proposition is tossed out.

Mr INGERSON: I should like to answer some of the comments made by the member for Henley Beach. So that this Parliament is aware and so that the member for Henley Beach does not have any difficulty in misleading the House again, I want to place on record the fact that I started business in Salisbury in 1956 with a bank loan. I had no guarantee from anybody in my family. The guarantee was by a company called Fauldings in this city. Every dollar that I have earned and any assets that I have accumulated have been the result of my own working ability. Not one skerrick has been left to me by my parents. I hope that the member for Henley Beach will one day stand up in this place and put on record the sum that he was granted when he left the union movement. In that way we can get a couple of things into perspective with regard to who has and who has not been getting what out of the system.

I have not bothered and I do not intend to look at anyone's record in this place, but I get fairly cross when these so-called experts—but basically parasites—from the other side get stuck into people who do an honest day's work and make an honest day's living out of it.

The CHAIRMAN: Order! The honourable member will return to the topic under debate.

Mr INGERSON: The purpose of the clause is to put flexibility into the system. Obviously we have got right up the noses of the members for Henley Beach and Albert Park.

Members interjecting:

Mr INGERSON: Yes, I would not leave you out, because with a nose like yours I could not possibly forget.

The Hon. J.P. TRAINER: On a point of order, Mr Chairman. I should like your ruling on whether or not these perpetual references to people's physical appearance are in order. I did not take a point of order earlier when there was a reference to the lack of hair on my head. Now the member for Bragg is referring to the nose of the member for Albert Park. Are such references in order?

The CHAIRMAN: Order! If they are not relevant to the debate, they are out of order.

Mr INGERSON: I should have thought that reference to someone who likes to stick his nose into an area that he does not understand is relevant to this debate. I should like to make one final point. This change in flexibility that we are proposing will enable people to increase their salaries and to have any agreement that they have reached registered with the Industrial Court and with the commission. I have just checked the Act. As the member for Henley Beach has difficulty in understanding the Act, I should point out that under this clause agreements can only be registered if they are fair and reasonable. In the end, the commission decides whether it is fair and reasonable. If any employer made an agreement or arrangement with any employee that was unreasonable, it would not be accepted.

All this diatribe and nonsense put forward by members on the Government side in the last three quarters of an hour is the old union hacks getting upset because a change may have to take place in that area. They forget that over the past 10 years union membership in this State has dropped to its lowest level ever. They do not ask themselves why that is. One of the major realities is that people in this State are sick and tired of being tied up with the old hack system. We want to give the community in South Australia an opportunity to register different agreements which can be controlled and looked at by the commission in a fair and reasonable way.

The Hon. T.H. HEMMINGS: I have been listening quite closely to the debate on this clause. I do not think that my previous employment and activities prior to coming into this place can have me labelled as a trade union organiser or employer basher. I came into this place as one who was classed as a genuine rank and filer, though I had some involvement with the trade union movement. I am disappointed in the member for Bragg. In promoting this amendment, he is saying, in effect, that it is designed to cater for the 55 per cent or 56 per cent of those who, if they wish, want to come under this encompassing Bill.

The member for Bragg is putting the rather specious argument that the reason for the Liberal Party putting forward this proposal is that that 55 per cent of people who are not members of the trade union movement need to have some protection. He then further explains that the reason why that 55 per cent of people do not belong to a trade union is that they are disenchanted with the trade union movement as it is today, and the tactics—

Mr Ingerson interjecting:

The Hon. T.H. HEMMINGS: That is what the member for Bragg implied. I have been listening very carefully. I have not been sidetracked by the insults that have been traded from both sides. I have been trying to find out why the member for Bragg has moved this amendment. The honourable member is hanging his hat on the fact that some 55 per cent of the work force, men and women, need some protection. The argument is that 45 per cent are adequately covered by the Act and he wants to protect this 55 per cent.

It may be that the member for Henley Beach is correct, that this is the way that the H.R. Nicholls Society is trying to go—I do not know. All I do know is that I proved conclusively some time ago that the Deputy Leader is a member of the H.R. Nicholls Society. I proved that once before, but I will not go into that. The member for Bragg says that the major plank of the provision is:

> . . . that the industrial agreement, when considered as a whole, does not provide for a level of remuneration that is inferior to the remuneration prescribed by a relevant award (if any) applying at the time that application is made for approval of the agreement under this section.

I will put forward what I think the member for Bragg is talking about. I think my interpretation is correct, and I hope that the member for Bragg will either at least have the honesty to stand up and agree with me or refute my interpretation of what this proposed new clause is all about. The honourable member refers to 'the industrial agreement when considered as a whole', and that is the key phrase. He is saying that, when considered as a whole, no money will be lost. The member for Henley Beach and the member for Albert Park are correct in saying that this loosely negotiated agreement can result in increased hours and in all the other things that will diminish the rights that those workers would have if they belonged to a trade union and were covered by an award.

The member for Bragg contends that if, at the end of the day, despite all the impositions imposed on them, workers still receive the same amount of dollars, that is okay. We must remember that this could be a 42, 45 or 40-hour week, and there are all the other impositions that can be placed on some of these people, who have been aptly described by the member for Henley Beach. In the main, they are usually migrants and have no English language skills. They usually come from a society where the boss is supreme and they do not know what the trade union movement is all about.

I would like the member for Bragg to offer the Committee his interpretation of the words he has used: 'that the industrial agreement, when considered as a whole'. The honourable member is hanging his hat on wages. The member for

Henley Beach said quite correctly that on countless occasions members on the factory floor have gone into a dispute seeking not extra money but better working conditions, to ensure that at the end of the day they leave their place of work with their body intact, having avoided not only the hazards of an unsafe workplace but undue pressure and speed in work practices that can ruin people later on in life. I would like the member for Bragg to explain his view. If he can, I will listen to the rest of the debate in silence.

Mr INGERSON: I will be as brief as I can. The honourable member opposite has asked a very important question, because it is fundamental to what we have said. I will very quickly and easily defuse the diatribe that has come from the other side. If we go back two or three months, the honourable member may recall that we had a change to the retail award, which involved some conditions being given up. One was the penalty rate for Saturday afternoon, and an increased rate per week was paid to offset that rate per hour.

At the end of the day, the award conditions as they applied to the dollars and cents ended up exactly the same. This amendment means that any conditions that need to be negotiated above that relevant award wage that include any overtime that currently exists would, obviously, be included in any negotiation that went before the commission. There is no suggestion at all of any movement away from the amount of dollars achieved on a weekly basis on the hours on which people would work.

Clearly, the individual would have that base figure, a rate per hour, for so many standard hours per week, and then would vary that on any other conditions they wished. It is a very simple exercise, a condition accepted by the Government when the retail traders award was changed some three months ago. It seems quite odd that the member for Henley Beach and the member for Albert Park are jumping up and down, when their own Government supported exactly this proposition that this amendment will recognise. That is put as clearly as I can put it. If the honourable member does not understand that, I cannot help him any further.

Mr HAMILTON: One of the things I have learnt in this place is to listen very carefully to what people are saying. The member for Bragg is giving his interpretation of what he believes this clause is saying.

Mr Ferguson interjecting:

Mr HAMILTON: Exactly. It is obvious that the member for Bragg has been told what he has to move in this place and he is going along with what his industrial bosses have been telling him. Perhaps I have not had the schooling of members opposite—

An honourable member: Or the inheritance.

Mr HAMILTON: Or the inheritance, as one of my colleagues suggested, but one thing that I have learnt is to be very suspicious of 'simple' propositions; to be very careful when someone says 'It's very simple. It's open. No problem—don't worry about it. Trust me—I'll love you in the morning' sort of thing. We have heard all that before from the member for Bragg.

Mr Ingerson: No, you haven't.

Mr HAMILTON: I have heard his response. He talks about the long nose: but I will not pursue that matter. But seriously, the member for Bragg talks about the trade union movement. There are people who will not join the trade union movement, I know that, and I have had dealings with them as a union official.

In my opinion, those people are riding on the backs of those who have the decency to pay their union contributions, to fight for award provisions through the Industrial Court—not to freeload but to be prepared to pay their dues. I can remember during the Whitlam years when public servants who were not prepared to pay the union contributions were told by the Prime Minister 'If you don't want to pay your union contributions, that's fine—we have no problems. But when it comes to handing down pay increases, they will be only for those who are members of the appropriate organisation.' We had them falling over themselves to join the appropriate organisation. What we see here is another attempt to encourage more and more freeloaders.

The Hon. J.P. Trainer: A sponger's charter.

Mr HAMILTON: As my colleague so aptly put it, a sponger's charter. I am not prepared to accept the member for Bragg's interpretation of this clause. I have been in this place longer than he has. I do not believe that he fully understands the implications of the clause he asks this Committee to accept. Members on this side have had a lot of experience in the trade union movement and a lot of dealings with workers, talking about conditions. The rank and file are not stupid.

The trade union officials are not stupid, and I know from my experience as a trade union official that if the rank and file were not prepared to accept the proposition put up by one of their colleagues or, indeed, by the union officials, they would tell them to go to hell. Perhaps the proposition put by the member for Bragg would be analagous to what the rank and file members in the community tell him. To my knowledge, the honourable member has not responded to the question I put to him some time ago as to whether he has consulted with the trade union movement. Members opposite talk about consultation and their industrial policies. We want to talk—

Mr Ingerson interjecting:

Mr HAMILTON: At least I have extracted an answer from the honourable member. When I first came to the city from the country I saw people having to work 14 to 18 hours as a guard in the railways, and I was one of them. To my sorrow we had to fight against the Labor Government to get better conditions. I was part and parcel of that fight, and I proudly stand here and say so. We had to fight for better conditions. Under our award it was 'relieved and off within 10 hours', yet we worked 12, 14, 16 and 18 hours on irregular shift work. We had to fight tooth and nail to get better conditions. So, when the member for Bragg starts talking about conditions and saying, 'Trust me', I say that I am not prepared to trust him—no way in the world.

I do not believe that any member of this place is prepared to trust the diatribe that the honourable member serves up here when he talks about flexibility. 'Flexibility' is a very convenient word to bandy around in this place. It sounds very nice and cozy when it is put to the workers, but they do not really understand the implications, as the member for Henley Beach has said. We have smart aleck lawyers putting up propositions such as this, with the exception of the member for Hartley—

Mr INGERSON: On a point of order, Mr Chairman, I thought that we were not supposed to reflect in any way on the way in which Parliamentary Counsel draws up legislation.

Mr Hamilton interjecting:

Mr INGERSON: I do not think that the honourable member ought to, either. He refers to smart alec lawyers, but Parliamentary Counsel drew it up.

The CHAIRMAN: The member for Bragg is correct in his statement concerning Standing Orders. I ask the member for Albert Park to be more relevant in relation to the amendment.

Mr HAMILTON: Let me be more precise. The member for Bragg would have asked Parliamentary Counsel to draw

up this amendment, and he would have been briefed. Whether or not we have smart alec corporate lawyers telling people what they should do in terms of this clause, I am not prepared to accept this proposition. I have seen too many of them in my time, and I am not prepared to accept what the member for Bragg has said. I have seen it in the past from him, and I will certainly not vote for it. I do not believe that my trade union comrades would accept what he is putting up, either.

The Committee divided on the amendment:

Ayes (20)—Messrs Allison, Armitage, P.B. Arnold, S.J. Baker, Becker, Blacker, Brindal, Chapman, Eastick, S.G. Evans, Goldsworthy and Ingerson (teller), Mrs Kotz, Messrs Lewis, Matthew, Meier, Oswald, Such, Venning and Wotton.

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

Pairs—Ayes—Mr D.S. Baker and Ms Cashmore. Noes—Messrs Bannon and Blevins.

Majority of 1 for the Noes.

Amendment thus negatived; clause passed.

[*Sitting suspended from 6.1 to 7.30 p.m.*]

Clause 40—'Adding parties to agreements.'

Mr INGERSON: Clauses 40 and 41 are similar to clause 39 and, accordingly, I withdraw all my foreshadowed amendments to these clauses.

Clause passed.

Clause 41 passed.

Clause 42—'Substitution of Part IX.'

Mr INGERSON: Mr Chairman, I indicate that I will not be proceeding with my first six amendments on file. I move:

Page 23, after line 38—Insert new subsection as follows:

(6a) A member of an association who obtains information about another member of the association through an inspection of a register of the association under this section must not divulge that information to a third person unless—

(a) the disclosure is required or authorised by or under any other Act or law;

(b) the disclosure is before a court or tribunal constituted by law;

(c) the disclosure is made with the written consent of the person to whom the information relates;

(d) the disclosure is made by the member in the performance of official duties on behalf of the association;

(e) the disclosure is authorised under the rules of the association;

or

(f) the disclosure is in accordance with the regulations.

This amendment relates to an issue raised by one of the employer associations. There is concern that a member or a person could be a member of two associations and could disclose private information from one association to the other. For example, in the employer area many associations come under the umbrella of the Chamber of Commerce and Industry. If a person is a member of two organisations, the advice I have been given is that one could easily transfer information from one association to another.

My amendment provides that, if there is to be any transfer of information, it ought to be done through the registrar or authorised person of the association. It is simply a disclosure provision and it protects information within an association. It would apply just as much for employee associations as it does for employer associations.

It is really a straightforward amendment, as the member for Albert Park would know, and it would enhance the legislation. It has no political ramifications or hidden agenda. It has purely and simply been suggested to me and drawn up by counsel, in essence, to protect the disclosure method. I urge members to support the amendment.

The Hon. R.J. GREGORY: The Government is not inclined to accept the amendment because the clause proposed by the Government is fairly explicit and provides some detail. The Bill provides that a person employed in duties connected with the administration of this Act who divulges information as to the membership of a registered association, except in the performance of official duties or as may be authorised by the association or the President, is guilty of an offence. When one looks at the proposal from the member for Bragg, one sees that it is more restrictive than what is proposed in the Bill.

Perhaps the member for Bragg does not understand. I am perplexed because earlier during his contribution and, indeed, the contributions of other members of the Opposition, there was talk about supporting small associations, small unions and being opposed to the big unions and big employer bodies. Yet, apparently this amendment has been moved at the behest of a big employer body—the Chamber of Commerce and Industry.

Mr Ingerson interjecting:

The Hon. R.J. GREGORY: The honourable member interjects, saying that it was a representative. So, that person is asking the member for Bragg to use the name of the Chamber of Commerce and Industry on his behalf. Well, perhaps I am playing games, because the disclosure of names on the register of associations is a very serious business. I refer to ballots. One of the fundamental democracies of the union movement is the election process for positions within unions. Quite often ballots are held and the persons contesting the ballots—particularly if they are standing against office holders—can go to the courts and the registry to inspect the register and photocopy it and then use it. However, when one looks at the amendment relating to the issue of disclosure before the court, one sees that the disclosure is made with the written consent of the person to whom the information relates. That means that one has to go to the whole membership of the Metal Workers Association, which may comprise 13 000 people, and ask all of them whether it is all right to disclose their name and address so that someone can conduct a postal ballot.

On the one hand, we have the great democrats opposite wanting ballots all over the place—secret ballots being conducted before strikes and all that—but now they want to enact something which, if we are silly enough to accept it, will stop all that happening. I can understand the problems that someone might have with the Chamber of Commerce and Industry, if they are a member of two associations, or perhaps they are a member of the Chamber of Commerce and Industry, the Employers Federation, the Building Owners and Managers Association, this association or that association.

In my dealings with them, it has been very difficult to ascertain which organisations are involved because, quite often when one talks to the President of the Chamber of Commerce and Industry, one does not know whether one is dealing with that person as an official of the Metal Industry Association, the Chamber of Commerce and Industry or some other association. I find this amendment very restrictive. It has been cobbled together and has not been subjected to scrutiny and examination to ensure that it will work. What might affect one small section or one individual involved in the whole membership of the Chamber of Commerce and Industry—which is very large—would then be very restrictive for the rest of the membership and, indeed,

for the rest of the trade union movement. That is why we reject the amendment.

Mr INGERSON: I never cease to be amazed at how little attempt the Minister makes to read the amendments. This amendment clearly provides:

> ... this section must not divulge that information to a third person ...

This amendment does not talk about an individual member getting information; it talks about divulging information to a third person who is somebody outside the association. It is not meant to stop an individual from getting information in relation to membership; it is about my going to a union, not as a member but as a third person, and asking for that information. I would have thought that any union or organisation would want to protect its membership list. It is no more and no less than that.

Amendment negatived; clause passed.

Clause 43—'Limitations of actions in tort.'

Mr INGERSON: I move:

> Page 24, lines 30 to 37—Leave out all words in these lines after the word 'is' in line 30 and insert in lieu thereof the word 'repealed'.

The Opposition believes that all industrial disputes that create an economic loss for employers ought to be able to go to a civil court. That is the position that the Party has held for many years. We have always opposed the taking away of rights of individuals to go to courts and argue economic loss if such loss was created during or as a result of an industrial dispute.

The opposition to this clause is consistent with the way in which we have put our point of view for many years. By basically opposing this clause, it is our intention totally to remove these restrictions. We believe that there should be no question about the right of an owner to be able to take action if an industrial dispute causes economic loss. We have argued that for a long time.

The Hon. R.J. GREGORY: The Government opposes the amendment. For the edification of the member for Bragg I will read something that was said last night by the member for Victoria, as follows:

> Of course they have the right to strike, and you must have the right to strike, to hire and fire as well. It has to be a level playing field. The member for Bragg quite rightly says that all of those things have to be up for grabs and have to be negotiated ... Of course you have the right to strike—a fundamental principle—as you must have the right to hire and fire.

The right to strike means that one can do so with freedom and without fear of penalty.

Mr Ingerson interjecting:

The Hon. R.J. GREGORY: If the member for Bragg is interjecting and saying that that is not right, let us go back to some other fundamental reasons and fundamental rights. The right to freedom of religion means that people have the right to worship, or not to worship, as they freely want; it also means that they cannot be forced to worship in a way that they do not want. That is a fundamental right. By saying that people have the right to strike and then saying that because they have gone on strike tortious action can be instituted in a civil court to recover damages we are actually placing a penalty on them for exercising that right.

Mr Ingerson interjecting:

The Hon. R.J. GREGORY: The member for Bragg can shake his head and say that that is not right. Let us refer to ancient law in relation to this—and I am sure there are other authorities. *Labour Law in Australia. Individual Aspects* by E.I. Sykes, Vol. 1 published in 1980 (ISBN No. 0 409 438 53 7), states:

> Somewhat similar reasoning led to the House of Lords holding the union itself liable for conspiracy ... in what would appear today to be a very typical industrial dispute situation in the famous case of *Taff Vale Railway Co. v Amalgamated Society of Railway Servants* [1901].

For the information of the member for Bragg, in that Taff Vale case, as it is commonly known, unions exercising the right to strike were, under common law, taken to court by the employer of the members of the union, charged with conspiracy, convicted and fined. Subsequent to that, an amendment to the UK Trade Union Rights Act was passed in 1906 which enabled unions to take strike action without being penalised by being carted off to a civil court.

The member for Bragg ought to understand that, if people have the right to strike, they have the right to strike with freedom. The member for Bragg and a number of other members opposite had a fair bit to say last night and today about the International Labour Organisation and its conventions and its recommendations. I draw the attention of the member for Bragg to reports in the press which made quite clear that, because the Air Pilots Federation could be sued for damages in the Victorian Supreme Court, that august organisation has determined that trade unions in Australia do not have the right to strike.

The honourable member can stand up in this Committee and quote, high and low, conventions and recommendations on the one hand but he cannot, on the other hand, say that he will not take notice of something else. The reality is that, if the honourable member goes around saying—and I will repeat the words—'Of course you have the right to strike', then he should not start saying, 'If you exercise that right, we will penalise you.' That is precisely what the honourable member is doing in wanting to remove the restrictions from this legislation. He is taking away from people the right to strike.

Mr Ingerson interjecting:

The Hon. R.J. GREGORY: The honourable member cannot stand in this Committee—or apparently sit and interject—and say, 'You have the right to strike' and, and at the same time, say to those people, 'If you do strike, we will ping you in the court.'

Mr INGERSON: Our position is very simple: the individual and the association has the right to strike, but with that right there are consequences. If the individual employer wishes to exercise his right, which is no different from the right of the individual or association to have the right to strike, they should have exactly the same right to go to court. In the end, the court decides whether what has happened is fair and reasonable. That is how it ought to be, because both sides have rights. The Minister is saying that we should accept a right to strike on one side, but no rights on the other side to take action if it is unfair and unreasonable. I have been involved in two strikes, both of which have been fair and reasonable, and the employers—

Mr Atkinson: If it was the STA it would be reasonable.

Mr INGERSON: It was actually. The employers did not take any action because they had no grounds on which to take action. No employer will go into court and waste thousands of dollars if action cannot be taken there. No employer is so stupid. All we are saying is that there is a right to strike but there are consequences, and the court ought to be able to decide who is right and who is wrong and make a decision. It is up to each side to argue its case, no more, no less.

The Hon. R.J. GREGORY: I want to make something very clear. If the amendment were accepted, in every dispute where any employer had any economic loss, the common law of tort would uphold his right to sue for damages. For the member for Bragg to say they cannot do that is nonsense. He knows that they have the right to do that. One of the later amendments is to take away from vindictive employers the possibility of doing that after an industrial

dispute has been settled. Within the whole concept of conciliation and arbitration are pains and penalties. Employers have never bothered to use them when they have been fronted up, because usually the dispute has been settled. We have not seen tort actions in this State for some time because of the provisions within this legislation. It makes clear that they cannot be used until such time as the conciliation and arbitration process has finished and a certificate has been signed by the President. Removal of this provision will give them *carte blanche* to sue for tort.

The member for Bragg is really saying that we should take away from people the right to strike. When people are given rights, they also have freedoms to go with them. The hypocrisy of the Liberal Party is displayed by its wanting to go down this free enterprise route. Having enterprise agreements, free agreements, and so on, means that during the life of those agreements—and they cannot be perpetual agreements—people should abide by their terms. However, when it is over, they can bargain for what they want. We then have the situation that if the workers are not satisfied they can withdraw their labour. Having the right to strike, they do that. But the member for Bragg wants to say, 'You have the right to strike, but we will sting you on tort in the Supreme Court.' In effect, he is saying, 'You have not got it.' I think that the member for Bragg ought to talk to people who understand this fairly important point of law and how it affects people. If Acts of Parliament were applied rigorously, any union official who suggested that workers should engage in industrial action could be sued if this provision were taken out. The member for Bragg is saying, 'We will give you the right to strike, but really we will not.'

Mr INGERSON: Our philosophy is very simple: it is that neither employer nor employee or employee associations should be above the law. It is as simple as that.

Mr FERGUSON: I have listened with great care to what the member for Bragg has put to us tonight. I did indeed hear him make the clear statement yesterday afternoon, along with the Leader of the Opposition (member for Victoria), that he believed in the right to strike. And they should believe in the right to strike: because the only thing that differentiates a worker from a slave is the right to withdraw his or her labour. It is a fundamental principle. The member for Bragg has told us that his proposition is very simple. However, it is like saying to someone that they have the right to swim and then locking onto them in some way a 50 kilogram weight that they cannot take off, taking them to the end of the jetty, throwing them in the ocean and saying, 'You have a right to swim, swim as hard as you like.' That is an apt analogy concerning the very simple proposition in front of us.

The Minister referred to the case of *Taff Vale Railway Company v Amalgamated Society of Railway Servants*, the very famous case which took place in 1906 and which led to the Trades Disputes Act of 1906. In those days, we had a very conservative Parliament. People found the results of the Taff Vale Railway case to be very unfair, and even the House of Lords was moved to provide for the elimination of industrial torts so far as disputes were concerned. That took over 100 years of battles with the Master/Servants Act, with industrial disputes, with people being gaoled and with people being transported. It took 100 years of trade union activity to reach that principle. Yet, we heard yesterday the Leader of the Opposition tell us that we are back in the 1920s and that he wanted to take us forward. He said that we need this flexibility, that we have to have it. However, this very simple proposition that has been put to us will mean that no union under a South Australian award will be able to strike because of the penalties that will be heaped on it.

Mr Venning: Rubbish!

Mr FERGUSON: A little voice in the background—one of our enlightened farmers. I know the conditions that the people on your farm worked under—because you told us. So, even with the industrial legislation that we have in place, the farming community does not provide safe working conditions for their own employees. Given the power that they want (which would be provided if this provision were passed), what hope would hired labour have in a situation like that? The McLachlans of this world want to make sure that they use their power and influence, under the law of tort, to make sure that they drive the trade unions into the ground—and that is what it means, and we were talking yesterday about a level playing field.

On the other hand, the member for Bragg and his Party want to so deregulate industrial conditions that they can bargain with their own employees, take away the sort of protection they now have under the awards, and deregulate labor for this flexibility. This flexibility will give us wonderful results—it will make us all rich! They want to take away from employees the rights they have at the moment under awards but, at the same time, they want to make sure that the regulation is so much on their side that, when they want to take a union to the cleaners, they use the law of tort. I would bet that the member for Bragg does not even know what the *Taff Vale Railway Co. v Amalgamated Society of Railway Servants* case is all about. I bet that he had never even heard of that case when he came into this Chamber.

Members interjecting:

Mr FERGUSON: How can the honourable member purport to be the leader on industrial matters if he does not even know what that case is all about? I believe that this proposition should be soundly defeated.

Mr HAMILTON: I want to follow this up—

An honourable member interjecting:

Mr HAMILTON: If you want to hiss at me in this place—I thought you had a bit more decorum than that, but do what you want. Following what my colleague the member for Henley Beach was talking about, we could have a situation in which an employee is severely injured or killed on the job. Is it wrong for a group of employees to walk off the job? Let us explore it a little more.

Members interjecting:

Mr HAMILTON: The member for Custance says, 'No', but if the employer and/or a third party is adversely affected as a consequence of those employees walking off the job—and it may concern critical equipment or supplies—of course, these employees can be sued. When I was in the railway industry, there were occasions on which workmates of mine were run over and, on a number of occasions, killed, and there was no hesitation at all—even under a Labor Government—in walking off the job. There was no thought of the consequences. We said, 'To hell with the Government: we will get better conditions'—and we did.

I suggest that that applies equally to members opposite, I see the member for Custance now nodding in agreement, but it is a fundamental right of workers to withdraw their labour in situations in which employees' health or lives are at risk. They should be able to withdraw their labour, not this nonsense that the member for Bragg is trying to ram down our throats. I suggest that workers in this State and in Australia would walk off the job even if there was a threat of tort if it meant protecting the life of one of their colleagues. It amazes me. There is a picture starting to emerge from the Opposition. They think they have had a

few wins of late and they now think it is time to go for the jugular. I have news for them, because my colleagues and I will not sit here like wimps and cop this diatribe.

Last night, I wondered why the member for Henley Beach and I were subjected to some ridicule by the Leader of the Opposition. I now understand why. The Opposition knows that those members of the Government who have been involved in the trade union movement understand the issues and how this Bill will impact adversely upon the people in the community, in particular, small groups of employees; perhaps not so much the larger groups—although I believe that will happen—but it is the smaller groups that they want to get to. I understand more and more why the member for Henley Beach and I were subjected to an attack last night. I wear that attack proudly, as I believe does my colleague. It took the Leader of the Opposition to attack us on how we feel about this master and servants Act and this particular issue.

I do not believe any member on this side will fall for this nonsense. Obviously, the member for Bragg has not done his homework. He has put up these propositions as requested by his masters in the industrial area—the big business people—to get to the workers. In my view, it will not work and it will not have the support of my colleagues.

Mr QUIRKE: I would like to continue some of the remarks made by the member for Henley Beach. The Taff Vale decision was a landmark in Britain in 1982 and, for a four year period, it effectively disenfranchised every British worker from the right to strike. As a result of the Taff Vale decision, a union was fined £100 000-plus costs. This meant that, for a four year period until 1906 and the end of the Conservative Government in Britain, no worker could exercise the right that, as we have heard so eloquently put by the other side, should be the right of every worker.

The member for Bragg is a very honest and reasonable fellow who, I am sure, would not want to see that Taff Vale situation happen in Australia. I have no doubt at all that if he were to move two or three seats up we would have much greater respect for the sorts of things he is saying, but unfortunately he does not have the numbers in his Party.

The H.R. Nicholls Society says, 'Trust us, but we will fix you good and proper through the courts system.' It is no good coming in here saying, 'You have the right to strike, but we are going to blow you away afterwards, legally or by any other means.' Make no bones about it: that has been the policy of the new right that sadly runs the show opposite. I, like many members on this side lament the fact that the member for Bragg does not have more numbers and that he is not running the show. I think he is putting a pretty fair face on what can only be described as a pup here tonight. At the end of the day, the Opposition is saying that people have the right to strike but as soon as they do they will make sure that they never use that right again.

We would have to be absolute mugs to accept that, after the Copemans, of this world and all the others, the Costellos and all the rest do not have a lot of influence in conservative politics in Australia. We are not mugs and we will not accept that; nor will we be in the position of the Taff Vale union.

The Committee divided on the amendment:

Ayes (18)—Messrs Allison, Armitage, P.B. Arnold, Becker, Blacker, Brindal, Eastick, S.G. Evans, Goldsworthy and Ingerson (teller), Mrs Kotz, Messrs Lewis, Matthew, Meier, Oswald, Such, Venning and Wotton.

Noes (19)—Messrs L.M.F. Arnold, Atkinson, Crafter, De Laine, Ferguson, Gregory (teller), Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Messrs Klunder, McKee, Peterson, Quirke, Rann and Trainer.

Pairs—Ayes—Mr D.S. Baker, Ms Cashmore, Messrs Chapman and Gunn. Noes—Messrs Bannon and Blevins, Ms Lenehan and Mr Mayes.

Majority of 1 for the Noes.

Amendment thus negatived; clause passed.

Mr INGERSON: The next new clause is consequential and I will not proceed with it.

Clauses 44 to 46 passed.

New clause 46a—'Harassment'.

Mr INGERSON: I move:

Page 25, after line 18—Insert new clause as follows:

Insertion of s. 155a

46a. The following section is inserted after section 155 of the principal Act:

Harassment

155a. A member or officer of a registered association must not harass a person, or cause a person to be harassed, in relation to whether or not that person is willing to become a member of the association.

Penalty: Division 8 fine.

The purpose of this new section is to guarantee voluntary unionism under the Act. The advice given to me by counsel is that including this provision under the heading 'Harassment' is the easiest way to achieve this result. Although it may have concerned some members opposite, the intention of the clause is simply to give every individual the right to join or not join an association, whether it be an employer or employee association. A fine of $1 000 is included so that, if anyone is prevented, pushed or cajoled (or whatever term Government members might use as harassment), it comes under this new section, which is simply a voluntary unionism provision.

The Hon. R.J. GREGORY: The Government is opposed to such a provision because there is no definition of 'harassment' within the legislation.

Mr Lewis interjecting:

The Hon. R.J. GREGORY: Yes, it means you yelling at me! It is quite obvious that without an appropriate definition of harassment, even if we had a proper definition, we would find that a person could not even approach people who were non-unionists. Someone could say to a person, 'I would like you to join a union.' They would say, 'I was asked to join and I did not want to be asked. That's harassment. Charge them.'

The Hon. H. Allison: Hear, hear!

The Hon. R.J. GREGORY: The member for Mount Gambier says 'Hear, hear', but that again demonstrates that members opposite hate trade unions and really want to stop the ordinary men and women of South Australia from having an organisation that protects them. We are opposed to such a provision.

Mr INGERSON: After consultation, I understand that the use of 'harassment' is common in many other Acts of this Parliament. It is accepted and not defined in other Acts because it is a standard word used to define prevention, cajoling or any other action which, in this case, involves the matter of a person joining or not joining a union or association, which this legislation clearly defines.

Mr S.G. EVANS: Many words used in Acts are not defined and are left to courts to interpret. The word 'reasonable' is often used and is probably more difficult to define than 'harassment'. If the Minister does not like 'harassment', surely he need only tell the Committee that he believes that people should not be forced to join an organisation against their will or that some form of threat should not be able to be used against people before they get a job.

That is all the Minister has to do if he does not like the word 'harassment'. What the Minister really means is that

other employees, or potential work mates, can tell a person that they cannot come onto the site unless they join a union; or an employer—and it could be a Government department under ministerial Cabinet direction—could say that a person cannot work without joining a union. This is against all the conventions that this country observes, along with other nations, and it denies freedom of association. Any individual should be entitled to earn a living without being told that they cannot do that unless they join union X.

I do not object to people being encouraged to join a union, but there is a difference between encouragement and what a normal person would call harassment. Unions have a proper role to play, but if they are bad and potential employees have to be forced to join, there is something wrong with the organisation. There is something wrong with the way it operates, with what it offers members or potential members; or its PR may be lacking and it is not getting the message over that it is worth joining. It has to be one of those reasons.

A person's objecting to joining an organisation does not mean that that person is a bludger. I could refer to the member for Henley Beach men and women who will work extremely hard for a cause for which they are employed but who do not belong to any organisation—be it a football or netball club or a political Party. Those people are definitely not bludgers—they would outwork anyone. A bludger is someone who lives off the system; the person who does not wish to belong to an organisation is not a bludger. Members opposite know that there are people who come to this country from other nations who have a fear of belonging to any organisation that has a connection, either directly or indirectly, with a political Party. Some of those people see joining a union, a trade or business organisation as objectionable because of their experiences in their own country.

An honourable member interjecting:

Mr S.G. EVANS: The honourable member suggests that I have not been in Australia. I was born here and have spent all of my life here, except for a couple of trips overseas. Either the honourable member has been misled or my birth certificate is wrong. The honourable member's interjection means that the ALP is struggling to find a way to continue with this attitude of forcing people into unions, at the same time professing to believe in freedom of association. In fact, as a political organisation through the Federal Government it has signed documents with international organisations supporting freedom of association.

If the Minister does not like the word 'harassment'—and that is really what he was saying—he should say how far he is prepared to go to give an individual the right not to join but still to be able to get a job. I hope Government members are not saying that individuals do not have the right to earn a living—be they male or female, with or without a family to keep—or that they do not have that right if they do not pay part of their income to someone who tells them that they might do them a good turn down the track. If the argument is that they will receive a benefit from union membership, some people looking for a job may not want union representation. They may be able to negotiate with their employer and show through their work effort and initiative an ability to earn working conditions that are different from those enjoyed by other workers.

An honourable member interjecting:

Mr S.G. EVANS: I hope that when workers are injured more than one company will provide workers compensation benefits so that people can get a better deal than they get from WorkCover. I strongly support the amendment because I believe 'harassment' can be defined by the court just as easily as 'reasonable' can be defined. Both words appear in many Acts and are defined by the courts if called upon to do so.

Mr QUIRKE: The contribution of the previous speaker is a classic example of what used to occur in the 1950s and the 1960s. Indeed, it is part of what is wrong with this country. Instead of getting on with the job and understanding that everybody has a role to play and that unions are there to protect their members, we have carping and whinging contributions from members opposite who basically say that everybody has all the rights in the world. But, what about the rights of the workers who decide that they want to be adequately protected and who see a diminution of membership on a work site as being a direct threat to their livelihood? I would have thought the conservatives in this country would be about the business of trying to get their act together in industry, instead of nitpicking on this matter which in other countries was left behind years ago.

I can think of only one case in recent times where the 'no ticket no start' principle applied, and that was in the other place. The Liberal Party, in ensuring that the 'no ticket no start' policy was carried all the way through, actually gained a pretty good member in the other place. In fact, in his maiden speech he said that we ought to be a republic, and I concur with that.

Mr LEWIS: I wonder what the Minister would think of a situation in which a number of citizens each contribute from their savings to a pool of capital which establishes a business in which they, and only they, work, the business being a proprietary limited company owned by its employees. Would that company, under the laws amended by this Bill, be compelled to require its shareholder employees to join a union and, if not, why does the Minister object to the Opposition's amendment to enable them to avoid being compelled to join, by claiming that they are being harassed?

The Committee divided on the proposed new clause:

Ayes (19)—Messrs Allison, Armitage, P.B. Arnold, S.J. Baker, Becker, Blacker, Brindal, Eastick, S.G. Evans, Goldsworthy and Ingerson (teller), Mrs Kotz, Messrs Lewis, Matthew, Meier, Oswald, Such, Venning and Wotton.

Noes (19)—Messrs L.M.F. Arnold, Atkinson, Crafter, De Laine, Ferguson, Gregory (teller), Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Messrs Klunder, McKee, Peterson, Quirke, Rann and Trainer.

Pairs—Ayes—Mr D.S. Baker, Ms Cashmore, Messrs Chapman and Gunn. Noes—Messrs Bannon and Blevins, Ms Lenehan and Mr Mayes.

The CHAIRMAN: There being 19 Ayes and 19 Noes, I give my casting vote for the Noes.

New clause thus negatived.

Clauses 47 to 52 passed.

Clause 53—'Abolition of Teachers' Salaries Board.'

Mr INGERSON: I have received a letter from the Institute of Teachers requesting that I ask the Minister some questions in relation to clauses 53 and 54. The clause obviously abolishes the Teachers Salaries Board. The institute does not oppose clauses 53 and 54 in principle, but it does oppose the abolition of the board while there are two partly heard matters before it. The institute believes that the two clauses could be held over to provide for the board's abolition and transfer of its wards when it concludes its hearings and hands down its decision on the two part-heard cases currently before it.

I have not put together any amendments, as the matter was put to me only late today. It is my understanding that the two cases are part-heard and will not take long to go complete. It seems to me a fairly reasonable request from

the institute to at least hold over any clauses that may affect the salaries board until those two cases are heard. There is no opposition from the institute in terms of the future: it just believes that it will be in the best interests of everybody to finish those two cases before these provisions come into effect.

The Hon. R.J. GREGORY: The Government's intention, when the Bill is assented to and proclaimed, is that it will become law as soon as practicable so that all the other matters in it will apply. I have explained to the Committee that the Government intends to abolish the additional boards because we are streamlining the operations of the commission. There are transitionary clauses within the Bill which provide for matters which are part heard and awaiting decision in the normal way. When the matter is finalised, it will be possible, with the present Chairman of the Teachers' Salaries Board, for a decision to be handed down. I am not sure how the President of the commission will arrange these matters, but I am confident that he will do it in the professional and ethical way that he and his fellow officers in the commission have always acted.

Clause passed.

Remaining clauses (54 and 55) and title passed.

The Hon. R.J. GREGORY (Minister of Labour): I move:

That this Bill be now read a third time.

Mr INGERSON (Bragg): I should like to make some brief comments on third reading. The Opposition believes that there are several significant clauses which will affect industry, and we are disappointed that the Government has not seen fit to amend them in a more reasonable way. Principally, they are the clauses on preference, tort actions, voluntary unionism and flexibilty in industrial agreements. We intend to make sure that some of the amendments are proceeded with in another place.

The House divided on the third reading:

Ayes (19)—Messrs L.M.F. Arnold, Atkinson, Crafter, De Laine, M.J. Evans, Ferguson, Gregory (teller), Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchsion, Messrs Klunder, McKee, Quirke, Rann and Trainer.

Noes (19)—Messrs Allison, Armitage, P.B. Arnold, S.J. Baker, Becker, Blacker, Brindal, Eastick, S.G. Evans, Goldsworthy and Ingerson (teller), Mrs Kotz, Messrs Lewis, Matthew, Meier, Oswald, Such, Venning and Wotton.

Pairs—Ayes—Messrs Bannon and Blevins, Ms Lenehan and Mr Mayes. Noes—Mr D.S. Baker, Ms Cashmore, Messrs Chapman and Gunn.

The SPEAKER: There being 19 Ayes and 19 Noes, I cast my vote for the Ayes.

Third reading thus carried.

PARKS COMMUNITY CENTRE (MISCELLANEOUS) AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill aims to provide a suitable framework for the continued operation of the Parks Community Centre as a public sector organisation.

It is appropriate that the centre's board now have as its major focus a policy and planning role and a greater community orientation, and that principles for the role of the Chief Executive Officer, as administrator of the centre, be defined. The operations of the centre and the role of the board are now to reflect principles of public administration as set out in the Government Management and Employment Act 1985 while still recognising that the centre is not an administrative unit in the Public Service.

The changes proposed by this Bill were initiated by a major organisational view of the centre which was then followed by extensive consultation with the operating branches, and with the services provided by other public agencies within the centre. The board has endorsed the proposed changes.

The Bill contains two major elements:

- a restructuring of the board to provide a more outward-looking, community oriented membership which will be better able to respond to the community's needs as they change;
- a deflnition of the role and functions of the Chief Executive Officer in relation to those of the board, in line with principles for the management of a public sector organisation, while still recognising that the centre is not an administrative unit.

Previously, casual employees at the centre were not defined as staff for the purposes of representation on the board. The Bill provides that casual staff may now be eligible for election to the board as a staff representative, but not as a community representative, thus ensuring that views of the centre can be represented as intended in policy and planning for the centre.

The membership of the board will now comprise:

- six members nominated by the Minister, three being women and three being men, one of whom the Minister will nominate as chair of the board;
- one person nominated by Enfield Council;
- three persons elected by the registered users in accordance with the Act (these being representatives of the community), and one person by the staff of the centre in the manner prescribed in the Act.

Members will continue to be appointed to the board for three year terms.

The Bill also provides that, where vacancies occur on the board within 12 months of an elected member's term expiring, the Minister may appoint a person to that vacancy. Previously this could occur only where a vacancy occurred within three months of the former member's term expiring, thus requiring the full election procedure under the Act for staff and community representatives, in order to flll vacancies for relatively short periods. This has proved to be unnecessarily time-consuming and cumbersome.

The role and functions of the Chief Executive Officer will include being responsible for the effective and efficient management of the centre, for the management of staff and resources, and for the implementation of management plans and budgets determined by the board. These functions reflect those of Chief Executive Officers of other state organisations, as set out in the Government Management and Employment Act 1985.

I believe that this Bill provides for the more effective and efficient operation of the Parks Community Centre, and that the review of the organisation has provided for the

centre's continuing role in meeting needs within its community.

Clause 1 is formal.

Clause 2 provides for commencement on a day to be fixed by proclamation.

Clause 3 recasts the definition of 'member of staff' of the centre so as to include persons employed on a casual basis.

Clause 4 re-enacts the provision of the Act that deals with the establishment and membership of the board. The membership is reduced from 13 to 11, by reducing the number of Government appointed members from six to four. Certain provisions that were of a transitional nature relating to the first appointments to the board have been deleted.

Clause 5 recasts subsection (1) of section 7 by deleting reference to transitional matters.

Clause 6 empowers the Minister to fill casual vacancies in the board membership elected by the registered users of the centre if such a vacancy occurs less than 12 months before the particular office is due to expire.

Clause 7 reduces the quorum of the board from seven members to six.

Clause 8 highlights that the power of the board to delegate includes the power to delegate to the chief executive officer as well as to any other member of staff.

Clause 9 provides that the approval of the Minister will no longer be required for the obtaining of any liquor licence or permit by the centre.

Clause 10 re-enacts section 17 of the Act which deals with the appointment of the chief executive officer of the centre and other staff. It is now provided that all staff appointments (including the chief executive officer) will be made by the centre, whereas at present some may be Public Service appointments. Terms and conditions of office will require approval by the Minister to ensure parity with Public Service terms and conditions of employment. New section 17a provides that the chief executive officer is responsible to the board for the management of the centre and sets out the other primary functions of that position, much along the lines of the provisions of the Government Management and Employment Act 1985 relating to chief executive officers. The chief executive officer is required to give effect to public sector principles of public and personnel management when performing his or her functions. New section 17b gives a full and unfettered power of delegation to the chief executive officer.

Clause 11 inserts a schedule of transitional provisions that provide for the offices of all Governor appointed members of the board to become vacant on the commencement of this Act so as to enable fresh appointments to be made.

The schedule to the Bill makes various statute law revision amendments to the Act, none of which purports to be substantive.

Mr S.G. EVANS secured the adjournment of the debate.

COOPER BASIN (RATIFICATION) (ROYALTY) AMENDMENT BILL

Returned from the Legislative Council without amendment.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2)

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

PRIVATE PARKING AREAS (DISABLED PERSONS PARKING) AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

In January 1988 the Private Parking Area Act 1986 repealing and replacing the Private Parking Area Act 1965 was brought into operation together with Regulations and a Code of notices, signs and road markings.

The owners of private car parks (that is supermarkets, hotels etc.) may by the erection of prescribed notices, signs and road markings, establish certain parking controls under the Act.

Pursuant to section 7 (2) of the Act, the owner has the discretion to set aside any part of a private parking area as a disabled person's parking area, and these are generally characterised by wide parking spaces located near main buildings for particular use by disabled persons with wheelchairs or other aids. Where time limits have been imposed in private parking areas, vehicles displaying a disabled person's parking permit are allowed 90 minutes in excess of the time limit.

In respect of the use of areas set aside for disabled persons, section 8 (2) provides that a motor vehicle must not be parked in a disabled person's parking area unless a disabled person's parking permit is exhibited in the vehicle. By definition in the Act, 'disabled person's parking permit' means—

(a) a permit issued by the Registrar of Motor Vehicles under section 98r of the Motor Vehicles Act 1959;

or

(b) a similar permit or authority issued under the law of another State, or a Territory, of the Commonwealth.

The maximum penalty for the unlawful use of a disabled person's parking space is $200 and alternatively where the private parking area owner and the council of the area have entered into an enforcement agreement under section 9 an expiation fee of $20 is applicable.

In the absence of any agreement no expiation powers apply and the owner may only follow up an offence by issuing a summons.

The decision to confine the exercise of expiation powers for parking offences committed on private parking areas to local government authorised officers, and members of the police force, was one of policy arrived at after consultation with the Crown Law Office.

It was considered that only members of the police force and trained and experienced local government authorised officers who are also engaged in policing and enforcing the on street Parking Regulations and other expiable offences under legislation such as the Dog Control Act and the Clean Air Act, should be empowered to issue expiation notices for parking offences in private parking areas.

However since the commencement of the re-enacted legislation and in response to the concern expressed by disabled person's organisations, it is apparent that there are limited guidelines for the uniform implementation of parking facil-

ities for the disabled in private parking areas. Furthermore where they are provided, the Act has not resulted in adequate enforcement of those parking spaces.

The demand for disabled persons parking permits has grown but it appears that the machinery contained in the Act is not being used to provide disabled parking which can be enforced in private parking areas. Although there are some exceptions, few owners have taken steps to provide the prescribed notices, signs and pavement markings to give effect to parking restrictions or have entered into agreements with Councils. Allied to this, some Councils are also reluctant to police private car parks, due perhaps to their perception that the financial implications will be unfavourable.

The present situation is that:

(a) despite powers being available under the Act, Councils have not become involved to any significant extent;

(b) some members of the public are parking unlawfully in disabled parking spaces to the exclusion of permit holders;

and

(c) this unlawful parking is not being penalised.

To more clearly identify the problems and establish ways to overcome them the South Australian Local Government Engineers Association, known by the acronym 'SALGEA', was funded jointly by the Department of Local Government and the Disability Adviser's Office, Department of the Premier and Cabinet, to engage a consultant to undertake a study to investigate and recommend measures to improve the provision and policing of parking for the disabled in private parking areas.

In November 1989 the chosen Consultant, Ian Bidmeade, prepared a report entitled 'Parking for People with Disabilities in Private Parking Areas—Some Options For Improvement'. The options contained in the report were appraised by a SALGEA Sub-Committee for the consideration of a Steering Committee.

In 1990 a Steering Committee was formed comprising members of SALGEA, the Disability Adviser to the Premier, the Executive Director, Disabled People(s) International (South Australian Branch) and was chaired by an Assistant Director, Department of Local Government. A Project Officer was appointed for a limited period. Funding for this person was provided by the State Govemment's Social Justice Program.

As the first step to implement change the Committee has recommended that local government councils be empowered to police and enforce disabled persons parking areas in neighbouring private parking areas notwithstanding that no enforcement agreement has been entered into between the owner and the council. As a second step it is proposed to amend the Private Parking Area Regulations to increase the expiation fee for unlawful use of a disabled parking space from $20 to $50.

It should be noted that a Planning Act Supplementary Development Plan for Centres and Shopping Development is under preparation and the Committee has ensured that there will be provision for a fixed ratio of disabled parking spaces relative to the total area.

Concurrent with this, a concise reference to the provision and enforcement of disabled parking in the form of guidelines is being prepared for issue to local government councils and developers to ensure that a consistent and fair approach to disabled parking is adopted by ail parties concerned.

In addition Cabinet has aiso approved the drafting of amendments to the Motor Vehicies Act to review and upgrade eligibility qualifications for a person seeking to obtain a disabled person's parking permit. In this context it is proposed to follow the example of some other States and introduce a permit for organisations which frequently transport people with severe disabilities in specially adapted vehicles. That measure will be brought before Parliament in the August session.

The opportunity is also being taken to amend the Act so as to enable the Minister to incorporate a national Standard on parking signs into the Code that sets out the requirements for signs, notices and other markings in private parking areas.

There has been consultation on the thrust of the principal amendment contained in the Bill with the Building Owners and Managers Association, Westfield Shopping Centre Management Co. Pty Ltd, the Local Government Association, the RAA and other organizations. To date i am not aware of any opposition to the Bill.

Clause 1 is formal.

Clause 2 inserts a new section 8a. The new section provides that the offence of parking in a private parking area in a space marked out for use by disabled persons may be enforced by local council inspectors and members of the police force whether or not there is a formal enforcement agreement between the council and the owner of the area.

Clause 3 amends section 15, the general regulation making power. The amendment makes it clear that the regulations may allow the Minister to establish a Code of signs, etc., for use in connection with private parking areas.

Clause 4 inserts a new section 16. The new section enables a regulation or code under the Act to incorporate or operate by reference to a Code or Standard as in force from time to time or as in force at a specified time. The new section also includes evidentiary provisions relating to such Codes or Standards.

Mr S.G. EVANS secured the adjournment of the debate.

HOUSING AGREEMENT BILL

Adjourned debate on second reading.

(Continued from 14 March. Page 3655.)

Mr LEWIS (Murray-Mallee): Members are probably aware that this Bill gives legislative effect to the new Commonwealth-State Housing Agreement and repeals the Housing Agreement Act 1984. There is agreement between the States and Territories to the new arrangements that will operate until late 1999. South Australia was the last State or territory to sign the agreement, and the reason for that was a dispute over the level of funding, that is, the percentage that South Australia would get as opposed to that which other States would get.

We became signatories to the agreement in May last year. It needs to be borne in mind that in 1990-91 (the current financial year) South Australia's housing grant from the Commonwealth has been reduced from $104 million to $95.2 million, a drop of 16 per cent in real terms. Those members who can do mental arithmetic quickly will no doubt say that my calculations are wrong and that it is a fall of 8.9 per cent. However, that is a straight arithmetical calculation: 16 per cent is the fall in real terms.

The reduction in funding will have an adverse impact on the ability of the Housing Trust to add to its existing stock. At this time South Australia has 12 per cent of the national public housing stock as opposed to the average for the whole of Australia of 5 per cent, that is, 12 in 100 in South Australia as opposed to 5 in 100 for the rest of Australia. In the seven year period to 1988-89 an average of 2 700

housing units were being built each year. The peak figure was 3 600, and that was in 1984-85. I should explain that that figure includes not only those dwellings built by the trust but also those that were purchased. However, this figure will need to be reduced. It will come down to about 1 400 this year with a further cut to around 700 in 1991-92.

One examines that against the fact that there are and have been for a long time over 40 000 families on the waiting list—and the member for Napier will well remember this: I recall his waxing eloquent during Estimates Committees in years gone by as to how the housing waiting list held by the trust was somewhere over 40 000 and that, during the next year and the remaining part of the funding period, that would be substantially reduced by his Government's initiatives and efforts.

Surprise! Surprise! Here we are, some two years after he departed that office with no result, and there are still over 40 000 families on the waiting list. There must be a lesson in that somewhere and I suspect it is this: if you make a commodity available at less than its real cost, more people will seek it, not only those who in our opinion deserve it but those who can manipulate the system to project a status onto their circumstances that would enable them to be eligible to deserve it.

I trust that the member for Napier will, nonetheless, take this opportunity to have his share. Too many people who find their way into welfare housing do not need to remain there for the length of time that they do. It would be fairer for their fellow citizens—the likes of you, Mr Speaker, and I—if, once they found that they were capable of supporting themselves as individuals and families, they moved out and made way for those who really need that sort of help in their lives, those who are really suffering.

At times I am nearly brought to tears when I see the circumstances in which some young mothers try to raise children while their husbands are away at work, not in the immediate vicinity and not returning home each night but away for weeks and months on end. They live in caravans and on-site accommodation in caravan parks. During cold snaps in winter these women and children freeze. They cannot sleep because they are bitterly cold. In the summer they swelter and cannot sleep because of the heat. Often the heat is exacerbated by the presence of flies and mosquitoes. It is not a happy, pleasant situation; it is not Australian.

I implore those people who presently occupy welfare housing provided by the Housing Trust and who do not need such housing to get out of it and to accept their responsibilities to themselves and to the rest of the community to make that housing stock available to those who genuinely need it. There needs to be, on the part of the trust, more rigorous examination of the circumstances surrounding those people who occupy their dwellings. We ought often to take a close look at who is living in those dwellings and at their collective income. It is not good enough to drive past some Housing Trust dwellings and to see three or more motor vehicles in the driveway or in the garage. I have seen a 20 foot trailer-sailer. It was not there on hire nor was it there because it belonged to a visiting friend or relative: it was there because it belonged to one of the people living in the house. If such luxurious assets can be afforded by people living in trust homes, I suggest that those people are misplaced and they ought not to be there.

I suspect, and the figures indicate to me, that there has been some queue jumping into housing cooperatives, which this Government seems to have recently discovered as a new idea. I worry about the way in which I suspect that kind of scheme is being used or, should I say, abused, not by all members of housing cooperatives but by some who know how to work the system. They are jumping off that queue of 40 000 families waiting to get into trust homes and getting onto a very short queue for inclusion in a housing cooperative scheme.

Maybe we need to take a closer look at the way in which we use those funds for the provision of different types of housing stock that is financed at public expense. However, it is not my purpose tonight to delay the House with a dissertation on the curiosity of the kinds of housing stock we presently offer. HomeStart and more flexible mortgage packages on offer from financial institutions have enabled more families to access home ownership. However, it still has not had the kind of impact we would have wanted or, indeed, desired.

I do not deny that the South Australian Housing Trust has done a fine job since its inception in 1936. I applaud the effort. Members opposite, including the Minister, might be interested to know that the trust has been responsible for the erection and provision of more than 100 000 dwellings in the 55 year period since the trust came into existence. Unquestionably, the manner in which the trust was used as an instrument of Government to provide housing for the rapidly expanding work force in the emerging manufacturing industry in South Australia after the Second World War, under the premiership of Sir Thomas Playford, was quite remarkable. No other place on earth achieved that same measure of rapid expansion and assimilation as did South Australia during that period.

At present, the trust manages 63 000 dwellings. As I have said before, that represents 12 per cent of our South Australian housing stock. Almost one in eight of our homes belongs to the Housing Trust. That is more than double the national average of five in every 100 (one in 20). We know that the demographic form and ethnic background, if you like, of the trust's tenants have changed in recent years. Fifteen years ago more than half the trust's new tenants were employed. However, today that figure is barely 25 per cent. That is, about 75 per cent of the trust's tenants are unemployed and dependent on welfare, whereas 15 years ago only one in 15 tenants required rent assistance. That figure today is more than seven in 10. That is notwithstanding the fact that trust rentals can be no greater than 25 per cent of income; there still needs to be a rental subsidy for more than seven in 10.

The Commonwealth funding that this Bill facilitates (through the arrangement with the boys in Canberra) will be distributed on a *per capita* basis between the States after the first three years. South Australia has the nation's highest proportion of public housing and, arguably, a greater proportion of people dependent on welfare, be they age pensioners or other welfare recipients. Whilst the Government has indicated in its public statements from time to time that it will continue to press for a revision of the formula and the indexation of Commonwealth funding, nonetheless it has not done as well as it jolly well should have. I have a whole wad of its statements here but I will not go through them, although I had intended to do so to trace the up again down again attitude of the Government. The Premier simply does not have the gumption to argue the case and negotiate a position for South Australia as well as he might.

Indeed, that might be a consequence of the fact that the Minister does not have the nous to work out what the strategy ought to be and how best to brief the Premier before he goes off to Canberra to talk it over. I do not know of the extent to which the Minister and the Premier have made other people in the process aware of South Australia's

position in the national scheme of things, having a greater number of welfare recipients but, if they had done so, it should not have been difficult for them to have obtained a much better deal for us here.

Schedule 1 provides us with details of a new requirement for the State Government to match Commonwealth funds. In the first year it is only $3 for every $12, increasing progressively to $1 for every $2 in the fourth year. That is a whopping increase in the amount that has to come from this State's revenue, and I wonder whether or not we can service the bad debts of the State Bank and meet that commitment without finding ourselves incapable of even maintaining the current level of public housing available to those who really need it.

In my judgment we will have do to something about examining who is in and who shall be permitted to remain in welfare housing to obtain the necessary housing stock to service the needy. It should be about providing for the needy, not gratifying the greedy. The new schedule also provides for home purchase assistance. It further provides for a proportion of funds available for the provision of rental housing, and provides for user rights and participation.

I can understand and empathise with all of that. Altogether, the Opposition has no intention of opposing the legislation; indeed, it supports it. It simply finds it curious that the Minister has circulated an amendment to leave out schedule 3, and I am curious to know why that is so. In schedule 3, which is on the last page of the Bill, we find that 12.75 per cent was to have been appropriated for South Australia from the total amount. However, by the elimination of that schedule, we forgo that figure.

Perhaps the Minister has some good news that he has not shared with us and will provide it when he responds. Whilst more detailed debate of the contents of the schedules would be possible, it is not my intention to delay the House further on the measure. I commend it to members and trust that it has a swift passage through both Chambers. I point out that a more detailed examination of the measure will be possible in another place, given that we are already under great pressure in this place to see our program through before the guillotine is applied.

Mr M.J. EVANS (Elizabeth): I support the Bill. The measures it endorses have been in theoretical place through agreement between the States and the Commonwealth for some time now and this is a ratification measure that must be brought before Parliament for its final approval. The financial power of the Commonwealth to dictate terms ensures that precise allocations to this State are very much a matter for the Commonwealth to determine. We must live within the means that it chooses to provide. However, the Bill as a whole provides a very reasonable and rational framework for the development of the public housing policy in this State for the next few years, and it is one that I am more than pleased to support in this place.

It was also very pleasing to accompany the Minister of Housing and Construction to the launch of the new pilot program in the Elizabeth and Munno Para districts, a program that I believe will have substantial benefit for the area, which I share with the member for Napier who is a former Minister of Housing and Construction. Hopefully, this will be extended to other areas throughout the State as time and funding permit when the success of the program becomes evident. It is quite clear why Elizabeth and Munno Para would be chosen for a pilot study: the level of Housing Trust ownership in that area is very substantial, in some areas running to over 50 per cent of the properties. Some of those properties have been there for 30 or 35 years and it is quite evident that, if the tenants in those houses are given the wherewithal to purchase the properties from the trust, substantial benefits will flow, not only to the purchasers but also to the community as a whole and, indeed, to the South Australian Housing Trust, because funds will be released for the purchase of additional housing in other areas where it may be more appropriate for houses to be built and where it can better serve the needs of those people.

I have been pleased to be associated with the Minister on this program for the past 12 to 18 months during the development of the policy. The policy will be readily accepted by the tenants in that area because it meets their needs and the needs of others in similar districts throughout the State who will find it easier to procure the necessary financial structure to purchase those houses and, in particular, the double units. The Minister launched this program at a most auspicious location: the Elizabeth West Neighbourhood House. It is appropriate because that area has a particularly high percentage of Housing Trust rental stock. That is not to say that public ownership of rental houses is not a good and useful thing. Indeed, this State has one of the highest levels of public housing and that is something of which we can be reasonably proud. However, it is quite clear that when public ownership levels exceed 50 per cent in any given small area, that creates problems of its own. Indeed, it is much more appropriate that that housing stock be available throughout the State, where everyone can have access to it, rather than having it concentrated in a small district.

As I have driven through my electorate every day for the past 12 months or so, I have been pleased to see that house sales have picked up. The effect of that has been dramatic and quite clear cut. People are taking a subtantial interest in those properties. As their income permits they are developing them, replacing windows and roofs and repainting them in ways that the Housing Trust could not afford to do. They are maintaining a very strong pride in their own home and in the community of which they are now an even stronger part. I know that this trend will continue and I am sure that over the next few years the level of home ownership by Housing Trust tenants will increase.

The level of public ownership as a whole will probably not decrease, except for other external factors, because this housing agreement requires that funds freed up in this way are reinvested in public housing at other locations. That is a reasonable measure for safeguarding the public interest in this matter. Quite clearly, by selectively targeting schemes, as the Government has done this morning, it has been able to improve the lot of those in public housing who are in a position to purchase that housing. I know from discussions I have had with the new General Manager of the Housing Trust that the trust is examining ways in which it can improve the administration of the house purchase system even more. Because the trust has principally been in the business of renting its public housing stock over the past 55 years and not in the business of selling it, its policies have not been as appropriate for the sale of that housing as they might be. However, over the past couple of years, the trust has learnt considerable lessons about ways in which that can be improved. I know that the new General Manager has a particular personal interest in ensuring that the most efficient means of delivering that policy is achieved, and the beneficiaries of that will be Housing Trust tenants who are now able to acquire that personal interest in their own property. It will help them, it will help the South Australian community and I know that it will help communities such as Elizabeth, which so strongly deserve support of that kind.

Mr BECKER (Hanson): This legislation to ratify the Commonwealth-State Housing Agreement has finally been brought into the House at this late stage of the session but it should have been done in 1989, before the last State election. It was deliberately held up by the previous Minister. I am sorry for the current Minister because he will cop the flak for what the previous Minister failed to achieve on behalf of this State. We have been given a pretty rough deal with this Commonwealth-State Housing Agreement. There has been a conspiracy by the other States to drag South Australia down to the poor housing standards of the Eastern States which, for years, have complained that they have been unable to meet the demands and provide the housing that we have been able to achieve through the South Australian Housing Trust.

I have no qualms about criticising the previous State Labor Government for its lack of action over the past two or three years. The new Government has inherited it and will now have to wear the criticism that is the legacy of the incompetence of the previous Minister of Housing. During the last State election I well remember literature being falsely spread throughout various Liberal electorates which attacked us in a disgraceful and disgusting manner. It was nothing but a pack of untruths. The allegations contained in them were never substantiated. I now have the opportunity to place on record my disgust at such a vitriolic campaign that was no doubt organised by the previous Minister of Housing. Today in the mail I received a pamphlet entitled 'Housing SA, have your say!' It states:

> Every year South Australia produces a housing plan. This shows the State Government's priorities and directions for housing funds. Individuals and groups have the opportunity to tell us what you think should go in a State housing plan. What are your priorities? Come and talk to us at the Housing SA. Have your say! Bus when it's in your area. This is your chance to have your say!

There are two meetings, Tuesday 9 April from 10 a.m. to 1 p.m. at the Port Adelaide Mall and on the same day from 2 p.m. to 4 p.m. on the median strip at Port Road, Hindmarsh, near Milner Street. This pamphlet was organised by the community workers consulting on input into the State Housing Plan (Peter Anderson, Dee Ann Kelly, phone 237 6117).

I have been so busy that I have not had a chance to give them a ring and say that this is terrific. Contained in the literature they sent me is a brochure entitled 'Housing SA, have your say! This is what was said last year in general.' I think that I should read this into *Hansard* because it will prove what I said about the actions of the previous Minister of Housing and Construction. It states:

> At least $35 million more public housing funds are required for South Australia . . . rent rebates should be met by the Commonwealth.

I have been saying that for years. It continues:

> The lack of funds should be rejected. We should fight for additional Commonwealth-State housing funds so that we can maintain a 12 per cent level of public housing . . . There is a need for more housing and support services for people with disabilities, coops, community and emergency housing. There is a need for greater consultation over Aboriginal housing needs especially those of singles and special needs groups . . . The needs of 43 000 households on the waiting list need to be addressed.

About 100 000 people are still looking for affordable accommodation. It continues:

> An urgent need for community consultation over the trust regional review was expressed by all . . . a major issue was the need to remove asbestos from trust dwellings.

I well remember asking that question and was told that there was no great problem. There would be a hell of a problem if there was a Liberal Government! It continues:

> The general need expressed most was for more and not less funds for housing . . . reduced funding levels are unacceptable to the community. An increase of 50 net trust dwellings after sales in 1990-91 is an outrageous position for this State to be in.

This is the worst situation we have ever had in the history of the Housing Trust, yet the demands for its services are growing each week. It continues:

> Homesure was felt to be a political ploy and its appropriateness was questioned constantly . . . there was general opposition to market oriented trust rents . . .

Trust tenants could not afford it. It continues:

> It was also felt that there should be more tenant representation on the trust board.

That was Liberal Party policy. The previous Minister was going to do all sorts of things with the Tenants' Association. In my electorate, we lead in the representation of Housing Trust tenants to the board. The person who organises that should clearly be placed on the board. There is no doubt that I will have an opportunity in a few months time to make representations to the Government in that respect. It continues:

> Evictions and people being forced out of their homes whilst in arrears, by trust staff, were angrily rejected by the regions. Information on arrears processes needs to be sent to tenants, and a more sensitive process developed.

Information sent to me in the name of the South Australian Housing Plan Community Input, P.O. Box 9848, Adelaide, S.A. 5001, March 1991 states:

> Dear Friend
>
> By way of introduction . . . We are Dee Ann Kelly and Peter Anderson, phone (08) 237 6117. We have been employed to provide advice, assistance and resourcing to groups and individuals in the development of community understanding and input into the State plan. This will include travelling to country regions to assist with seminars/workshops where appropriate.
>
> We will also assist the community in selecting regional/representative delegates to the CSHA community conference on 17 May 1991. We will record points/issues raised in seminars/workshops, provide grants of up to $500 to community groups and organisations to organise local input, and design the structure of the conference.

I do not think that anybody should be paid to have input into any plan or submission to the Government—

Mr Lewis: In the public interest.

Mr BECKER: In the public interest, as the member for Murray-Mallee says. The letter continues:

> We both have backgrounds of working in community organisations. Consequently, we understand the demands and expectations placed on you and your organisation, as well as the extent and range of issues that you are required to be involved in. So, we will keep this as simple as is humanly possible!!??

They then go on to describe the plan, the input process and what is required. By way of background, during the 1989 State elections a pamphlet was put out by the Housing Coalition, P.O. Box 1513, Adelaide, telephone 231 8296, authorised and printed by C. McMullan, Shelter S.A., 190 Morphett Street, Adelaide. I have no time or respect for that organisation whatsoever; it has certainly lost me. The pamphlet, entitled 'Liberals Axe Housing!', states:

> Will the SA Liberals follow the NSW lead? The New South Wales State Government has set about the shameful destruction of the public, private and community housing systems since the Greiner Liberal Government was elected. They have . . .

That organisation then lists a whole lot of issues. It was a deliberate ploy and fear and smear campaign put out to Housing Trust tenants claiming that we, the Liberal Party in South Australia, would follow what Greiner did in New South Wales. Absolutely nothing like the truth whatsoever—absolutely false! Our policy was nothing like it. Ironically, we countered this in the areas where it had been targeted, and we did so with a letter, and that is where we won the seats. That is why the member for Hayward and a few other members are also here. Have no fear about that; we did extremely well in the Housing Trust areas. It is the first time I have clearly won boxes in my electorate where

Housing Trust accommodation is prevalent. I did very well in those areas.

However, let us have a look at what the coalition claims we were going to do. This is what they claimed Greiner did, and this is what they claimed we were going to do. I wrote the policy, and it was nothing like it. It claimed that Greiner 'sold off public and community housing and land to private developers'. One only has to look around my own electorate to see what the South Australian Housing Trust did to the Fulham Primary School: it acquired that school and, without going to public tender as it is supposed to do, it sold some of that land to a charitable organisation. It had no right to do that, and what went on there was absolutely despicable. I do not blame the organisation that acquired the land. What the Housing Trust was forced to do by a Minister of the Government—

Mr Lewis: It was shonky.

Mr BECKER: It was more than shonky: it was the most blatant example of political vote catching I have ever seen. It goes on to claim that Greiner 'defunded public and private tenants advisory services'. Let us consider the Housing Trust Tenants Association, and see what the Government has done there. It has promised funding to that association, and when it applied for the funding it was told by an officer of the department that it must put up a proper submission and do all sorts of things and, further, it was told, 'We are sympathetic but it might be years before you get it.' Finally, in the washup, instead of receiving $6 500, that organisation has been offered a few hundred dollars. The coalition also claimed that it 'halved the number of housing regions so that residents will have less choice about where they live'. That is what this forum has thrown up in the past about the concern of Housing Trust regions. The coalition goes on to state:

> Introduced a policy of forced transfers . . . Closed nine housing department rental offices, another 20 offices are likely to close.

We have closed them on Saturdays for a start. We are to get rid of the Housing Trust rental offices because arrangements are being made to pay rent through the local post office. It will not be all post offices; it will be certain post offices. All the things that they claim we were going to do the present Government has been doing in the past 12 months or so. This was a blatantly typical performance by the former Minister of Housing and Construction to win cheap political votes. It did them no good, because the Liberal Party won 52 per cent of the vote, although we did not win Government—we were robbed.

What about the poor Housing Trust tenants? They are the people for whom I feel sorry. They are the people who come to my office week after week seeking assistance and guidance. Consider what the Housing Trust has done to tenants in the older flat areas. It has brought in a mixture of tenants who are not compatible with one another. There are fights, arguments, disputes and carry-ons.

Consider the answer that I received to a question yesterday. The question referred to a property at 4 Grove Road, Enfield. I wanted to know how much the Government paid for that property and how much has been spent on it. We find that this property was purchased 15 years ago for $24 624. Since it has been acquired, $31 397 has been spent on it. When the house was originally purchased, $2 500 was spent on necessary repairs to bring the house up to standard for rental. Since that date the house has been vacant six times and a total of $6 173 has been spent on upgrading the property for the next tenant. Every time a tenant has vacated the house, it has cost several thousand dollars to prepare it for the next tenant.

In 1978, two years after the house was acquired, it had to be underpinned and cement paved at a cost of $2 221. In 1982 exterior repainting cost $331. In 1983 the front fence was replaced with weldmesh at a cost of $1 254. In 1984 the house was rewired at a cost of $1 057. In 1986 a changeover hot water service cost $499. In addition, normal repairs and maintenance were undertaken for a total cost of $17 367.

It is absolutely scandalous. In other words, 125 per cent over and above the purchase price has been spent on that property. It is better now. However, had the tenants looked after the property and had the trust kept a closer eye on the tenants who were in that property, we could have built another house. There is a further family on the waiting list for Housing Trust accommodation because tenants would not look after that house.

The other problem is that tenants are not being educated. The tenants that we have to house under the Commonwealth-State Housing Agreement are not being given backup assistance and they are not being helped and trained to look after Government property. As that is not happening, we are unable to house the people whom we would dearly like to house. The stupidity of some people and their selfishness is reflecting on the opportunity for others to have affordable accommodation. That is my criticism.

I am also critical of the former Minister of Housing and Construction, who purchased 12 flats in my electorate for $750 000. He has let them to several Housing Trust tenants. The Housing Trust is getting a return of 2.5 per cent on its money. It is a hopeless situation to outlay such an amount of money for so small a return. Why buy a block of former holiday flats at West Beach when we could have spent the $750 000 to greater advantage closer to the city and provided accommodation for many more people? The former Minister must stand condemned for the poor way in which he has negotiated the Commonwealth-State Housing Agreement and forced the present Minister to accept that agreement. He now has to go back on all the promises that were made and put up with people from Shelter and other community organisations instead of trying to provide affordable accommodation for people in this State who are worthy of support and who will help to uphold and maintain the magnificent role of the South Australian Housing Trust.

It disgusts me that we are not taking stronger action to let Canberra know and to let the eastern States know what our position is. The Minister should tell his fellow housing Ministers in the other States that we in South Australia are disgusted with their attitude. If they are not prepared to come up to our standards, well, we're not bloody prepared to go down to their crummy little standards.

The SPEAKER: Order! The honourable member's language is starting to stretch the friendship. I ask him to be careful with his terminology.

Mr Becker: I have finished.

The SPEAKER: I call the Minister of Housing and Construction.

The Hon. M.K. MAYES (Minister of Housing and Construction): I thank members opposite for their intended support. I will not refer to all their comments—and I will make only a brief response in relation to some of the points made. There is no question that the South Australian Housing Trust has set the pace in terms of public housing in this country. That is on the record. One has to acknowledge the work done by Sir Thomas Playford and by Mr Alec Ramsay over the years. Mr Alec Ramsay was General Manager of the South Australian Housing Trust from the beginning, from about 1937, right up until 1977 or thereabouts. The

policies that had been established and enunciated by the Australian Labor Party were put in place and, of course, in the past 8½ or nine years the Bannon Government has added enormously to the building stock, adding to the stock something like 17 000 houses and units in that time. We now have some 63 000 houses and units in this State.

There is no question that we have suffered some disadvantage, and certainly I have a good deal of sympathy with what the member for Hanson has said about the situation regarding South Australia. I think it is appropriate to say that the Federal Minister appreciates, and I hope will appreciate more and more, what has been achieved in the State, and that we have been a success story in this country in terms of public housing. From my discussions last week with him at the ministerial council meeting in Canberra, I know that the Federal Minister appreciates that. I believe that that will be a positive point for us in our future discussions and when the Federal Government, which is currently reviewing its housing policy, comes down with its first report at the end of this month or the beginning of next month.

That will be a very important document, and I hope that it takes into account what has been established in this State—the history and the quality of housing and of programs that have been established. Fundamentally, that is the backbone of our housing policy in this State, mixed with what we as a Government have achieved in endeavouring to get a blend, to get a social mix and to achieve a quality of lifestyle for those people who live in Housing Trust homes and units.

The basis of this agreement is such as to establish a number of other factors associated with housing. The second reading explanation touched on those issues. It is important to note that this Government, in its policies and through its actions, has committed itself in many ways to expand the role of tenants in regard to maintenance and the overall management of Housing Trust assets in this State. Part of this involves the appeal mechanisms that will be available. We have been addressing those issues. We are concerned about the cost that is involved in litigation. We believe that is wasteful, and we hope that we can find a package of measures that that will involve not only the Residential Tenancies Tribunal but also an outside appeals mechanism which can address this issue of tenants' rights, whether relating to applicants, tenant transfers or other matters.

We are very much committed to that, and I believe that we will see it in place very soon. Other factors come into this agreement, and members mentioned the funding. I believe that we were vindicated, and I should like to thank the community for its support of the Premier, of me and of the Government in our campaign to draw to the attention of the Federal Government the difference this State provides in the way of housing policy from that in other States and how it has been put on the ground over past years.

We did achieve additional funding through that exercise, and I believe that we won our argument in establishing that this State is different and provides a very successful housing program. The member for Hanson referred to New South Wales. I would not want in a fit to be near what New South Wales is doing! The polls are predicting that the incumbent Government in that State will be returned but, if we embarked on the policy that the New South Wales Government has followed in regard to public housing, we would have a disaster in this State and South Australians would overwhelmingly reject that policy.

It is basically a subsidy to private landlords in New South Wales. There is no supply impact at all. It has no impact in terms of the quality or cost of housing, whereas our policy does. It provides good quality at an affordable cost to our tenants. It provides safe, secure housing: what South Australians have come to enjoy from the Playford period to that of the Bannon Government. I would reject outright the policy that New South Wales has followed, and would not touch it with a 40ft pole.

I am sure that, if South Australians understood what has happened in New South Wales, they would rebel and reject it as well. As for the criticism of the Federal Government, I draw members' attention to the Federal Opposition policy on housing. If the State Opposition here argues that things are tough under the Federal Labor Government, God help us under a Federal Liberal Government led by Dr Hewson, because public housing, in my opinion, will be devastated. I know that the member for Hanson must have some concern, if he is here tonight advocating protecting what we have. That is the way I interpret his statements, and I have a good deal of sympathy for what he says. As a House we must be very concerned as to what might come if Dr Hewson were elected to Government as the Prime Minister and introduced Federal Liberal policy on housing.

As a State we would have to gird our loins and grab our swords to protect what we have from being devastated. I draw that part of the argument into the debate because it is important to get a real picture of what might happen under a Federal Liberal Government. There is no question that South Australia was not happy with this proposal. My colleague fought valiantly, and I was given the task of picking up where he left off. We had to take a battle to the Federal Government, not only to draw to its attention the funding changes and the impact they would have and have had on South Australia but also the difference that exists between this and every other State in the country.

We are the light on the hill with regard to public housing, and should remain so. That is the policy I have been following in discussions with my Federal colleague, and we will continue to argue that, to protect what we have in the way of public housing. I thank members for their support of this Bill. The items that we addressed with regard to appeals and so on are items of interest to members, and I will be happy to address those during the Committee stage.

Bill read a second time.

In Committee.

Clauses 1 to 6 passed.

Schedule 1—'Form of housing agreement.'

Mr LEWIS: The Opposition's interest arises, in the first instance, from clause 30 on page 13. We seek some figures from the Minister, given that the program is already in place and operating and that it has been for well over a year, in relation to rental housing assistance for pensioners and Aborigines, mortgage and rent relief, prices accommodation, local government and community housing and any other program. Will the Minister provide that information by way of a statement if he does not have that information to hand? I ask him also to provide us with the same kind of information relating to 'The Schedule—clause 26' on page 15 under 'recovery of operating expenses'.

The Hon. M.K. MAYES: I can provide the honourable member with some figures, but I cannot provide him with any additional figures at this point in time. With regard to the general funding of the CSHA, the tied funding for 1989-90 is $20.267 million; for 1990-91, $20.234 million; for 1991-92, $20.234 million; and for 1992-93 it is $20.234 million. The untied funding for 1989-90 is $82.059 million; for 1990-91 the figure is $74.715 million; for 1991-92 it is $70.346 million; and for 1992-93 it is $66.105 million. I

will provide the honourable member with the additional information, which I think we can obtain fairly readily.

Schedule passed.

Mr LEWIS: We will accept the Minister's amendment on the voices to delete schedule 3, but I cannot find schedule 2 that precedes schedule 3. In relation to clause 26, I understood that the Minister gave a commitment to obtain some figures against the specific items listed at the bottom of page 15. First, how was schedule 2 not so annotated, and will the Minister provide those figures?

The Hon. M.K. MAYES: There is no schedule 2. This has been an error. I will refer to schedule 3 for clarification. It is taken from the Commonwealth legislation by error and should not be there at all. There is the schedule and no schedule 2 or schedule 3. Obviously, the person who prepared this has made the same assumption and included schedule 3 by error.

Schedule 3.

The Hon. M.K. MAYES: I move:

That this schedule be deleted.

Amendment carried.

Title passed.

Bill read a third time and passed.

STAMP DUTIES (CONCESSIONAL DUTY AND EXEMPTIONS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 13 March. Page 3563.)

Mr S.J. BAKER (Deputy Leader of the Opposition): The Opposition finds itself in a great dilemma with this piece of legislation.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr S.J. BAKER: Under normal circumstances we would be demanding the repeal of the stamp duty on cheques. These are not normal circumstances. For example, in Victoria and Tasmania, we know that there is no such thing as stamp duty on cheques. We know also that Premier Greiner in New South Wales took off the stamp duty on cheques when his FID increased from .04 per cent to .06 per cent. We believe that this is an unnecessary encumbrance on the long suffering public who use the financial institutions. It is a very messy means of collecting 10c for every transaction when someone writes a cheque.

There are other provisions in the Bill, but I will take up this one principally because it has the greatest financial implications. Having heard some favourable noises last year, we thought that the Government would review the way in which it was collecting its institutional tax, as I call it, and get it down to areas in which it was more easily collected. We believe that this area should be scrapped. We know that it is a hassle getting each cheque stamped and collecting the money, but it is an even greater hassle to pass it on. In that sense, this is not a very effective tax.

We believed also that, because the Government was going to collect some very large dollars from the increase in the financial institutions duty, the least it could do for the citizenry of South Australia was scrap the stamp duty on cheques which, in relative terms, is very insignificant—a matter of $5.5 million.

That is why the Opposition is in a great dilemma, because we thought that at this time of the year we would be joining with the Government in the scrapping of stamp duty on cheques, but we are not doing that at all. Through this measure we are expanding the scope of stamp duty on cheques to include those savings cheque accounts that were previously exempt.

In the financial circumstances facing the State, and the terrible problems facing the Treasury and the taxpayer, it would be wrong for the Opposition to oppose the Bill outright, and that is why the Opposition is in a great dilemma. We do not approve of increased charges that will have to be paid by people often on low incomes, those people using building societies and credit unions. That is the dilemma.

The other issues encompassed in the Bill include the imposition of stamp duty on payment orders; that will facilitate transactions between non-banking financial institutions and banks. That is yet to appear in South Australia, so the Government is in front of the predicted trend in that area. There is a measure fully supported by the Opposition in respect to the avoidance of stamp duty on motor vehicle transfers, principally because tax is being avoided through schemes in the Northern Territory and possibly Queensland. The provision tries to ensure that ownership is *bona fide* and that the vehicle is actually being transferred from the State of origin, rather than that being used as a device to avoid duty in the first place. The final matter receives a mixed reception from the Opposition, because the increase in concessional stamp duty on mining and oil tenements—

The Hon. T.H. Hemmings interjecting:

Mr S.J. BAKER: I am just trying to help out the Treasury in difficult circumstances. Normally we would be standing on top of a mountain highlighting a 20 times increase from $50 to $1 000 on the transfer of a tenement. That is unconscionable. On first principles, we would be decrying the Government and the way it was operating not only its finance but its regulatory system, which requires this sort of huge increase and impost on people who are seeking to explore and improve the wealth of this State.

So, the Bill is a mixed bag. From that point of view, the Opposition will be constructive about the matter (not that it is not always constructive). In these circumstances it is important that we do not reduce the revenue capacity of the State. I point out that there are some difficulties created by this legislation and they relate to the fact that, if the Government imposes a 10c stamp duty on a cheque, that increased cost has to be passed on by the institution, whether it be a friendly or building society or a credit union. Every member knows that when they go to a bank and ask for a bank cheque it can cost $3, $4 or $5. It is extraordinary, depending on which bank one uses.

There is an increasing tendency for financial institutions to pass on the cost. If we impose a 10c levy on every cheque that was previously not subject to stamp duty, we know that that will lead to a further administrative cost for those institutions. For example, we know that a building society that now charges $1 per cheque will increase the charges for people who use cheques that were not previously subject to stamp duty. Whatever taxation system we have in place, we should always keep in mind who will actually pay the bill—not only the tax itself but also the costs involved in collecting it. I suggest that in these circumstances the cost of collection is quite high. In fact, if someone were to study stamp duty as it relates to cheques, they would find that the $5.5 million gained by the Government is at least doubled. That is a fairly inefficient tax and we should bear in mind that there is a cost involved in all these matters. I was hoping that we would be in a better position so that we could scrap this whole measure.

Whilst there is unequivocal support for the stopping of any rorts in relation to stamp duty on motor vehicle transfers, and there is a grudging acceptance that we are to spread

the checks on stamp duty to all institutions and payment orders also must be covered, mining tenements still cause concern, because there are people who want to break new ground—to coin a phrase—and they could be very small operators. This could be seen as an impediment to those people who do not have a great deal of money to carry out the exploration that this State so desperately needs. The arrangements vary from State to State in relation to mining tenements. As I pointed out to the House, stamp duty on cheques is not paid in New South Wales, Tasmania and Victoria. However, in the other States and Territories it is paid at the same rate as in South Australia. With respect to exploration tenements, Queensland imposes no stamp duty, the duty in Victoria is $10, and in Western Australia full duty is charged to all mineral exploration tenements, as in New South Wales. Of course, the mystery to me is how one actually puts a value on those tenements. Indeed, that figure is important, because the duty is levied on that value. It has been argued that it costs $1 000 to transfer tenements. So, if someone has control of a piece of dirt for exploration and they wish to have a partner or to have someone explore that area, the paperwork involved may cost $1 000 and that amount needs to be recovered. I am not sure whether that figure is correct but, if it is, someone needs to look at the paperwork and to see whether there is a more efficient and effective system to bring down the cost. We need to encourage exploration. As I said at the outset, this is a mixed bag. The Opposition does not necessarily support the Bill, but it does not intend to oppose it.

Mr FERGUSON (Henley Beach): Of course, I support the proposition before the House. I support some of the remarks made by the Deputy Leader in relation to stamp duty on cheques. When one considers the amount of time that is taken by a bank teller when he or she has to fish out a 10c stamp, stick it on the cheque, cancel it and wait until the customer finds 10c from his or her pocket, one can see that that a most inefficient way to collect tax. If a true costing of the collection of the tax were taken, I would have to agree with the Deputy Leader that that amount would be at least double the amount of tax taken.

The other thing I find most unfair is that those people who elect to receive their dividend from another State (for example, from Amcor, BHP, Fosters, TNT or News Ltd) by electronic transfer do not pay any duty, whereas those people who elect to receive a cheque pay the tax. It is unfair that people receiving money from the same source are treated in different ways. Stamp duty on cheques ought to go. That money should be made up in other ways, perhaps by adding the amount of the duty to other charges that are now in place. This would be a more efficient way of treating the tax, and I am sure that Treasury will a look at this. I support the Bill.

The Hon. J.H.C. KLUNDER (Minister of Emergency Services): I sympathise with the Deputy Leader of the Opposition. The horns of a dilemma can never be a comfortable place to rest. I thank him for his grudging, conditional or somewhat lukewarm support for this measure. However, I am not so sure whether I approve the reasons why he is supporting it. Particularly in the matter of stamp duty on cheques, we are not imposing a new impost that will assist Treasury; we are recovering lost ground. Instead of starting with today and saying that this is the situation and it ought to remain, which I presume is a relatively conservative position, if the Deputy Leader looked at why the exemptions were granted originally then I guess he would agree that there is now a totally different situation.

Originally exemption from stamp duty on cheques was granted for non-profit making bodies such as religious groups, charitable institutions and sporting groups. That was a position that the community itself was perfectly prepared to wear; it said that these non-profit making organisations should not have to bear that tax burden and that it would take on that burden for them. Due to deregulation and changes in the various Acts dealing with banking, both Commonwealth and State, there has been an erosion of that situation and a lot of people who, strictly speaking, should never have been entitled to exemption from stamp duty ended up with exemption. This Bill seeks to redress that.

I note the comments of the member for Henley Beach; and, indeed, my colleague the Minister of Finance stated in his second reading explanation of the Bill:

> The Government is aware that there is a need to rationalise the number of taxes that impact on banking transactions, particularly now that the States have technical responsibility for the debits tax.

I refer members to new section 46a (2) which, in effect, provides that a day will be fixed by proclamation, after which duty shall not be chargeable with respect to a cheque or a payment order.

With respect to the second matter raised by the Deputy Leader, namely, the increase in stamp duty from $50 to $1 000 for a transfer or sale of mining tenements, I agree that, on the face of it, it looks quite an inordinately large charge. Because a great deal of work is attached to judging the value of a tenement in terms of where it is on the scale of development—totally unexplored territory, partially explored, or close to being financially viable so that a mining licence can be taken out to mine or get petroleum from it—processing a change of ownership can often be a long, drawn out business, and the average fee of $1 000 per transaction is seen as a reasonable recovery of costs.

I think the Government—regardless of whether it is a Labor Government or any other form of Government—has come to a stage where we should no longer subsidise people who want to do commercial transactions in order to gain profit. They should not be subsidised from the taxpayers' purse. The Government thinks it is quite reasonable to have a charge of $1 000 which, on average, recovers the costs that are associated with it.

With regard to ensuring that there is no evasion of stamp duty for cars that are registered elsewhere and then brought across to South Australia, we are all of the view that that is a quite unreasonable attempt by some people to make others take an unequal share of the tax burden in this State, and that should be stamped out. I welcome the Opposition's support, although not necessarily for the reasons for which it is offered.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Interpretation.'

Mr S.J. BAKER: The Bill does not provide when the Act will come into operation. I imagine that the Treasurer would have received a number of representations from building societies and credit unions that have large numbers of cheques that do not have the designated stamp duty shown on them. Indeed, they will have to go through a whole new printing process, and I understand that that has been communicated to Treasury. Will the Minister indicate when these changes are likely to occur?

The Hon. J.H.C. KLUNDER: My understanding is that there are ongoing discussions with people who are in that position, and that no attempt will be made to push them past the point at which they can handle the change with some degree of comfort.

Mr S.J. BAKER: Credit unions have indicated that they have approximately one million cheques in circulation. If a cheque were at some stage presented without the appropriate stamp duty, that would result in a technical breach of the Act. In some cases a reasonably long time frame will be necessary. Exactly what length of time are we talking about?

The Hon. J.H.C. KLUNDER: My advice is that credit unions have indicated that they might need up to two months to go through that process, and that does not seem an unreasonable time.

Clause passed.

Clauses 3 and 4 passed.

Clause 5—'Concessional duty to encourage mineral or petroleum exploration activity.'

The Hon. J.H.C. KLUNDER: I move:

Page 2, lines 22 to 25—Leave out all words in these lines after 'conveyance' in line 22 and substitute:

(i) to engage in exploratory or investigatory operations (to be carried on after the date of the undertaking) within that part of the area of the tenement to which the conveyance relates;

or

(ii) to contribute to the cost of exploratory or investigatory operations (to be carried on after the date of the undertaking) within that part of the area of the tenement to which the conveyance relates.

This amendment will ensure that the proposed concession can apply not only in a situation where a new party is to engage in exploratory and investigatory operations, but where that party undertakes to contribute to the cost of such operations. At the moment there is some doubt whether, if somebody farms into an operation where there is an operator who continues operating, the farm in exploration is a deductible item. This amendment seeks to make clear that it will be deductible. This has come from industry which wants to make clear that that is the case.

Mr S.J. BAKER: I am not too sure about this. This is the first time that I have looked at this amendment, although I appreciate that it was circulated earlier. Can the Minister be more explicit as to what farming in involves and how this changes the provision that we have here?

The Hon. J.H.C. KLUNDER: All that it seeks to provide is that where somebody on farming in to an existing situation decides to make $X million available for exploration, which is often a farm-in arrangement, that will be a deduction for stamp duty purposes. If a person who buys in for a certain sum of money were to indicate that as part of the farm-in he wanted to put a lot of money into the exploration, the stamp duties on each would be calculated and subtracted from each other. At the moment, it is possible that somebody who came in with such a farm-in arrangement, because he was not the operator, would not be able to have any stamp duty deduction for the farm-in money as it related to exploration.

That sounds a bit complicated, but it is an improvement on the present Bill from the point of view of somebody who comes into an existing situation and as part of that farm-in makes money available for exploration. At the moment it is not entirely clear that it would be possible to deduct that for the purposes of stamp duty calculations. This ensures that, even though he is not the operator, by coming in and making money available for exploration, he will in fact be able to deduct that for the purpose of stamp duty.

Mr S.J. BAKER: The Minister is saying that if a certain amount is paid over for a right to be involved in exploration and if that amount includes a very large sum for the exploration itself, that can be deducted from the amount paid which will be subject to stamp duty.

The Hon. J.H.C. Klunder: It will be deducted from the stamp duty payable.

Mr S.J. BAKER: I will take the advice proferred by the Minister in this situation. I cannot be sure that my reading of it ensures that it will do what the Minister suggests it will do and provide a better way of conveyancing.

The Hon. J.H.C. Klunder interjecting:

Mr S.J. BAKER: I hope that was recorded. I will accept the amendment. If there should be any alteration to that, I am sure that we shall hear about it in the very near future.

Amendment carried.

The Hon. J.H.C. KLUNDER: I move:

Page 3, after line 13—Insert new subsection as follows:

(4a) For the purposes of this section, the value of undertaking referred to in subsection (1) *(b)* will be taken to be equal to the costs for which the person or persons acquiring an interest in the tenement by virtue of the conveyance become liable, or for which that person or these persons are reasonably expected to become liable, by virtue of the undertaking (assessed as at the time that the undertaking was given).

The issue addressed by this amendment was raised on legal advice by somebody who specialises in stamp duties law.

It has been submitted that arguments could be put forward as to the value of a relevant undertaking. The Government therefore considers that this matter should be put beyond doubt, by expressly providing that the value of the undertaking is the cost that the relevant party agrees to bear, assessed at the time the undertaking is given. It is to avoid a problem that could arise during the process, whereby there might be a discovery which adds value to the tenement, with the higher value then taken as the value. In other words, there should not be a hike in stamp duties because something happens to be found during the time that the transfer is in process.

Mr S.J. BAKER: At first sight, the Opposition accepts that as a reasonable proposition and, subject to further scrutiny, supports it.

Amendment carried.

Mr S.J. BAKER: How many mining and oil exploration tenements are involved? For the record, over the past two or three years, how many tenements would have fallen into the category that we are dealing with here?

The Hon. J.H.C. KLUNDER: It is hard to give an exact figure, of course, because it changes from year to year. However, the figure I have been given is that the number of mining tenements which are likely to change hands or have some change in ownership during the year is about 20, and for petroleum tenements it is about 10.

Clause as amended passed.

Clause 6—'Amendment of second schedule.'

Mr S.J. BAKER: Can the Minister give an estimate of the number of vehicles that are registered in another State to avoid South Australian stamp duty?

The Hon. J.H.C. KLUNDER: This is one of the areas where we have actually been reasonably quick off the mark, and there have not been too many yet. We are trying to close it off before we get a flood of them. There has been only a few, but we are aware that there have been some and that is a good reason to make sure that we avoid a flood of them.

Mr S.J. BAKER: Proposed new paragraph 4 of the second schedule deals with bodies established for a charitable, educational, benevolent, religious, sporting, community or philanthropic purpose. What definitions will Treasury be using to ensure that all the appropriate bodies that fall under what we perceive to be that umbrella are not subject to stamp duty on cheques?

The Hon. J.H.C. KLUNDER: My advice is that most of these are very well understood at law, and the intent is to return to the situation that we did have.

Mr S.J. BAKER: I have something of a double-barrelled question. Has the Government given any thought to when

stamp duty on cheques will be scrapped, as provided for in clause 3? If in the foreseeable future a change is to be made, does the Government have any idea when it is likely to be made, given that it has been provided for in this Bill? Secondly, what processes must an organisation follow if it feels that it is an aggrieved party in not being given an exemption under the provisions here.

The Hon. J.H.C. KLUNDER: The answer to the first question is that we do not yet have a particular date in mind but, as the honourable member has indicated, it has been placed in the Bill in order to facilitate matters when that day comes. The second part of the honourable member's question related to what an aggrieved party can do. An aggrieved party must fit within the clear legal guidelines as to whether or not it is an exempt body and, if it is not, there is not very much an aggrieved body can do.

Clause passed.

Title passed.

Bill read a third time and passed.

LEGAL PRACTITIONERS (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 20 March. Page 3813.)

Mr S.J. BAKER (Deputy Leader of the Opposition): The Opposition supports this Bill.

The Hon. J.H.C. KLUNDER (Minister of Emergency Services): I thank members for their support of this measure.

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

RACING (SPORTING EVENTS BETTING AND APPEALS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 20 March. Page 3808.)

Mr OSWALD (Morphett): This Bill introduces on-course sports betting for bookmakers. At the outset I should like to say that, from the Opposition's point of view, this is a conscience vote. Because we are introducing into South Australia a new form of gambling, no doubt some members will feel strongly that this measure should not be introduced but, from my personal point of view, I can say that it has my full support. I hope that one of its objectives, that is, to help the bookmaking industry, will be achieved.

I believe that the Bill will only marginally help the viability of bookmakers, and I should like to say why. Some time ago the Minister stated that he was going to bring in a package for bookmakers, to give them some sort of relief from their expenses. It is well known that over recent years bookmaking numbers have declined from some 300 down to approximately 74. I think that some new appointments have been made recently, so perhaps the number is nearer 80.

There are very real reasons why the numbers have dropped so dramatically. One reason could be that there is a smarter punter around, using computers and gaining more reliable stable knowledge. There has also been a decline in turnover of bookmakers. That has been brought about largely because of the great success of pub TAB. Over the past five years pub TAB turnover has gone from $2 million to some $105 million. That can be broken down into two areas. There would be some new money in that, but the larger area is money coming from the bookmakers.

At the same time, bookmakers' turnover has dropped from $228 million in 1985-86 to $150 million in 1989-90, and I do not yet have the figures for 1990-91. What we are looking at is a bookmaking industry with quite a dramatically declining turnover of almost one-third at a time when its expenses are going up, and the Government has been asked to address the problem and to do something about providing relief to that industry. I applaud the motives of the Government. When the Minister said prior to Christmas that he was going to bring in a package for the bookmaking industry, many of us were interested as to what that package would contain.

I think we all knew what would be included in the package. Indeed, it was intended to include telephone betting and to introduce sports betting and certain more exotic forms of betting such as place, quinella and perhaps trifecta betting. When the announcement was made some weeks ago at Cheltenham, I think there was a great deal of disappointment when, in fact, the package only contained sports betting. I think that the number of bookmakers that will take up sports betting will be extremely small. It has been put to me by bookmakers that, indeed, there may not be any. So, this Bill might be one of the great non-events of the sporting calendar in this State.

Assuming that some of the bookmakers take up sports betting, one of the problem areas that I will talk about later is that of turnover tax. One of the problems with declining turnovers and increasing expenses is that the turnover tax of 2.25 per cent is becoming a real hurdle to the industry and, indeed, to bookmakers, who are saying that a turnover of 2.25 per cent on their figures would result in virtually none of them taking up sports betting.

Sports betting as far as this Bill is concerned can be divided into two areas: as it relates to bookmakers and to the expansion of the TAB and its ability to provide sports betting. Let us look, first, at bookmakers. The Minister proposes to give himself the authority to negotiate with sporting bodies and the controlling authority of each sport to determine on which sports bookmakers will be allowed to bet. Then, by notice in the *Government Gazette*, the Minister will notify the public and, no doubt, the bookmakers, of the sports available for sports betting.

The other area relates to the TAB. If I read the Bill correctly, at present the TAB can bet only on the Grand Prix, the America's Cup and international cricket. The Government wishes to amend the Act, which at the moment requires a resolution of both Houses of this Parliament to increase that list. It wishes to delete that section of the Act and to insert a new provision that would allow the Minister to consult with sporting bodies and, by notice in the *Government Gazette*, to nominate in which sports the TAB can become involved.

In this year, 1991, I do not have a problem, in principle, with the Minister taking on the power to determine which sports will be nominated. I was in this Chamber when the debate took place resulting in the resolution whereby both Houses of Parliament had to determine which sports would be allowed. This power was included in the legislation because of the very real concern of members in this Chamber and in another place that they did not want to give the Government of the day the power to create and expand new forms of gambling without coming back to the Parliament.

I believe that we have reached that stage and that the Minister has the authority. With the department to back

him up, he should be in a position to negotiate with sporting bodies and to make decisions. However, we believe that there must be some checks and balances in the system. So, I will propose by means of a couple of amendments that, instead of the Minister of the day putting a notice in the *Government Gazette* announcing which sports will be nominated, he should do so by means of regulation.

Let me explain. By means of regulation, this will not have any impact on the sport or the bookmaker concerned, but it means that members of Parliament who have some concern about the expansion of the list of sports that the Minister or the Government of the day may choose can use the forum of this Parliament to express their concern at some time or other. Also, it will serve as a check and balance on the Minister of the day who will always know that, if he or she selects a sport (and perhaps it was not a prudent decision), at some time or other it has to come before this House.

It can be argued that, a week or two before a particular sporting event took place, the Minister could raise the regulation, publish it, and the betting could take place, and that sport would come and go before a member had time to move a motion of disallowance and for that motion to be debated. I acknowledge that that is the case. However, the Minister will know that, one day down the track, whether it be days or weeks, a debate will take place in one of the Chambers of Parliament, and he or she will be accountable for that decision. It is just one check and balance that should be still incorporated in the system, and I believe it would be a popular provision. Further, those members who felt very strongly about the subject some years ago and inserted the provision that a resolution had to be passed by both Houses to expand the list of sports would know that there was a check and balance in the system. Bear in mind that it passed both Chambers of Parliament, so the provision must have had some support.

The other point is the very difficult question of the turnover tax. It has been part of my policy and belief for some time now that, if real relief is going to be given to bookmakers, it can only be done through the tax system. As I described to the House a few minutes ago, the turnover has gone from $228 million down to $150 million over five years, and for Pub TAB it has gone from $2 million up to $105 million, but the Government is receiving its turnover and its tax on that $105 million that the TAB is receiving. The TAB and the clubs are receiving their percentage out of it, but when the poor old bookmakers had a 2.25 per cent tax levied on them some years ago, it was done on the assumption that they had this $228 million turnover. That is no longer the case: it is now down to $150 million—it has dropped by one third—but they are still levied at this high rate. It is my belief that, if we are going to have a real package for bookmakers that will give them some sort of relief, we must have exotic betting in it, which is not included in this Bill, and we certainly must have sports betting.

I am looking at telephone betting, and I know that the Minister is also looking at it to try to resolve this difficulty that we have with the controlling authorities, the country and provincial racing clubs, so that we can come up with a package to include that also. I do not walk away from that. At the end of the day, both parties will have to come up with a solution. If we did have telephone betting, it would be part of the package and applicable to this Bill, and five or, at the most, eight bookmakers who have been identified would probably take it up. That means, of the 80, there would still be 70 or more who would not avail themselves of telephone betting and the reason is that telephone betting is credit betting.

Most bookmakers do not have the facilities to give credit. Therefore, only the very large bookmakers (constituting about 80 per cent of the State's turnover) would offer telephone betting. The other bookmakers would not get any relief from the telephone betting package. So, in December I made a statement, which has now been well publicised around the racing industry, that I believed that, if relief was to be provided, the tax should be reduced by .25 per cent per year over a period of two years. That would be revenue foregone by the Government but, at the end of the day, if we want bookmakers on course at South Australian racecourses, some sort of move must be made along those lines.

In 1986 the then Minister (Hon. J.W. Slater) reduced turnover tax, and the immediate result out in the ring was that the turnover of bookmakers went up. If one lobs $10 000 in all the bookmakers' bags, they will turn it over. They have done it traditionally, and there is no reason to believe that they will not do it again.

In the amendments that I have circulated to the Bill, the Government's 2.25 per cent tax would be reduced to 1.75 per cent in line with the policy that I have espoused that 1.75 per cent is the appropriate figure. In the Northern Territory, turnover tax on sports betting is 1.5 per cent, and it is 1.0 per cent in Queensland. I was told over the phone that, when the tax in the Northern Territory was reduced back to 1.5 per cent, the turnover of the bookmaker involved in sports betting increased sevenfold.

If we have a situation where local bookmakers will not take up sports betting on the 2.25 per cent, and if it is acknowledged that we will have to give some sort of tax relief to bookmakers right across the board, then let it be common tax relief. The 2.25 per cent is an average figure. If one bets in the metropolitan area, the tax on gallops is 2.07 per cent and for interstate betting it is 2.67, with the average at 2.25 per cent. If we are going to reduce that to 1.75 per cent, sports betting should also come in at 1.75 per cent.

The 1.4 per cent designed to go to the sport can still go to the sport and the balance can go into the Recreation and Sport Fund. True, it is Government revenue foregone but, if we are to be sincere in our desire to do something about the bookmaking industry, this is the way to go. As to the betting premises in Port Pirie, I support the proposition. Having lived in that town for about 25 years, I could not do otherwise. Every time the issue of Port Pirie betting shops has come up, I have sat on the Government side of the House and voted regularly for it. They are well run and are part of the institution of the town. I have used them regularly when I have been in Port Pirie, and the public in Port Pirie would probably enjoy the chance to use sports betting in those betting shops.

The clause in the Bill relating to bookmakers and clerks is an historical provision preventing them from being involved in the liquor industry, but now that we have TAB outlets in so many hotels it is sensible that that provision be repealed. It is not a controversial matter as I understand that the police and the South Australian Jockey Club and all the authorities have been consulted. Everyone is happy about it. I am happy and I have no objections to that at all.

I nearly had amendments drawn up to introduce exotic betting myself through this Bill so that bookmakers could commence place, quinella and trifecta betting, but I understand that, through amendments to the rules of racing, the Government could move now so that bookmakers could start as soon as the regulation is raised after going through Cabinet. Therefore, I use the opportunity tonight to urge the Government to move in this way. I will support it, and

I am sure that many of my colleagues will support it, because it is a move that would be appreciated by the betting public, and I am sure that bookmakers would appreciate it. I do not understand why the Government has been slow in bringing in any regulations. Under the Act it is possible to do it, and I understand that all that needs to happen is for the Betting Control Board to intiate the regulation.

This Bill was introduced as a package to help the bookmaking industry. Unfortunately, it will not do that: it will not help the industry unless we do something about the tax figure, because bookmakers will not take it up. I seriously urge members to consider the option that I have given them in this amendment to reduce the tax to something more meaningful and also to consider my offer of support for a regulation to bring in exotic betting at the first opportunity that a regulation can be introduced. Other than that, I will have a few words to say when we consider the amendments before the Committee. In conclusion, I support sports betting. I think that it will be popular if the bookmakers can put it up on their stands.

The Hon. E.R. GOLDSWORTHY (Kavel): I do not like the Bill. We have come a long way in a very short time in this place in relation to sports betting. I remember a debate about whether we should have betting on the Bay Sheffield race. That argument raged to and fro, up and down, and we went up and down the track many times. In the end it was decided that we would have betting on that one event. This Bill proposes to empower the Minister with authority, at the stroke of a pen, to allow betting on any event, anywhere in the world, that takes his fancy.

An honourable member interjecting:

The Hon. E.R. GOLDSWORTHY: Yes, the annual frog race. I think it is an absurd situation where gambling is one of those social issues which looms very large in the consciousness of most Parliaments. That has certainly been the case in my time in this place. We are now going to give the Minister the right to allow gambling on any event, even the Head of the River, at the stroke of his pen. It is an absurd proposition, and it flies in the face of all the experience I have had in this place in relation to gambling and the extension thereof.

The member for Coles spoke of the dramatic escalation of gambling facilities and the turnover involved in gambling, which is astronomical. That aside, I make no value judgment about whether or not people gamble; that is up to them. If we are to have gambling on every sporting event in South Australia, that will change the nature of those sporting events, whether or not we like it. To give the Minister—who he or she may be—the power to allow that betting, without any scrutiny by anyone, is an absurd proposition.

I do not believe that the amendment foreshadowed by my colleague goes nearly far enough in saying that this can be done by regulation. Outside of the parliamentary sessions, the Minister could introduce regulations at the stroke of his pen. So I, for one, am not prepared to take the giant stride—and it is a giant stride—that is involved in putting this provision on the statute book. It permits any Minister of the day to allow gambling on any sporting event anywhere in this State or around the world. As I said before, it is a totally absurd proposition to put before members, and I certainly will not support it.

The Hon. JENNIFER CASHMORE (Coles): I do not want to be repetitious in speaking to this Bill, but my sentiments coincide very closely with those of the member for Kavel. In striking out section 84i of the principal Act, which requires the approval of both Houses of Parliament before an event can be approved for the purpose of betting, the Parliament is abdicating a significant responsibility. It is handing to the Minister a right to determine events upon which betting may take place. There is no prescription for those events. There is nothing technically to prevent a Minister, if this clause becomes law, from permitting betting on the head of the river, little athletics or any youth sporting event. There is no prescription whatsoever. It is all very well for the Minister, as he may well do, to say—

Mr Quirke: Even the Liberal leadership.

The Hon. JENNIFER CASHMORE: Indeed, even the Liberal leadership. The Labor leadership may be a lot more pertinent, Mr Speaker, to the events that the member describes. The honourable member has, perhaps unwittingly, raised a very valid point. We must ask ourselves whether we are really heading down the track where, as a society, we are prepared to approve betting on practically any event of whatever nature, sporting or otherwise—and some may well describe political contests as sporting events; they do have their sporting qualities. It seems to me that we are going much too far. It is wrong, in my opinion, for Parliament to abdicate its responsibility.

I remember that there was much discussion in my own Party on the original proposition that betting should be extended to events which did not cover the normal racing codes—in other words, to permit betting on events involving human beings rather than animals. The reservation that I recall being expressed at the time, which is probably about 10 years ago, was that it was difficult enough to exercise appropriate controls to ensure that there was no rigging of events involving animals, and how much more difficult it would be to exercise the necessary control of events involving human beings who can work out their own rationale for ensuring that an event turns out in a certain way if that is the wish of the contestants. That is one issue, and one that needs to be considered by the House.

The other issue, to give a Minister what is in effect an unfettered right to approve sporting events upon which bets can be placed—to give a Minister the power to approve events involving under-aged people—I think is simply wrong. It is no use the Minister saying that it is not in contemplation. It may not be in contemplation. The fact is that the law will permit it if the clause is passed.

Mr S.G. Evans: Ministers are only birds of passage. Their words mean nothing.

The Hon. JENNIFER CASHMORE: The Minister and all Ministers are birds of passage; they are not there as immutable decision-makers. I do not propose to comment on other aspects of the Bill, but that aspect I object to very strongly, and I hope that the House rejects it.

The Hon. M.K. MAYES (Minister of Recreation and Sport): I thank members for their comments. Obviously, there are one or two important issues in relation to the content of the Bill. I must say at the outset that my comments are not a universal panacea for bookmakers. This is one measure that I think will assist. I qualify my comments by saying that I am quite certain that this will not be a massive injection of funds or result in huge assistance being given to bookmaking in this State.

I hope that the Bill will assist to bring people through the turnstile and to offer the community something which I believe it wants to have. In those circumstances, if there are no huge negatives or evils associated with legislation or possible massive losses to the community in terms of its social security or its wellbeing, we as their political representatives ought to be able to convey that legislation through

the Houses and allow people to have the entertainment of sports betting.

I propose to bring other measures before this House and the other place in relation to such issues as telephone betting, which the member for Morphett has mentioned. Certainly, that is still on the agenda and is being negotiated. It is not the easiest of issues to get others to support in the broadest possible sense, but we are making headway on that issue. The racing industry is a huge industry in this State. Of course, thoroughbreds are part and parcel of that, and it has been a huge employment and economic factor in this State. We estimate that it is the third largest industry in South Australia and it brings not only income but also the attention of overseas people to this State.

We have one of the best thoroughbred areas in this country—Lindsay Park. And we have one of the best, one of the pre-eminent trainers in the world, that is, Colin Hayes, who has just retired. It is an industry that warrants the attention of this Parliament. I believe that we have concerns, as expressed by the member for Morphett, about the wellbeing and economic standing of bookmakers. It is important that through this Bill we assist them in that sense.

If we look at the industry as a whole, we see some great characters. This morning I was on my way to Elizabeth to assist the member for Elizabeth with the launch of a new housing program, and I was fortunate enough to hear on ABC radio an interview between Bert Bryant, that great race caller who died recently, and Les Boots, who was a South Australian—in fact he lived in the District of Albert Park. I recommend that members get a copy of the interview, because it was one of those classics in which the true Australian humour came to the fore. To me it represented what this industry is about—the characters and the people involved. I can only say that it is worth preserving. I hope we will, by various measures, including this one, help the bookmaking industry to survive in this State.

The intention of the legislation is to ensure that people go through the turnstile. I am sure this is one measure that will assist to attract people to meetings and will assist bookmakers in their survival. I commend the Bill to members and I seek their support for the introduction of sports betting and the other measures related to the TAB, such as the appeals mechanisms.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—'Power of board to conduct totalisator betting on other major sporting events.'

Mr OSWALD: I move:

Page 2, line 8—Leave out all words in this line and insert:

6. Section 84i of the principal Act is amended—

(a) by striking out paragraph *(d)* of subsection (1) and substituting the following paragraph:

(d) may conduct totalisator betting on any other sporting event or combination of sporting events (whether held within or outside Australia) prescribed by regulation.;

and

(b) by striking out subsection (2).

This clause is very important. Members who have taken part in the debate tonight have made some pertinent remarks about the different forms of gambling. Some members of Parliament are genuinely concerned about the expansion of another form of gambling. I do not necessarily share that view, but people do have these concerns.

The proposal that I put before the Committee will allow the Government to have its policy, whereby it will encourage more people through the turnstile by having sports betting. We are not anti-sports betting—quite the contrary—but the amendment will allow members to know that at some time in the parliamentary process they will be able to stand up and say that they did not agree with the expansion of betting into sport X. I think that every member has that right and expectation.

With regard to the TAB, historically both Houses of Parliament agreed that there should be a resolution of the two Chambers to allow the expansion of sports betting within the TAB. That meant a majority in both Chambers. That was not so long ago. There is concern.

When the Bill goes to another place this matter will be raised again. However, we have the opportunity of resolving it here and now by agreeing to this amendment. The Government will get its sports betting, the sports will still have the same percentages, but the Minister of the day, whoever he or she may be some time down the track, will always know that, if a wrong decision or improper judgment is made in nominating a sport, the matter will come back here for debate. I believe that will be sufficient restraint on the Minister of the day not to step out of line with the expectations of public opinion.

This is a proper amendment. I believe it should be passed in both Chambers and go into law. The check and balance expected of members will be incorporated, although it may not go as far as some members would like. However, I think it is an adequate compromise which the Government should seriously consider and which I hope all members will support.

The Hon. M.K. MAYES: I understand the merit of the argument put forward by the member for Morphett, but clearly what I said in my second reading speech covers that. It is important to acknowledge the situation that I have accepted. If a particular sporting body objected to an event being part of sports betting, I would respect its wishes.

Mr S.J. Baker interjecting:

The Hon. M.K. MAYES: I will ignore the inane interjection by the Deputy Leader of the Opposition. If the honourable member knew anything at all about betting, he would know that it was inane. I am sure the member for Morphett will reassure him of that. If there is an agreement between the Minister and a sport, we would certainly see that the matter proceeded. If there were no agreement, it would not proceed. It is an unnecessary bureaucratic step in the process.

The reality is that some people are living back in the Dark Ages in regard to this issue and they try again and again to prevent the general populace from enjoying themselves. The reality is that this is with us. It exists in many other States. We are not breaking new ground; indeed, I think we are to some degree dragging the chain and we must get on with it. I appreciate what the member for Morphett said about what may happen in another place. At this time I would prefer to have the freedom to operate and represent what I believe is the feeling of the community—that it wants the opportunity to be able to place bets on sporting events with bookmakers. We tend to get this nanny State attitude—if you blink, it has to be approved by the Parliament.

Mr OSWALD: On behalf of some members, I take exception to the comment that some people are living in the past. It is a question not of people living in the past but of the values and standards that people in the community have. They are entitled to them, and as members we should respect those standards. The Government gets its sports betting. All the Opposition is asking is that an amendment be made so that, if at some time down the track a member feels strongly that a certain sport should not be bet on, that member will have the right to stand up in this place and say so. The Government is denying members that right. I

do not think for a minute that it will happen very often. The Minister of the day will always be responsible and take sound advice, we hope, and he will take advice in consultation with the sport involved.

I do not see it happening very often. However, no-one knows what the future holds in this life. I believe that this amendment would placate the concerns of many of the members who feel slightly differently about gambling than I do, and perhaps slightly differently from the Minister. This I think is a very legitimate request. It is grossly unfair to say that certain members are living in the past simply because they feel strongly about this subject. We can satisfy all sides of the argument here by means of this amendment. To give the Minister the total power, without any restraints, will not satisfy everyone in this place. We have an opportunity to go part of the way here; let's do it.

The Hon. JENNIFER CASHMORE: The Minister's response to the very reasonable arguments of the member for Morphett simply confirms in my mind that the Labor Party in South Australia has gone berserk about betting. It will not cease until it can have betting on everything that could possibly be bet upon. I see no justification whatever for that. The Minister described this perfectly reasonable amendment as being bureaucratic. Well, the day that a politician describes something that is demonstrably democratic as bureaucratic is the day that people should start worrying.

Members interjecting:

The Hon. JENNIFER CASHMORE: I do not even support this amendment. I oppose the whole idea, but at least the amendment is the lesser of two evils, and so I shall be voting for it rather than to do away with any parliamentary scrutiny whatsoever of the event. I support the amendment and will oppose the clause.

The Committee divided on the amendment:

Ayes (19)—Messrs Allison, Armitage, P.B. Arnold, S.J. Baker, Becker and Blacker, Ms Cashmore, Messrs Eastick, S.G. Evans, Goldsworthy and Ingerson, Mrs Kotz, Messrs Lewis, Matthew, Meier, Oswald (teller), Such, Venning and Wotton.

Noes (19)—Messrs L.M.F. Arnold, Atkinson, Crafter, De Laine, Ferguson, Gregory, Groom, Hamilton, Hemmings, Heron, Holloway and Hopgood, Mrs Hutchison, Messrs Klunder, McKee, Mayes (teller), Peterson, Quirke and Rann.

Pairs—Ayes—Messrs D.S. Baker, Brindal, Chapman and Gunn. Noes—Messrs Bannon and Blevins, Ms Lenehan and Mr Trainer.

The CHAIRMAN: There are 19 Ayes and 19 Noes. I give my casting vote for the Noes.

Amendment thus negatived.

The CHAIRMAN: Order! The time allotted for the completion of this Bill has now expired, and I am required to put all the remaining questions to the Committee.

Clause 6 passed.

The member for Morphett's amendment to clause 7, page 2, lines 12 and 13 negatived.

The member for Morphett's amendment to clause 7, page 2, lines 16 to 23 negatived.

Clause 7 passed.

Clauses 8 to 12 passed.

The member for Morphett's amendment to clause 13, page 3, line 14 negatived.

Clause 13 passed.

Clauses 14 to 17 passed.

Title passed.

Bill read a third time and passed.

ADJOURNMENT

At 11.5 p.m. the House adjourned until Tuesday 9 April at 2 p.m.