HOUSE OF ASSEMBLY

Thursday 11 March 1993

The SPEAKER (Hon. N.T. Peterson) took the Chair at 10.30 a.m. and read prayers.

EMPLOYMENT AGENTS REGISTRATION BILL

The Hon. R.J. GREGORY (Minister of Labour Relations and Occupational Health and Safety) obtained leave and introduced a Bill for an Act to regulate employment agents; to repeal the Employees Registry Offices Act 1915; and for other purposes. Read a first time.

The Hon. R.J. GREGORY: 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.

The aim of this Bill is to set basic licensing and recording requirements for employment agents to safeguard the interests of both agents and users of agencies. In doing so it will facilitate the effective functioning of the employment agency industry.

The previous legislation, which this Bill replaces, was dated and contained many anachronisms which hindered its effective operation. Both agents and clients have called for continued regulation of the industry, thus necessitating an update of the legislation. To do this the Employee Registry Offices Act 1915-1973 needs to be repealed and a new Act, Employment Agents Registration Act 1993 established.

The changing industrial environment has meant that many different work arrangements have proliferated. The legislation does not seek to encroach on this development, but does set standards of conduct to ensure those seeking employment through agents are fully informed of their rights and obligations and can rely on their interests being served. The increased trend toward casual work and award deficit work has made a degree of regulation in this industry even more relevant. In specifically addressing the major aspects of the proposed legislation, the new requirements to be placed on the industry need to be separated from the functions which have been in place since the legislation was first established and will continue to be required.

The first change is that the scope of the Act has been increased to cover all employment agents in South Australia who find work for people for a fee. Previously, the Act only covered agents in the metropolitan area and only those who found work for 'employees', leaving many who did not fit this definition without an agency standard. Thus, 'freelance' personnel and contractors are now within the scope of the Act, with the exception of contracts which involve companies (as opposed to individuals) and contracts where the supply of labour is only incidental to the work, for instance the supply of equipment. Charitable organisations are also not subject to this Act.

Another change is a tightening of the issuance of licences. Previously the procedure required only a nominal payment and the signature of six ratepayers and a justice of the peace. The representative agency body has requested the criteria be strengthened to require two character references and prospective agents to publicise their intent to commence business, with time for objections to be raised. The licence fee will be increased to $100 to reflect cost recovery considerations and in the future will be determined by the regulations.

An extra requirement on agencies will be to issue a standard schedule of information to each worker, the details of which will be determined by regulation. The required information will include rates of pay, the award covering the worker (if relevant), their responsibility for tax and insurance payments, who the employer is (if applicable), expense reimbursement details and leave arrangements. Such information is necessary as many in the 'care' industry, in particular, have found the work arrangements to be complex due to the number of parties involved. Further changes include prohibiting agent's charging fees to their own employees and to workers for just being listed. Client companies cannot be charged without notice.

The new legislation also incorporates many of the requirements of the previous Act, namely that the office premises must be registered, the licence and fee schedules must be displayed in the office, and the agent must be a 'fit and proper' person with knowledge of the appropriate industry.

The intended legislation does not impose any additional costs on the employment agency industry, other than the increased yearly licence fee, which previously did not recover costs. Penalties have been increased to be consistent with the Acts Interpretation Act. This of course will only have an impact on unscrupulous agents who breach the Act. The administration of the legislation, with these more realistic fees and penalties, will also become cost effective.

Generally this Bill sets minimum standards on employment agencies appropriate to current licensing and industrial requirements, without impinging on sound business practice. It fosters the credibility and security of employment agencies and Acts as a preventive mechanism for misunderstandings and exploitation. The legislation can be viewed as a compromise between self regulation and statutory compliance needed for the protection of workers using agencies, who are often not covered by awards or the Industrial Relations Act. Accordingly, the Bill is commended to Parliament. The explanation of the clauses is as follows.

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for the commencement of the measure.

Clause 3: Interpretation

This clause sets out various definitions required for the purposes of the Bill. An 'employment agent' is a person who, for monetary or other consideration, carries on the business of procuring workers for persons who desire to employ or engage others in work, or procuring employment for persons who desire to work. However, the definition will not extend to charitable or benevolent organisations which work on a non-profit basis, or to other organisations or associations excluded by the regulations. The concept of employment will encompass work by a 'worker' under a contract of service, and other forms of remunerated work, subject to various exceptions set out in the definition of 'employment contract'. A 'worker' will, by definition, be a natural person who performs work under a contract of employment.

Clause 4: Exemptions

The Minister will be empowered to confer exemptions from specified provisions of the Act on specified persons, or persons of a specified class, or in relation to specified premises, or premises of a specified class. An exemption may be granted on conditions determined by the Minister.

Clause 5: Non-derogation

The provisions of the Act are to be in addition to the provisions of any other Act and will not derogate from any civil remedy at law or in equity.

Clause 6: Requirement to be licensed

This clause will require a person who carries on business as an employment agent (or holds himself or herself out as an employment agent) to be licensed.

Clause 7: Application for a licence

This clause sets out the procedures to be followed in relation to an application for a licence. A person who applies for a licence will be required to cause the application to be advertised in the prescribed manner. Persons will be able to lodge written objections against licence applications. The Director will be required to grant a licence if the specified criteria are satisfied.

Clause 8: Term of licence

The term of a licence will be a period, not exceeding two years, stated in the licence.

Clause 9: Application for renewal of a licence

This clause sets out the procedures to be followed in relation to an application to renew a licence.

Clause 10: Licence conditions

A licence will be subject to prescribed conditions, and conditions imposed by the Director

Clause 11: Appointment of a manager

The business conducted in pursuance of a licence must be managed under the personal supervision of an appointed manager if the holder of the licence is not directly involved in the management of the business, or is a body corporate.

Clause 12: Transfer and surrender of licences

This clause provides for the transfer of licences.

Clause 13: Cancellation of licences

The Director will be empowered to cancel a licence in specified circumstances. However, the Director will be required to notify the holder of the licence of a proposed cancellation and to allow the holder to make submissions in relation to the matter before taking any action.

Clause 14: Person not entitled to fees, etc., if acts as agent in contravention of Division

This clause provides that a person who acts as an employment agent in contravention of a provision of the Division is not entitled to recover a fee for so acting.

Clause 15: Appeal against a decision

A right of appeal will lie under this clause to the Magistrates Court against a decision of the Director on a licensing matter.

Clause 16: Registered premises

The holder of a licence will be required to register any premises used for the purposes of his or her business as an employment agent.

Clause 17: Notice to be displayed

This clause requires that a person carrying on business as an employment agent will be required to display a notice clearly showing the name of the agent (or a registered business name), and the name of any manager of the business.

Clause 18: Death of licensee

This clause provides for the continuation of a licence in the event of the death of the licensee.

Clause 19: Display of information at registered premises

An employment agent will be required to clearly display at any business premises his or her scale of fees.

Clause 20: Responsibilities to workers

This clause regulates various matters relating to persons who have engaged an employment agent to find them employment. In particular, an employment agent will not be permitted to demand a fee by virtue only of the fact that a person is seeking employment through the agency. No fee will be payable if the employment agent becomes the employer. If employment is procured for a person, the employment agent will be required to provide the worker with a statement in the prescribed form which sets out relevant information as to the employment arrangements.

Clause 21: Responsibilities to employers

This clause regulates various matters relating to persons who have engaged an employment agent to find workers for them to employ or engage. A fee will not be payable in certain cases. A fee must not exceed the scale of fees displayed at the agent's registered premises.

Clause 22: Records, etc., to be kept

An employment agent will be required to keep various records under this clause, including the name of each client, details of deposits and fees paid to the agent, and details of employment contracts arranged by or through the agent.

Clause 23: Inspections

This clause sets out the powers of inspectors under the Act.

Clause 24: Prohibition against assisting a person falsely to pretend to be an employment agent, etc.

It will be an offence to supply or lend a document, or to assist a person, for the purpose of allowing a person falsely to pretend to be an employment agent.

Clause 25: Liability of agents for acts or omissions of employees, etc.

This clause provides that an act or omission of a person employed by an employment agent will be taken to be an act or omission of the agent unless the agent proves that the person was acting outside the course of employment.

Clause 26: False or misleading information

It will be an offence to provide any information under the Act which is false or misleading in a material particular.

Clause 27: Offences by bodies corporate

This clause relates to the responsibility of each member of the governing body of a body corporate to ensure that the body corporate does not commit an offence against the Act.

Clause 28: Commencement of prosecutions

Proceedings for offences against the Act will need to be commenced within three years after the date on which the offence is alleged to have been committed.

Clause 29: Delegation by Director

This clause allows the Director to delegate his or her powers or functions under the Act to any other person engaged in the administration of the Act.

Clause 30: Regulations

This clause sets out the regulation-making powers of the Governor for the purposes of the Act.

Clause 31: Repeal and transitional provisions

This clause provides for the repeal of the Employers Registry Offices Act 1915. A licence under that Act will become a licence under the new Act. Other transitional arrangements will apply.

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

WORKERS REHABILITATION AND COMPENSATION (REVIEW AUTHORITIES) AMENDMENT BILL

The Hon. R.J. GREGORY (Minister of Labour Relations and Occupational Health and Safety)

obtained leave and introduced a Bill for an Act to amend the Workers Rehabilitation and Compensation Act 1986. Read a first time.

The Hon. R.J. GREGORY: 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.

This Bill continues the reform process of the WorkCover scheme in South Australia.

In the past two years there has been a significant tightening up of the administration of the WorkCover Scheme. This has resulted in a downward trend in WorkCover's unfunded liability from $150 million in 1990, to $134.5 million in 1991, to $97.2 million in 1992 and recent actual data indicate $26 million in 1993.

Improvements in the WorkCover system has also resulted in reductions in the average levy rate from 3.8 percent in 1990-91 to 3.5 percent in 1991-92 and 3.04 percent from 1 January 1993.

The changes to the WorkCover system over the last two years have been dramatic. This Bill continues that trend.

The principal purpose of this Bill is to implement the recommendations of the second Interim Report of the Joint Select Committee on the Workers Rehabilitation and Compensation System covering the Review and appeal process. This report was tabled in the House of Assembly on 26 November 1992.

The second Interim Report of the Joint Select Committee made the following recommendations:

1. Allow the Workers Compensation Appeals Tribunal to hear appeals without the requirement for lay representatives.
2. Provide the power for the Workers Compensation Appeals Tribunal to refer matters back to Review Officers for reconsideration.
3. Restrict persons representing parties at review hearings to those in the employ of approved organisations representing employees or employers, or to specialist advocates to be employed within the Department of Labour.
4. Make the Review process more independent of the administrative functions of the WorkCover Corporation.
5. Make provision for the preparation of Proceeding Rules for the conduct of matters before Review Officers.

The Joint Select Committee also considered that:

There is a major deficiency in the collection and compilation of data on the review and appeal processes that does not allow the WorkCover Corporation to adequately measure its performance relative to its corporate goals. This raises the question as to whether basic statistical information is being effectively collected to aid the efficient management of these functions.

There are 8 significant issues covered by this Bill:

- excluding lay persons from the Workers Compensation Appeal Tribunal (WCAT)
- WCAT to be able to refer matters back to Review Officers for reconsideration
- limit the charge for representation before a Review authority
- Review Officers to be made Statutory Officers and independent of the WorkCover Corporation
- clarifying the powers delegated to exempt employers regarding medical expenses
- enable WorkCover and Exempt employers to redetermine claims
- the Crown and certain agencies to be exempt employers
- Review applications to be submitted direct to the Review Panel

The first four amendments are a direct result of the recommendations of the WorkCover Joint Select Committee.

Membership of Workers Compensation Appeal Tribunal

The current Act provides for lay persons to be members of the Workers Compensation Appeal Tribunal. Amendments to the Workers Rehabilitation and Compensation Act made in 1988 effectively limits the Tribunal to primarily considering issues of law. It is therefore considered that lay members are no longer required to serve as members of the Tribunal.

Workers Compensation Appeals Tribunal to refer matters back to Review Officer

The proposed amendment will enable the Tribunal to refer matters back for reconsideration by a Review Officer if the Tribunal considers that to be more appropriate than for the Tribunal itself to decide the matter in issue.

Representation at Review

The Joint Select Committee in its second interim report recommended restricting persons representing parties at Review hearings in an attempt to reduce the costs of representation at Review and to facilitate an informal review process.

Instead of restricting representation at Review the proposed amendment will limit the fee that can be charged for representation before a Review authority. Accordingly, it is proposed that the Minister be empowered to set scales of costs that the representatives of a person in proceedings before a Review authority will be limited to charging. The scales will be fixed after consultation with the Crown Solicitor.

Review Officers

The current provisions of the Act make Review Officers employees of the Corporation.

The second Interim Report of the WorkCover Select Committee recommends that the Review process should function independently of the WorkCover Corporation.

The proposed amendment will make Review Officers Statutory Officers and as such will be independent of the Corporation. Costs associated with the Review operations incurred by the Department of Labour will be recovered from the WorkCover Corporation.

Other significant proposed amendments contained in this Bill are:

Compensation for Medical Expenses

The WorkCover Corporation will be required to consult with the Self Insurers Association of South Australia before fixing or varying the scale of medical fees set pursuant to Section 32 of the Act, this common scale will then apply to WorkCover and to exempt employers.

Determination of Claim

The WorkCover Corporation will, in limited circumstances be empowered to redetermine a claim.

This matter has arisen as a consequence of a decision by the Workers Compensation Appeal Tribunal which has questioned the power of exempt employers to issue a second determination, even if all parties agree to a second determination. If the views expressed by the Tribunal are correct, it would mean that all amended determinations, even where the parties agree, would require the matter to go before a Review Officer for the consent agreement to be ratified. This proposed amendment will make it clear that the Corporation or exempt employers can issue fresh

determinations in cases involving underpayment of benefits and thus avoid significant costs in taking matters to Review.

The Crown and certain Agencies to be Exempt Employers

On 16 July 1992 a regulation became effective which listed all Health Commission Units and some Government related organisations to be registered and operating as Crown Exempt Employers.

Doubts have been raised by a Review Officer over the legal status of these agencies and instrumentalities prior to the Regulation. This proposed amendment, to make the exempt status of these agencies retrospective to the commencement of the scheme, will put the matter beyond doubt.

Application for Review

The current provisions of the Act require that an application for review be forwarded to the WorkCover Corporation.

The proposed amendment will provide for applications for Review to be forwarded direct to the Review Panel. This will result in significant improvement in the processing of Review applications and reduce the time taken before matters can be heard by Review Officers. This amendment is consequential on the proposed change in status of Review Officers.

I commend this Bill to the House. The explanation of the clauses is as follows.

Clause 1: Short title

This clause is formal

Clause 2: Commencement

This clause provides for the commencement of the measure

Clause 3: Amendment of s. 32-Compensation for medical expenses, etc.

This clause is intended to ensure that the Corporation consults the appropriate association that represents the interests of exempt employers before it fixes or varies a scale under section 32 of the Act.

Clause 4: Amendment of s. 53—Determination of claim

This clause will allow the Corporation to redetermine a claim in certain circumstances.

Clause 5: Amendment of s. 61—The Crown and certain agencies to be exempt employers

This clause will allow a regulation under section 61(4) (allowing certain bodies to be prescribed as agencies or instrumentalities of the Crown) to have retrospective effect (which was found to be necessary in certain cases).

Clause 6: Amendment of s.63—Delegation to exempt employer

This clause clarifies that certain provisions of section 32 are not to be delegated to exempt employers.

Clause 7: Amendment of s. 64—The Compensation Fund

This clause will allow the costs of maintaining the Review Panels and the Medical Advisory Panels to be deducted from the Compensation Fund.

Clause 8: Substitution of s. 77

This clause provides for the establishment of a Review Panel. The panel will be comprised of a Chief Review Officer, and other Review Officers, appointed by the Governor on the recommendation of the Minister after the relevant persons have been interviewed by a special committee under new section 77b. A Review Officer will be appointed for a period not exceeding |seven years. The salary and conditions of office of a Review Officer will be determined by the Governor.

Clause 9: Amendment of s. 79—Membership of Tribunal

The effect of this clause is to remove 'lay members' from the Workers Compensation Appeal Tribunal.

Clause 10: Substitution of s. 80

This clause will allow the Tribunal to be constituted, according to a direction of the President of the Tribunal, or the rules, of one or three members of the Tribunal.

Clause 11: Amendment of s. 82—Rules of the Tribunal

This clause makes a consequential amendment.

Clause 12: Amendment of s. 92—Representation

This clause clarifies that a deputy member of the Board is not entitled to act as a representative of a party in proceedings before a review authority.

Clause 13: Amendment of s. 92a—Costs

This clause provides that the amount that a person may charge to act as a representative before a review authority will be limited by scales prescribed by the Minister by notice in the *Gazette* after consultation with the Crown Solicitor.

Clause 14: Amendment of s. 95—Application for review

This clause makes various amendments to section 95 of the Act which are consequential on other amendments made by this measure.

Clause 15: Amendment of s. 97—Appeals to Tribunal

This clause will allow the Tribunal to refer the subject matter of an appeal, or any matter arising in an appeal, to a Review Officer.

Clause 16: Transitional provision

This clause sets out various transitional provisions required for the purposes of this measure. A person who was a Review Officer before the commencement of the Act will continue to hold office.

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

INDUSTRIAL RELATIONS ADVISORY COUNCIL (REMOVAL OF SUNSET CLAUSE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 18 February. Page 2107.)

Mr S.J. BAKER (Deputy Leader of the Opposition): I am not the lead speaker on this Bill, but I think it is worth canvassing the history of IRAC since the former Minister introduced the IRAC arrangement into Government. The Opposition has not been particularly pleased with the results of industrial relations in this State over a long period of time, namely the past 10 years. At the time the legislation was introduced to this place, we understood there would be a true consultative mechanism that would operate for the benefit of employers and employees in this State. This has been far from the truth. What we have had over a long period of time have been solutions provided by the Government, with little or no consultation taking place. We have had feedback from members who have been associated with the committee, and without divulging any secrets, that they have been unhappy with the current arrangements.

They believe that on a number of occasions discussions have not been particularly helpful. They believe that the deals have already been done within the Labor movement for changes to legislation in this State long before they have come before the committee for open discussion, agreement and so on. We have seen the results of that in a number of areas and we know that the changes that have taken place to arrangements so far as industry is

concerned have not been satisfactory. Because of the way IRAC has been structured, in some ways the hands of employers have been tied, but the same controls and inhibitions have not been exercised by the union movement. For example, we know from feedback from members of the union movement that matters that should have been the province of IRAC have been well and truly discussed within the union movement before they ever appeared before IRAC, yet that was not the original intention of the Bill.

The Liberal Opposition has strongly put the view that, if we are going to go ahead in this State, then we have to have a good working relationship with all parties, not just the union movement, as has been the practice of the Government over a long period of time. We believe that if South Australia is going to get its productivity up to date and have the best practices that have been talked about by the Government, if State employers are going to become internationally competitive, there has to be a whole new thinking about what is industrial relations. We point to just one or two areas in the current legislation that we believe impede the achievement of that desirable end.

As to voluntary unionism, the Opposition has put the view strongly—it is in our Federal and our State policies—that voluntary unionism should be part and parcel of any industrial relations arrangements in this State and country.

Mr Hamilton interjecting:

The SPEAKER: Order!

Mr S.J. BAKER: The member for Albert Park talks about the Cawthorne report as though there were some magical mystique associated with it.

Members interjecting:

Mr S.J. BAKER: Let me say to the member for Henley Beach that that report was written over 10 years ago—

Mr FERGUSON: Mr Speaker, I rise on a point of order. The Deputy Leader has put me down as having interjected, but I was sitting here quite silently, Sir.

The SPEAKER: Order! Interjections are out of order. A voice was raised, but it was not the member for Henley Beach.

Mr S.J. BAKER: The Cawthorne report appeared well over 10 years ago, as the member for Albert Park would appreciate. Subsequent events would suggest that the report writing was somewhat biased and obviously did not provide the proper prescriptions for the future of South Australia. We have seen some dramatic downturns in industry in this State. We have seen about 21 000 manufacturing jobs lost in this State and much of that loss can be put down to the fact that we are not competitive in the workplace, in terms of how we deliver our State public services, our taxation system and how we work or should be working together at the coalface.

There have to be dramatic changes. The Opposition does not believe that IRAC has played a constructive role in achieving that end. We do not believe that IRAC has been the facilitative body, the body where people can get around the table and thrash out their differences and reach conclusions in the best interests of Australia and particularly South Australia. We do not believe that IRAC has added one constructive element to industrial relations in South Australia. True, it has dampened down potential explosive situations on occasions and has meant that the Minister has had available employer advice when previously he may not have had that advice available to him.

Looking at the results, the outcomes, everybody in South Australia would say that they have been totally disappointing. In fact, the unemployment figure of 92 000—and we presume it will be even higher with the latest statistics—is disastrous at a time when South Australia is suffering from a number of other impediments, including the State Bank disaster. It needed foresight and a great deal more direction than has been provided through IRAC.

As I said at the beginning, the Opposition has not been pleased with the performance of IRAC. We recognise the Government's capacity to determine its own arrangements, but we do not necessarily believe that those arrangements are appropriate. In fact, in this situation we say that they are totally inappropriate, but that is not for us to reflect upon. The shadow Minister may have a completely different view about how we operate industrial relations in this State. Whether IRAC will in part or at all perform a function in the future for South Australia is highly debatable. Whilst the Opposition gives general support for the removal of the sunset clause, it is to be noted that there is an amendment on file that will be pursued because we do not believe in binding a future Liberal Government to the arrangements that we have seen put in place over the past few years.

Mr INGERSON (Bragg): The Opposition, in principle, supports the formation of this committee, but, as the Deputy Leader has rightly said, it is our intention in Committee to move an amendment to enable the sunset clause to stay in position. The reaction that I got from the industrial community after this Bill had been sent out was interesting. I was surprised, because, having listened to the Minister and other Government members over time, I expected that there would be overwhelming support for the structure, the consistency that came out of the committee and the general concept, but that was not the case. What came out was that it is not a consultative committee at all; it is a group of people who come together on a reasonably regular basis. I notice from the annual report that was before Parliament yesterday that the committee met six times last year. The committee meets, sits and listens and is told by the Minister what is going to happen. There is no consultation in terms of how the committee can get together and enhance the Bills that come before it.

There was no consultation at all with the committee on two Bills that came before it this year. In fact, the instruction to the committee with regard to the Industrial Relations Bill and the Workers Rehabilitation and Compensation Bill which were recently before the House was, 'Read it, enjoy it, lump it and wear it.' That is a very interesting consultative process! On the other hand, the members of the committee said that a lot could be done to improve the whole nature of the committee. Whilst they were critical of the existing practices, they believed that there was merit in the committee if and when at some time in the future it were to be used as a consultative committee.

Some members of the industrial community are outside the structure of this committee. I recognise, as the Minister would, too, that we cannot have on that committee every group which says it has an interest in industrial relations. It would be quite unwieldy and impracticable. One group outside the council at the moment has a particular concern with both sides of politics. I refer to the Law Society, which made one very strong approach to me, in that it said, 'Look, there are groups outside the council that would like to have some input and in this instance do not have it'. It gave two specific examples, the most recent one being the workers compensation amendments, which it argued-and I think rightly—should have gone before the Industrial Relations Advisory Council. In fact, none of the amendments went before the council.

Mr Speaker, you had a specific role in drafting those amendments. Whilst I do not expect you as a member of this Parliament to initiate Bills or legislative changes through that council, I would have expected the Minister to have at least consulted the council and attempted to put those changes through the council. As I said earlier, it is clear that the council is used as an instruction committee, whereby the council is told what is going to happen to the Bills. In other words, the consultation process is not used at committee level.

Having said that, I am aware that the Government, through the council, consults with individual associations. I know the Government has wide consultations with the union movement, the chamber, the RTA, the Employers Federation and so on, quite separate from the advisory council. Given that there is wide consultation with various groups in the industrial relations and workers compensation areas, what is the council for? Discussions already take place with the various associations, the trade union movement and so on in respect of legislative changes, so why do we need another statutory body that just sits there and is told, with no consultation, what will happen in Parliament?

As I said, the Law Society, through one of its representatives, has made a very strong submission that the last change to workers compensation did not go before the council, and the Minister can advise me whether or not that is correct. One of the other associations made a very strong argument that sunset clauses should be in all Bills of this type, its argument being that it is a useful discipline of Government to review the effectiveness of the council over a period of time. The shorter the period, obviously the more effective the sunset clause.

It was put very strongly by the Engineering Employers Association that sunset clauses are very effective, that they ought to be maintained and that they should not be scrapped just to formalise an existing committee. The major role for the sunset clause is to make the Government, the Opposition and the Parliament review whether we really need to have this sort of council. The Retail Traders Association, in a special submission, states that it believes that the sunset clause should be removed. It believes that the council ought to be a continuous exercise, and it made some very strong comments. It said that really it was a ministerial talkfest in which the association had no input at all. It was a good talking program, and it was given the opportunity to have input at the table, but in reality nothing ever came of it.

The Retail Traders Association also commented that people should be appointed to that committee permanently. Its argument was that, every time its representatives appeared before the committee, there was a new set of faces. In other words, there was the appointment of an association, not the appointment of individuals, and the Retail Traders Association argued that it would be better served as a council if there were the appointment of individuals. That was a specific point made by the Retail Traders Association—because the faces change so often, the council is not as effective as it could be.

The Retail Traders Association also pointed out that there should be a mechanism for ensuring that technical implementation and procedural issues are canvassed by a body of experts before the final decision is made. I understand the way the industrial relations system works, and I know that the Minister and any future Minister would have continual discussions with associations. It is my view—and I think it is now supported by a few other people—that, at the end of the day, this is just a political stunt so that a Government of any flavour can come into this House and say, 'Look, IRAC supported this Bill', when all that has happened is that IRAC was told, 'This is the Bill that will go before House; you can say what you like about it and you can have a lovely discussion.' But a Bill is a Bill, and that is it. It seems to me a surprising comment. It was my understanding, because I had not spent a great deal of time talking to associations about this council, that this committee was very effective and productive in terms of the input and workings of Government; I was surprised to find out that it was not.

I would also like to refer to some pretty outrageous comments on industrial relations that have been made in the past two or three weeks. The member for Albert Park has been one person making outrageous comments in this House, although I do not believe he has been making them outside this place. The Minister has made some absolutely outrageous comments outside this House. Some of the questions coming from the other side in the past fortnight require explanation. This Bill, which relates to the concept and the general direction of industrial relations in our community, gives me the opportunity to put the facts on the record. Last Thursday I attended a presentation at the Working Women's Centre on the exploitation of women in the work force. There is no question that women, and men at the lower level in the work force, are exploited. There is no question about that: it is accepted by both sides of politics.

Mr Hamilton: By one side.

Mr INGERSON: It is accepted by both sides that there is exploitation. One of the differences between the two sides is that we believe that enterprise agreements, if properly structured and with proper minimum standards set by the community—that is, through the Parliament—and if an employee advocate, set up by the Government through its commission, investigates and ensures that those minimum standards are carried out, will provide a protection system that will go to the heart of trying to stop exploitation. I do not think I am naive enough to believe that any system will prevent exploitation. There is no question that it occurs; there is

no question that employers in this community will deliberately set out to exploit individuals, and I accept that. I know that any system that operates now or in the future must recognise that problem. Our Federal policy, set down clearly by John Howard, goes straight to the heart of making sure that any Government—

An honourable member interjecting:

Mr INGERSON: He's an employed stooge of yours. He is appointed by, and employed by, and is a stooge of, the other side. The general direction of the Liberal Party policy is to make sure that there is no exploitation.

An honourable member interjecting:

Mr INGERSON: That is the sort of nonsense that I would expect from the honourable member opposite in arguing that any change will deliberately be set up to advantage the employer. Having been an employer for some 25 years, I know the advantage that I have over almost every member opposite: at least I know that 99 per cent of employers understand that, without a good employer/employee relationship, they do not have a business, whether it be small, medium or large. It is my view that 99 per cent of employers in this nation, in South Australia in particular, are interested in good, honest employer/employee industrial relations. So any change to our existing basic award system to enable enterprise agreements has to recognise that that 1 per cent will be a problem in either system. That is why we, in consultation with our Federal colleagues, have argued that there must be a system that looks at and attempts to prevent the exploitation which we expect to occur.

The SPEAKER: I point out to the member for Bragg that this is almost a single line Bill, and to broaden the debate into Federal policies really is stretching a long bow. I would ask him—

Dr Armitage interjecting:

The SPEAKER: Order! —to relate his remarks to the Bill.

Mr INGERSON: I intended to refer to the role of the advisory council in industrial relations in this State.

Members interjecting:

Mr INGERSON: Mr Speaker, you would know that the arguments put forward last week outside this place by the Minister of Labour were aimed specifically at South Australian Liberal Party policy on industrial relations. It is essential in industrial relations that the Federal and State contexts should work in harmony; it is ridiculous to have a State system that is out of line with the Federal system. In our industrial relations policy, we have eliminated the dichotomy between the two areas.

I understand the Minister's saying publicly that he is concerned about exploitation; I accept that. What I am not prepared to accept is a public denigration of our policies in an attempt by the Minister outside this House to say that we do not understand exploitation and are not prepared to do something about it.

The SPEAKER: The Chair understands the position, but this Bill refers specifically to the removal of a sunset clause. I ask the member for Bragg to relate his comments to that.

Mr INGERSON: I refer now to another sunset clause, that is, the fate of the Federal Government. I note from the unemployment figures that came out today that the level has increased from 10.9 per cent to 11.1 per cent. It is important that, under this industrial relations Bill, we should refer to the disaster of unemployment in this State. The Federal figure is 11.1 per cent compared with 10.9 per cent last month; that is an absolute disaster.

Mr Ferguson interjecting:

The SPEAKER: Order!

Mr INGERSON: The Opposition intends to move amendments in Committee to acknowledge the concerns and comments of several members of the committee. We propose to extend the sunset clause for another two years. There are two reasons for that, the first being that members of the committee have argued that it is a good discipline, as do people outside. Secondly, and as importantly as far as we are concerned, the term of any council of this type should extend beyond the next election so that, if there is another Government in power—and logically we believe it would be a Liberal Government—it would be in position to sit down with all those involved and discuss with them whether this is the best structure to ensure that all parties in the industrial relations area have an opportunity to put their point of view to Government before legislation is introduced.

The original intention was that the council would be an advisory body to Government, that it would be there at least to look at the Bills and at the technical side of the measures to see whether changes ought to occur. The advice I have been given in most instances is that it has moved away from that and become a ministerial talkfest, with the Minister telling it what to do. We, in principle, support the Bill but in Committee will move the necessary amendments.

Mr HAMILTON (Albert Park): It was not my intention to enter the debate at all, as I thought that we could get this Bill over and done with. However, let me say from the outset that I support the Bill and listened with a great deal of interest to the member for Bragg. It is commonly known on this side of the House, and indeed in the industrial movement, that what he knows about industrial matters would be lucky to take up the back of a postage stamp and this morning he reflected quite clearly his abysmal knowledge of the industrial scene.

There are a couple of things that I am not prepared to let go as a person who believes in the industrial system, and this applies particularly to the honourable member's reference to Sir Richard Kirby. Not only is it offensive to call Sir Richard Kirby a stooge—and offensive also to the Arbitration Commission—but the honourable member should be reminded that it was his Party, as I recall, that recommended Sir Richard Kirby for the knighthood. You cannot have your cake and eat it too in this world, and I think the member for Bragg, whilst I can understand his anger and hostility towards the trade union movement, shows very poor taste in reflecting on Sir Richard Kirby in the manner he does.

That sort of attitude does little to enhance the debate on industrial matters, and if the honourable member has any sort of intestinal fortitude at all he should consider what he said about Sir Richard Kirby, an eminent person, as I said, who was recommended for a knighthood by the member for Bragg's own colleagues. On the one hand he is saying he is a stooge and on the other hand he is implying that his own people do not know what they are talking about. We on this side of the

House all know that the industrial relations issue is a very critical one, not only to South Australians in terms of this Bill but indeed federally and I know, Mr Speaker, that you will not allow me to broaden this Bill or my contribution into the Federal arena. However, I think it is worth while reflecting that the Opposition Coalition industrial relations policy will not be released until after the Federal election, and I think that is absolutely appalling. It is saying, 'Trust me', and asking the people of this country, despite what has taken place in other States, to accept what little Johnny Howard has been talking about. I find that outrageous.

I also want to put on the record that very few people in the trade union movement in South Australia trust the Federal Coalition's policies, and that applies particularly in this State. The reasons why I think I drew blood in relation to the interjection about the Cawthorne report, which of course was out of order, was that it was a report initiated by the Hon. Dean Brown, who was referred to in the *News* of 12 November 1980 (under the heading 'Major review of industrial laws').

The now Leader (the then Minister of Labour) called for this report, and he put forward Mr Frank Cawthorne, an industrial magistrate in the Industrial Court, as the person to undertake that review. The then Minister pointed out in the press:

> I stress the inquiry will be independent and Mr Cawthorne will seek views and consult fully with all persons and organisations interested in industrial relations.

But what did he do? When that report came down it did not support Liberal Party philosophy. An article appearing in the *Advertiser* in February 1982 states:

> There are strong grounds for introducing compensation for employees unfairly dismissed, according to the Cawthorne report on South Australia's industrial legislation.

The article goes on to say that a number of the philosophies of the Liberal Party were not acceptable to Mr Cawthorn. That is the reason why the trade union movement in this country, and in this State in particular, does not trust the Leader of the Opposition. Talk about stooges—

The SPEAKER: The member for Albert Park has now been speaking for five minutes of the 20 minutes available to him in this debate and the Chair is yet to hear a reference to the Bill.

Mr HAMILTON: I did say that I certainly supported the IRAC Bill and the consultation process. That is what I was leading into and, although I take the point you have made, Sir, I need to expand on that. I believe that consultation should take place in relation to this Bill— I do not want to delay the House, but I make the point that whereas on this side of the Parliament there has been consultation with the trade union movement in the past, whilst members opposite talk about consultation, they, in my opinion, talk industrially with a forked tongue. They say that they want things but, when the recommendations and reports come down from independent bodies, they are not prepared to support them. That is the reason why I entered this debate—to highlight the hypocrisy particularly in relation to the Cawthorne report and the manner in which the member for Bragg dishonestly reflected on Sir Richard Kirby.

Mr FERGUSON (Henley Beach): My remarks on this Bill will be fairly brief. I was extremely glad to hear the Opposition spokesman for industrial relations say that he is prepared to support this measure. However, I was a little alarmed at the tone of his remarks. Although he is supporting this proposition, his support is very lukewarm. In fact, you can infer from his statements that, if there ever is a Liberal Party Administration in this State, IRAC would not last very long at all.

I believe that there are very short memories on the other side of the House. The Deputy Leader spoke about his disappointment in the 10 years of this Administration in relation to labour and industry matters. I remember very vividly the Administration between 1979 and 1982, because I was deeply involved in the trade union movement and was on many committees with the Trades and Labor Council in South Australia. At that time, we had a period of industrial upheaval that had never been seen before that Administration and has never been seen since. That was a time when consultation went to the wall and where a Federal Liberal Government decided to freeze wages in the Arbitration Commission. That was supported by this State Administration, and consultation was unheard of. During that time, the amount of industrial upheaval that occurred was quite phenomenal and very damaging to the economies of both this State and Australia as a whole.

Since the introduction of the Industrial Relations Advisory Council, we have at least had the opportunity as a Government to gain the thoughts of both the industrial movement and the employer organisations. Admittedly, the employer organisations are very fragmented and it is very difficult to get a unanimous decision from the employer organisations in this State, because they simply will not get together to formulate a common proposition. At least the trade union movement on the advisory council speaks with one voice, whereas, from time to time, the employer representatives are not prepared to agree with each other. The debate that we have heard so far this morning emphasises that point of view, because we have already been told by the Opposition that other organisations would like to be represented on the council. A considerable number of employer organisations are already represented, yet the people on the other side want to broaden that representation, and that is a problem.

In his remarks in this debate, the Deputy Leader suggested that members opposite want to introduce voluntary unionism in South Australia. We already have voluntary unionism in South Australia. In South Australia some awards—not all of them—have a preference to unionists clause, which was included after many years of consultation. I believe that IRAC has discussed voluntary unionism as opposed to compulsory unionism. I have been a member of a union for over 40 years. I was a full-time union official for more than 16 years and I was a part-time union official for over 10 years, and I can say quite unashamedly that I would not support and I will not support in any way, shape or form compulsory unionism in South Australia. So, it is a nonsense argument that has been put to us so far by members of the Opposition.

I would not support in any way a further extension of the sunset clause. If there is a change of Administration in South Australia (and I most certainly hope there is not), the Administration at that time should have the courage to bring legislation into this place to make appropriate changes and not merely let it wither on the vine. I suspect (and it was mentioned by the member for Bragg) that one of the reasons why there is such lukewarm Opposition support for this measure is that it has in mind very drastic changes to our industrial relations system. In fact, the member for Bragg alluded to this in his contribution to the debate, and I am sure, Sir, you will allow me to rebut that honourable member's remarks. He suggested that a Liberal Administration would introduce minimum conditions by way of legislation and that from then on we would see the introduction of employment contracts in South Australia. There is some doubt about the legislative ability of a Government to bring in minimum rates and conditions and whether that is allowed by the South Australian Constitution.

I agree with Sir Richard Kirby, who has put forward the proposition that it is doubtful that the Australian Constitution allows the Australian Government to enter into industrial matters without doing so through the Arbitration Commission. Of course, the policy of the Federal Liberal Opposition is to do away with the commission. It may well find itself in great difficulty if a challenge is raised to any legislation that it introduces along those lines.

If we look at what the member for Bragg said, the only example of the sort of legislation that he might introduce is legislation recently introduced in Victoria. One of the features of that legislation is that all guarantees in respect of working hours, penalty rates, overtime, meal breaks, redundancy pay and bereavement leave for all workers not under an award go out the door. For those people who are on an award, the only thing they can get at the moment is a guarantee that they will remain on that award. There is no mechanism for change and no way in which awards can be upgraded, so pay rates cannot be upgraded under the legislation introduced in Victoria. I fancy that that is the sort of thing that will happen under a Liberal Administration in South Australia, although we have not heard what its industrial relations policy actually is.

To come back to the Bill, IRAC has been a fine example of consultation between this Administration and both sides of the industrial fence outside of this place. If the IRAC legislation were withdrawn or defeated or a sunset clause caused it to lapse, this mechanism would not be available to any Administration in South Australia and that would be a pity. One has only to look at the record of industrial disputes in South Australia since the introduction of this legislation to see that we have never had such a sustained era of industrial peace. South Australia has always had a good record in respect of industrial relations, but that record has improved considerably since the introduction of this legislation.

I was alarmed, and I still am alarmed, at the lukewarm support for this Bill. It was almost as if the Opposition wanted to oppose it but was not game enough to do so in case it attracted unfavourable headlines. The tone of Opposition support in respect of this legislation left much to be desired. I would like to congratulate the Minister on the way that he has handled industrial relations in the time that I have been in this place. South Australia's industrial record shows the important work that he has done in respect of consultation, and that is something that will go down in the history books and be put against his name for future generations to come. I hope this measure is supported without amendment.

The Hon. R.J. GREGORY (Minister of Labour Relations and Occupational Health and Safety): After listening to the contributions of the members for Mitcham and Bragg, I can understand how the Liberal Party in this State is confused about industrial relations. Both members claim that they support this simple Bill, which provides:

Section 13 of the principal Act is repealed.

My understanding of support is that, when the Bill is considered by the Committee, members will support the clause. In his next breath the member for Bragg said that he would move an amendment to enable the sunset clause to continue until 1995. Claiming that they support the Bill and then saying that they wish to extend the sunset clause is a bit like a centre half forward for the Crows booting the ball back to centre every time he gets the ball. On that basis he would not be in the team.

I understand why the member for Bragg gets confused in his understanding of the industrial relations policy, because he is confused about what the legislation does. It does not provide for consultation—it provides for advice to be given to the Minister. I draw the attention of the member for Bragg to the functions of the council, as set out on page 6. He should read that provision. The honourable member has repeated comments on behalf of the associations involved, and I will be sending a copy of *Hansard* to them and asking them whether what the member for Bragg has said reflects the true attitude of their organisation considering that, when the matter was referred to the advisory council, each member said that they supported the Bill.

I am amazed that the honourable member had the temerity to suggest that the matters that you put forward in this House, Mr Speaker, in respect of workers compensation should have been referred to the advisory council. Again, the person who holds himself out as the alternative Minister of Labor Relations and Occupational Health and Safety in this State does not even understand how the Act works. Matters can be referred to the council only by its members or the Minister. Matters raised in private members' time cannot be referred to it. Mr Speaker, you were correct in exercising your right as a private member of this House to do something. You did it in all good conscience and caught out the other side.

The member for Bragg was concerned about the operation of the Bill and referred to the appointment of individuals and not associations. However, in industrial relations we normally deal with the relevant association and seek out its point of view. The member for Bragg and his colleagues are fond of quoting the view of associations, saying, 'This is what the association believes...' I have hardly ever heard the honourable |member talk about the individual members of the Engineering Employers Association, the Employers

Federation or the Retail Traders Association. He refers to the association. I do not know whether the member for Bragg is confused or does not understand the difference between an association and an individual. The member for Bragg has been to school and is a pharmacist, so he ought to understand plain English. He ought to understand what the word 'association' means.

The member for Bragg talked about members being inside and outside of the Bill. I do not know how one can be inside and outside a Bill. Perhaps it is something to do with that famous tent: you are either inside it or outside, and most people like to be inside it. The member for Mitcham again paraded his ignorance of industrial relations, and the best one can say for his contribution is that it took up much time in the early stages of the debate. This is a simple Bill: all it does is remove a sunset clause so that every now and then the time of Parliament is not taken up with over an hour of debate about whether or not a Bill works. It is the province of the Government.

If the Government is satisfied with something, it continues. If it is not satisfied, it can do something about it. If the member for Bragg ever becomes the Minister of Labour Relations and Occupational Health and Safety, and if he does not like the operation of this Act, he has a couple of choices. He can amend it so that it becomes a creature of the Government of the time, or he can repeal it. Those are the stark and simple choices. He should not posture here by seeking to extend the sunset clause by two years and saying, 'In that time we might be lucky enough to be in Government and then we will do something about it.' That stretches the bonds of credibility too far. He ought to be saying, 'When we are in Government, we will do this or that.' He should be truthful about it. The sunset clause has nothing to do with that. I am only interested in the functioning of the Parliament so that we can get around to debating the real things. I do not want to have to bring this legislation back to Parliament every two or three years to debate whether we should extend its operation.

Bill read a second time.

In Committee.

Clause 1—'Short title.'

Mr INGERSON: I move:

Page 1, lines 10 and 11—Leave out 'Removal of Sunset Clause' and insert 'Postponement of Expiration'.

If my amendment to this clause fails, I will not proceed with my amendment to clause 2. I would like to rebut what the Minister said. During the second reading debate I referred to advice I have been given by members of the council that its role in recent times has not been to advise the Minister, as the Act specifically sets out, but to listen to the Minister.

As I understand it, the meaning of the word 'advice' in the English language is that someone is advised prior to a decision being made. That is the most common definition. In most cases, advice is given before a decision is made. I understand that that has not been the case in recent times. Initially, it was the case, but currently it is not. That is the reason why we are moving this amendment. We believe that the sunset clause should be extended for another two years so that this Minister, in the short time that the Government has to run its course, and the new Minister will be able to review the position and the functions of this Act.

Secondly, I believe, as I said to one member of the committee, that the whole process could be improved. I think that is the role of the Opposition: if there are concerns, it puts forward suggestions. I would not dare suggest that the Government would be smart enough to take up any of these suggestions, but I would have thought that it was a good idea for the Government at least to be aware of the concerns.

We support the principle of the council at this stage. I said that at the beginning of my second reading contribution, but I also said that I was genuinely surprised at how many members of that committee saw its existing function as not falling within the intention of the Act. If in the future members of that committee said, 'Change is needed', we would then be in a position in relation to the sunset clause, as the Minister rightly said, to decide to let the sunset clause run out or to amend the Act and come back to this Parliament with a better structure. It is for that reason alone that we believe that the sunset clause should be extended.

Amendment negatived; clause passed.

Clause 2 and title passed.

Bill read a third time and passed.

ABORIGINAL LANDS TRUST (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 17 February. Page 2098.)

Dr ARMITAGE (Adelaide): This is an important Bill, particularly in the Year of Indigenous People. In opening the Opposition's contribution, I signal that we agree with the general thrust of this Bill. We would like to discuss a couple of minor amendments, but in no way do they, in our view, hamper the general thrust of the Bill.

In this Year of Indigenous People, there has been discussion of the definition of 'indigenous', given that there are indigenous Irish people, indigenous Italian people and so on. In Australia that is not the case, because our indigenous population—the Aborigines and Torres Strait Islanders—are easily identifiable, but there is a commitment in the Year of Indigenous People to the indigenous people who have suffered deprivations because of their aboriginality.

Indeed, the Liberal Party and I as shadow spokesperson for Aboriginal affairs are appalled at the deprivation that Australia's indigenous people suffer. This same suffering is not necessarily the case in relation to the other indigenous peoples to whom I referred.

The bicentennial year for Australia in 1988 was a clear focus for the relationship between the Aboriginal and non-Aboriginal people. In my view, it was a formative year. I believe that the views of the non-Aboriginal community towards the Aboriginal community improved dramatically in 1988 because of the focus, but since then the extent of acceptance has perhaps plateaued. So 1993 is a great chance, in my view, for another leap forward in understanding, acceptance and enjoyment by the

non-Aboriginal people of all the benefits that the Aboriginal communities can bring to us.

The Aboriginal communities experience a number of problems, which in many instances are not at all different from the problems of the non-Aboriginal community. As the shadow spokesman on health, I have a particular interest in that area. The Aboriginal communities have some major health problems, which are well identified, with unacceptable death rates and rates of systemic disease, such as diabetes, reaching 30 and 40 per cent of adult communities in some areas, and again that is unacceptable. That must be worked on so that the non-Aboriginal communities can help the Aboriginal communities to overcome those disasters and so that we can look them in the eye with some sense of pride in terms of the contribution we have made.

Clearly, the Aboriginal communities have problems with hygiene and so on, particularly in the home lands, and many of those problems are easy to solve. One of the things that has been most illuminative to me as I have gone around the Aboriginal communities seeking their input into ways that we may be able to help them is the vehemence with which the Aboriginal people say, 'What we want is jobs.' Indeed, that is similar to the non-Aboriginal community. It is the view of many people in the Aboriginal communities that, if they have jobs and hence an income, they have a degree of self-respect and they are able to pay for better housing, better hygiene, and so on. There are a number of concerns that the non-Aboriginal communities must address with urgency regarding the Aboriginal communities.

The Bill does attempt to recognise the reality of the situation with regard to the Aboriginal Lands Trust. The amendments will ensure that the meetings of the Aboriginal Lands Trust flow more freely and more readily, and that is to the great advantage of the Aboriginal Lands Trust, which is, of course, an important functionary. As I said previously, the Opposition is in broad agreement with the thrusts of this Bill. We will seek to make minor amendments, but those amendments will in no way alter the thrust of the Bill.

I wish to address some major points. I believe that the most important issue is what could be loosely termed a sleeper issue, that is, the issue of native title to land. Of course, this is a major element of concern in the Aboriginal and indeed the non-Aboriginal communities since the well-known Mabo judgment, and it has been put to me that the entrusting of the land to an Aboriginal Lands Trust might extinguish continuing native title to the land. Because of the very existence of the Aboriginal Lands Trust, we might be setting ourselves up, if you like, for considerable litigation and problems, which would be an enormous pity, because the whole concept of the Aboriginal Lands Trust is that of aiding and abetting, rather than being confrontationist. We as a Parliament and as a community must in some way address just the effects of the Mabo decision on lands trusts such as this, because it is quite clear that, if the title has been vested in the Aboriginal Lands Trust, there may well be the potential for litigation later.

With regard to the Aboriginal Lands Trust itself, I have been informed that some people within the Aboriginal community feel somewhat powerless regarding the decisions of the trust and its role in the community. Whilst I understand the composition of the Aboriginal Lands Trust and the potential for input, I merely signal to the Parliament that some people feel, if you like, disfranchised by the structure of the trust. The point has also been made to me that in some instances there is perhaps not the clear cultural entitlement to the land that is apparently exercised by the Aboriginal Lands Trust and, given the importance to the Aboriginal community of that cultural entitlement to the land, this matter must be addressed.

The Bill seeks to allow standing deputies to be appointed for any members, and this seems to be perfectly reasonable, given that so many other boards and so on, in both the public and the private sectors, make provision for alternate delegates, and we can see no dilemma at all with that. However, in Committee I will ask the Minister whether there is any intent to take note of the number of times that a delegate does not attend and, hence, the standing deputy does attend. We will ask that question because, if it is important enough for the delegate to be a member of the trust in the first instance, if he or she does not attend on a certain number of occasions, maybe they do not believe it is important enough, and perhaps the entitlement of that particular person ought to be reviewed.

With regard to the Minister's representative being required to be present at every meeting of the trust—and, indeed, there have been a number of reviews, as was indicated in the Minister's second reading speech, which have recommended that this attendance should be altered to its being an entitlement that the representative be present at every meeting of the trust—whilst the Opposition understands that, I believe that all Ministers would make sure that their entitled delegate attended meetings. If that amendment will make meetings flow more easily, so be it; we have no dilemma with that.

The Bill also seeks to allow the trust to delegate its functions or powers to a member or committee of members of the trust. This is a sensible clause; urgent business can be looked at urgently. However, it does seem to be inappropriate that the trust may be able to delegate its authorities and duties to a single member, so we would seek through our amendments to remove that ability. But in agreeing to the establishment of an executive committee of the lands trust, I will ask the Minister, in Committee, how many members are expected to be on this executive committee and, once there is a required number of members, whether there will be a requirement for a quorum.

Given that it is important, we believe, for the Minister's representative to be entitled to be present at any meeting of the trust, because the meetings of the executive committee will be dealing with urgent business, it seems appropriate that the Minister's representative be entitled to be present at any such urgently called meeting of the executive committee so that the Minister can contribute not only skills and expertise via his representative but also official sanction and, indeed, finances and the support of the department or whatever as necessary to the executive committee.

The Hon. P.B. Arnold: But not a requirement.

Dr ARMITAGE: As the member for Chaffey says, our amendment would not impose a requirement: the Minister's representative would merely be entitled to be

present, and that entitlement would ensure that the Minister or the Minister's representative would be provided with agenda, times of meetings and all those sorts of things that are enshrined in any entitlement to attend meetings.

I also signal in debate-but I will not move an amendment in this regard—dilemmas relating to clause 6, which provides for the appointment of a manager or management committee in respect of land leased by the trust, but new section 16aa(1)(b) states that this occurs where 'a lease is not being properly managed by the lessee for the benefit of the Aboriginal community for whose benefit the lease was granted'.

The Minister's second reading explanation states that the purpose of the Bill is to assist the Aboriginal Lands Trust to increase the return on the lands which it holds. In other words, quite clearly, in increasing the returns, there is an economic benefit, and that is clearly mentioned in the Minister's second reading explanation.

New section 16aa(1)(b) talks merely of the benefit to the Aboriginal community. There are so many other benefits to the Aboriginal community that are not necessarily economic. It may be something along the lines of a cultural entitlement; it may be all sorts of other benefits as well and, indeed, there may well be, as is often the case, and as is well recognised in society, a conflict between what might be regarded as to the benefit of the Aboriginal community, as expressed in new section 16aa(1)(b), and the economic benefit, as referred to in the Minister's second reading explanation.

I would point quite clearly to a mining lease. It may well be to the economic benefit of the community to mine a particular lease but it may be totally to the detriment of the community for cultural, spiritual and other reasons to mine it, so there is an absolute potential for a disaster in these two provisions. So, I intend to ask the Minister how we, as a society, will deal with that, because the last thing we want to be doing as a Parliament is setting something up that will cause uncertainty and have the potential for conflict in the Aboriginal community.

The Bill refers to a person who is involved in the management of the land being able to report to the management or management committee either orally or in writing. It is our belief that that is a very important function. If the management committee has someone managing the land for it, it is for all the reasons that the whole of the Aboriginal Lands Trust has been set up. It is of clear major import that that report occurs efficiently and effectively and is worthwhile, and accordingly, we do not believe that an oral report is appropriate and we would seek in our amendments, to make sure that that report is in writing.

Having said that, I repeat that none of the amendments we will move will, in our view, in any way decrease the thrust of the Bill which is quite clearly to allow the Aboriginal Lands Trust to work more efficiently and effectively for the benefit of the Aboriginal community, and clearly, in this Year of Indigenous People, it is very appropriate that we, as a Parliament, do just that.

Mrs HUTCHISON (Stuart): Mr Speaker, I am very happy to support this Bill and in doing so to reiterate the remarks of the member for Adelaide with regard to the Year of Indigenous People and the fact that we need to ensure that all those things we do for Aboriginal people are things which they require and which they can work with in their own communities.

As a member of the parliamentary committee involving the Aboriginal Lands Trust—I notice that the member for Chaffey is here also and he, too, is a member of that committee—we have come to know quite well the needs of the Aboriginal people because we meet with them continually. One of the things that the Aboriginal Lands Trust raised with us was the reasons behind this legislation. I think that all the things that have been requested are quite critical to the efficient operation of the Lands Trust Committee and that is why I support very strongly the thrust of this legislation and would urge all other members here to do the same thing.

There is a problem with regard to the fact that in the past we have not done as much as we could to ensure that we maintain the cultural heritage of the Aboriginal people, and the Aboriginal Lands Trust is a committee which I feel has a very important role to play in ensuring that that happens in those cases where there is a conflict, as has been indicated by the member for Adelaide. Such cases are continually arising in all Aboriginal lands across this State and across the nation, where the rights of mining communities, for example, and the rights of Aboriginal people are being thrust into the limelight. One of the things that I, as a member, need to be assured of is that we do not override and take away those cultural and heritage aspects that are so very important to our indigenous people.

There have been some suggestions here (all of which, as I have said, I would support) that, regarding membership of the trust, it should not be a definite requirement that the Minister's representative be present. I think it is important to provide that that representative be able to attend but that there be no set requirement for a Minister's representative to be present before a meeting can proceed. One of the things raised with us was the difficulty of getting people along to those meetings, and that leads to the other point involved in this legislation, with the provision that deputies can attend.

During discussions with members of the Aboriginal Lands Trust committee, they said that because their members from regional areas are so far away there are times when they cannot get to all meetings; and on those occasions the viewpoint of that particular community or region is lost to the deliberations of the committee. I think it is very important indeed that all those communities be able to be represented at as many meetings as possible, otherwise the deliberations do not take into account all the viewpoints needed to be considered.

I would like to congratulate Mr Brady, who, for some time, has led the Lands Trust Committee and whom we were very lucky to have come along with us on the inaugural meeting of the Parliamentary Lands Trust Committee, and I expect that the Minister will mention that at a later date. It was very interesting to have Mr Brady along on our talks with Aboriginal communities and to see the way that the Lands Trust has operated over a number of years. That committee has developed to the point where it has a lot of credibility, which we as a Parliament must ensure is maintained, providing also

ways in which the people concerned can work efficiently and effectively for their community in South Australia. I applaud the Bill, which I ask all members to consider seriously and support, especially in this important year, the Year of Indigenous People.

The Hon. P.B. ARNOLD (Chaffey): The Opposition has already indicated its support for this Bill and that comes about partly because of the fact that last year legislation was enacted by this Parliament extending the role of the parliamentary committee considering Aboriginal land matters, which up until that time covered the Pitjantjatjara lands and Maralinga lands. That parliamentary committee's role was extended to include participation in discussions with communities on lands held under the Lands Trust legislation.

What this legislation is really doing is providing greater flexibility in self-management of the Aboriginal communities on Lands Trust lands, particularly where land is being leased collectively or individually from the trust. In those instances where it is felt by the community or the Lands Trust that that land has not been properly or effectively managed, provision is made for a person or committee to be appointed to take over the management role of that land.

Much of this Bill has come about as a result of visits that the newly appointed parliamentary committee has made to communities on the Lands Trust lands. It was put to the committee by the people concerned that they needed greater flexibility to be able to manage effectively, because the restrictions in the legislation involving the Lands Trust itself meant that, in many instances, many of the members of the trust were not able to attend on a certain date and so decisions could not be made. This legislation will now provide for the appointment of deputies, and the trust can meet without the Minister or the Minister's representative being present. Another provision which is quite important is that regarding an executive committee and the ability to appoint a manager.

I believe that this Bill is a step forward with regard to self-management by the Aboriginal communities on trust lands. I hope that it will achieve what it sets out to do, as well as achieving the objectives of the committee, which discussed these issues with the people concerned. I hope that within the next 12 months these provisions will prove to be of significant benefit to the Aboriginal communities on Lands Trust lands.

Mr LEWIS (Murray-Mallee): It is well known that the Opposition supports this Bill. I endorse and support my colleagues in the concepts and sentiments they have expressed about the people who were here at the time European man arrived. I support this legislation which seeks to address the way in which land is currently disposed of in what is said to be their interests. I think we all have to take up that maxim of looking to the future, to the twenty-first century. We have to think globally and act locally.

It goes without saying: we all live on this one planet. Those things we do which are likely to enhance our ability to live with one another, understand one another and tolerate (indeed, more than tolerate but enjoy our differences as individuals of the same species) one another according to our cultural heritage—the more this can happen, the better off we will all be. Personally, I have a lot of faith in human beings anywhere, regardless of their cultural background or heritage, if they can acknowledge the fact that we do live on a planet which is spherical and on a planet which has all fluid in common, whether that be the atmospheric envelope or the liquid of the oceans.

My problem with this legislation is that there are some underlying assumptions which are false, and it is quite wrong of us to perpetuate that falsehood. What we need to remember is that indigenous means 'from the very beginning, coming out of, and belonging there by dint of continuous existence'. In none of those senses are the people who live on this Australian continent indigenous. There were inhabitants on this continent before Europeans arrived—there is no question about that people quite different from Europeans. They were a people who had adapted themselves to the climate and circumstance of the topography wherever they may have been. They were not homogeneous and they were not of consistent racial origin.

The people in the far north were more recent arrivals than those in the far south of the continental complex. Therefore, it is wrong to suggest that they were the same and wrong to assume that it is appropriate for us to make laws which treat them all the same. That is the problem I have with the notion of a Lands Trust for all Aboriginal people, as we have chosen to name them. Neither the people who were here at the time European sailors discovered this continent and the folk on it, nor the people they had dispossessed, were the original inhabitants. Indeed, the first human beings to arrive here were not, strictly speaking, indigenous because they did not evolve in this ecosystem. They were not created as part of it: they came to it by way of migration. There were several waves of migrants and they occupied different parts and places; and the manner in which they integrated with existing human beings throughout the years of history before writing that record was possibly different, place to place.

That is the nub of my concern. We ought to take off our blinkers and start to look at things as they are because of the way in which they were; more particularly, we should start to look at ways of ensuring that they can be better in the future than they were in the immediate past (within the past 100 years) or even in another category of time (the last 1 000 years). There is no question about the fact—

The SPEAKER: I draw the honourable member's attention to the Bill, which is a very simple measure. The honourable member is five minutes into an allotted 20 minutes in this debate. He has made his point and I now ask him to come back to the relevant comments on the Bill.

Mr LEWIS: The Bill presumes that all those people were homogeneous and that because we have used one word—Aboriginal—to describe them we are therefore entitled to think, as a Parliament and as a society, that they are all the same, and that we should treat them all same. My quarrel with the Bill, Sir, is that it presumes to do that.

The SPEAKER: The Chair will make a decision on relevance. The Bill concerns membership of the trust,

nothing about the origins of people. It concerns membership of the trust, meetings and a quorum, delegation of the trust and the appointment of managers. I ask the honourable member to be relevant to the Bill before us. I have allowed him some leeway to build his case, and I respect his right to do that, but I now draw him back to the substance of the Bill.

Mr LEWIS: Sir, I am saying to the House, through you, that this trust presumes homogeneity and presumes the existence of one nation, which did not in fact exist. It presumes that the people can be divided according to European notions, as to where the law would apply to them, by the State boundaries—lines notionally drawn on a map—and that our jurisdiction from this Parliament is relevant in some way to their culture and interests.

In so far as that is imperfect and part of the existing law, I guess we have to respect that. What I am annoyed with is that this trust—its membership and the way in which it is constructed—completely ignores that cultural background. What is more, it enables the people who have the common view that things ought to be owned in common to hold sway. That is the Communist view of the world, and I abhor that—I reject it I do not think that people on this continent who have their roots in an entirely different place ought to be appointed and make decisions about land, for instance, which should belong to, and has belonged to, say, the Ngarrindjeri people.

That land ought to be controlled by those people in ways in which they think it appropriate to their interests in the future. Yet this trust presumes to override that, and it is done for our political convenience—indeed, the dominant element of our political convenience at the moment, that is, the Left. Those people think it is all right for everyone to own everything, but no-one in fact owns anything so no-one individual accepts responsibility. Those people think that it is okay for everyone to own everything, but in fact no-one owns anything, so no individual accepts responsibility. Our law is flawed in that respect.

This Bill is flawed in that it assumes that concept to be correct; that is the problem I have. It enables the existing population of people who could be selected and appointed by a Government of the Left to play power games with communities who should have the prerogative power of saying what goes on the land. Those power games are facilitated by this measure, because it concentrates the power over lands that are scattered across the face of this State in the hands of a few. They are very few, given the numbers of people who, by their heritage, have a right to participate in the activities undertaken on those lands, and the way in which decisions about those activities are made, as outlined in the powers conferred on the trust by the Bill and the way in which those consequences impact on the people, such as the income and benefits they can derive from it and the way in which the land is used or allocated to different purposes.

That leaves too much power in the hands of too few people on that trust, some or indeed all of whom may have no cultural empathy with the piece of land in question, wherever it may be in South Australia. So, that is the nature of my quarrel with the concept which we perpetrate by presuming that our insight into their interests should override their own knowledge of their cultural roots in the location to which we apply it. I know that the legislation before us provides greater flexibility in the use of the lands that are owned by the trust than is presently possible under the law. That is the nub of the reason why the Opposition is supporting it. It goes some distance towards a solution of the problems that I have just consciously identified for the benefit of the House, but we do not solve those problems by presuming that there is a 'we' and a 'they'. That is the mindset of a bigot; someone with blinkers and tunnel vision; someone who does not understand, accept or acknowledge the truth of the diversity of the backgrounds of the people who were here prior to European settlement.

I guess it finally comes down to the fact that the ultimate benefit and solution will be forthcoming when we abolish the trust altogether and provide title to the lands to the communities of people who have chosen because of their rightful inheritance to remain living on those lands in those communities. I do not think the Aboriginal Lands Trust knows better what to do with the royalties for mineral rights or the income derived from leasing irrigation water rights than do the people who live there and who have a right to that land by virtue of their connection in that way. The lands trust *per se* is a European concept to be found only in European law. Certainly, it is not a concept that can be found anywhere in the laws and the mores of the peoples who occupied various parts of this continent prior to the arrival of Europeans.

I place on record my profound respect for their ability to adapt, and acknowledge the necessity to do so, seeing the future as being members of the human race and part of the global village and not creatures subject to the whimsical inclinations of a group of people who may not share their insights and understandings. Wherever they may be, whether on this continent or anywhere else, those people need to be given control of their property and control of their personal future, to the extent that they can personally and collectively decide how they wish to live within that framework.

Mr BRINDAL (Hayward): I will not detain the House long, since the member for Murray-Mallee has said much of that which I would wish to say. I would point out to the House once again that 1993 is the Year of Indigenous People, and this House has done very little to acknowledge that, either by way of legislative change or by way of debate within this Chamber. I have written to the Ministers of Aboriginal Affairs at both State and Federal level to ask them in this Year of Indigenous People to rethink their attitude towards the Aboriginal people of Australia, and only yesterday I received a letter in reply from the Hon. Robert Tickner.

My objections to this Bill are very similar to the objections of the member for Murray-Mallee in that, while I support it, I believe it is the Bill itself that is flawed, because it is basically paternalistic and patronising towards the Aboriginal people of this country. The land of which we are speaking today is their land by absolute right, and for this Parliament to pass a law which does not give them free title to the land but which vests it in the trust and appoints a committee of Parliament to oversee the land is to have two laws in this nation: one for the Aboriginal peoples and one for

the rest of us. It is their land; they should have free title to that land to do with as they wish.

In the principal Act and in the amendments to the Act, this Parliament continues to perpetrate a patronising and paternalistic model, which should be outmoded. The Aboriginal people in this country are equal partners in the future of this country, and they deserve an equal chance with every other Australian. The sooner Governments realise that, adopt an attitude of equal participation and trust and get away from the paternalism inherent in this Bill, the better off not only Aboriginal people but all Australians will be.

In that this Bill does go down the road towards freeing the Act and making some sensible amendments, I support it. In that it is, however, based on paternalism and a colonialist type mentality, I do not support the Bill, and I record that once again for the Minister at the table. I do hope that later in this year we will see much more enlightened legislation dealing with the Aboriginal people of this State, and perhaps the most enlightened legislation would be to remove all the laws which make them different in some way, and to make them truly equal with all other Australians.

Mr S.G. EVANS (Davenport): I support the Bill; I know that attempts are being made to amend it. I wish to raise one point which I hope the Aboriginal Lands Trust will consider in the near future. There is a piece of land on Shepherds Hill Road called Colbrook, where there used to be a home and the ownership of which was passed to the Aboriginal Lands Trust in the early 1970s. The community would like to see something happen with it. It can become a fire hazard in the bushfire season, and I think the trust could use the moneys it could get for that land to benefit Aboriginal people in health and education. I raise the point now, hoping that the trust will look at the land and think about doing something about its future use. If it does not require the land, perhaps it could sell it so that the land can be used for other purposes.

The Hon. M.K. MAYES (Minister of Aboriginal Affairs): I thank members of the Opposition for their support of the Bill and for indicating their views about the overall management of the trust. As you yourself said, Mr Speaker, and as is set out in the second reading explanation, the Bill is designed to provide for greater efficiency within the trust. The Bill stems from a recommendation of the committee and also the community. So, the measure is supported significantly by those people who have a direct interest, both from this Parliament and from the community as a whole. That is a significant point to note.

As to the question of discontinuation of the patronisation of the Aboriginal community, that is an interesting approach and I would rather explore that when dealing with the proposed amendments. In essence, the legislation dates back to 1966 in terms of the control of lands by Aboriginal communities. They are represented. The legislation gives them certain power, and the amendments now before this place are designed to give greater authority and independence to the operations of the trust through the management, the executive and the board itself.

I believe that answers directly the question of the member for Hayward. This is another step forward in giving greater independence to Aboriginal people in having control over those lands that they clearly identify as being their lands. It is a significant step in that direction. The member for Adelaide said that the overwhelming comment, priority and issue put to him during his travels is: what we want is jobs. I agree with that. However, I believe that the member for Adelaide should ask his colleague the Federal shadow Minister why the Federal Opposition's policy is to knock about $248 million off the Community Development and Employment Program (CDEP), because that will impact directly on programs that provide employment for Aboriginal communities throughout the State and nationally. I recommend those benefits to the member for Adelaide and suggest that he discuss them with communities such as Raukkan.

I was recently at Raukkan for the handing over ceremony of additional lands to the Raukkan community. Clearly, from the discussions I had with the Chairman of the district council, the district manager and several councillors, they are overwhelmingly in support of that program, which they claim has been an outstanding success in the Raukkan community. I suggest to the honourable member that, when he talks about jobs, what is proposed by the Federal Opposition, if it were to become the Federal Government, would be devastating for the overall employment creation programs set up under CDEP and the success in Raukkan, Yalata and the AP lands, where there is significant employment and constructive training programs which lead to long-term employment. At Port Lincoln and all over the State we have seen benefits flow from that scheme.

I am somewhat discursive in responding, but that was a point raised by the member for Adelaide. This Bill is important because it will provide the opportunity for the trust to operate in a more accountable and responsible way while recognising some of the processes that have already been established but not legalised under the terms of the current Act. It will probably pick up some of the practices that have been established and give them legal status where they have not had that status previously. This measure is another important step forward and I thank the Opposition for its indication of support. I am sure, from the point of view of the Aboriginal community and certainly members of the trust, they welcome that support as well.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Membership of trust.'

Dr ARMITAGE: As I stated, we understand the difficulties of distance and other factors, and so we support this clause. Once empowered, a standing deputy can act for a member of the trust. We believe that being a member of the trust is an important job. Does the Minister intend in any way to keep an overview of the number of times that a member of the trust does not attend and his or her standing deputy deputes for them? Being a member of the trust is an important position and, if a member does not attend frequently, perhaps their commitment to the goals and aims of the trust should be

called into question. Although I support the clause, is there some way of looking at that aspect?

The Hon. M.K. MAYES: That is a very reasonable question from the member for Adelaide. I would not like to write in a stipulation or prerequisite or include that in the regulations because, as the member for Hayward said, it would suggest a patronising attitude by this Parliament to the Aboriginal community. I know that the trust currently writes to communities outlining the responsibility of their representatives on the trust, and I am sure that it would be conveyed that there is a need for attendance, and that failure to attend reduces that community's impact on the trust's operations and its management. Obviously, I will convey that concern to the Chairman of the trust, and I am sure that it will be mentioned in any process that is followed. I am sure that part of that process would be to advise trust members that attendance is important. I know the community view is that membership of the trust is important. It is taken on board and those comments obviously will be conveyed. I am sure the Chairman will ensure that the communities are aware of that.

Dr ARMITAGE: I would like to clarify the position—and I stress again that I am not doing it with any sense of being patronising—because it is a fact of life that the annual reports of companies or statutory bodies, and so on, detail memberships of committees and 'number of times attended'. I do not expect anything of an Aboriginal community that is not already expected of other people in other positions.

Clause passed.

Clause 4 passed.

Clause 5—'Delegation by trust.'

Dr ARMITAGE: The Opposition supports the principle of this clause. Where attention is required to urgent business, it is appropriate that an executive committee or subcommittee, or whatever, be set up to deal with that business more expeditiously. We support that, and I think that that does nothing more than recognise the reality of the matter. However, although the very definition of 'urgent need' dictates the need for immediate attention to that important business, the Opposition believes that those functions or powers of the trust be delegated to more than one member of the trust. If the business is important enough to require urgent discussion, it is equally important that more than one person make a decision on that business. Accordingly, I move:

Page 2—

Line 10—Leave out the words 'member or'.

Lines 23 and 24—Leave out ',where the delegation is to a committee,'.

Line 24—After 'the committee' insert 'to which the delegation is given'.

The first amendment would still provide for the establishment of an executive committee or subcommittee, but that committee would have to be made up of more than one member— The second and third amendments are consequential on the omission of the words 'member or', so that the subcommittee or executive committee is made up of more than one member.

The Hon. M.K. MAYES: I understand the thrust of the comments of the member for Adelaide, and in some ways I have sympathy for his argument. However, I have considered this matter in the time available this morning and I have discussed it with the representatives. I have received advice from an officer of the trust and the Chairman, who believe that this amendment would curtail the existing process of operation of the Chairman in particular, and it is likely to be the Chairman who is vested with these responsibilities by the trust. I have been given information about certain events that would occur.

As I said in reply to the second reading stage, we intend to put a legal framework around the structure so that the successful occurrences are given legal support. If we accepted the first amendment, we would restrict the operation of the Chairman, in all probability, to meet communities and discuss issues, such as health issues. I can think of a number of issues that have come before me in discussions with the Chairman, for example issues relating to the community's own administration or to the operation or management of the lands. The amendment would curtail the capacity of the current Chairman to operate.

I feel reluctant to accept the amendment based on the desire to allow things to continue. I am sure the honourable member appreciates that most of this is orally negotiated with communities and then it goes back to the trust. For example, if we are talking about lease arrangements, there would be discussions with the community, the Chairman and officers of the trust would no doubt meet with the community—I know that has happened, and I am sure the honourable member is aware of that as well—and then there would be a report to the trust. I think we are expressing our concerns that, under the existing Act, there is probably no legal framework for that structure of negotiation or that process.

Having discussed the matter with various advisers, my view at present is that the Government would prefer to retain that provision in the legislation to allow things to operate; we would keep that situation under review in discussions with the trust. I understand the sympathies of the member for Adelaide, and I acknowledge that the amendment would make things neat and tight. In these matters, because of the nature of the trust, we have to provide a little flexibility to allow the living style by which it operates, with the Chairman, I guess, spreading himself thin over the State in order to support these discussions. I am sorry that the member for Eyre is not here to support that. I know he is a very strong supporter of the current Chairman and the way in which things are operating. I guess he has had a good deal of experience in this process. I will not relate the private conversation we have had, but he has spoken to me about this and offered his support for the Chairman and his role. At this stage, I oppose the amendments.

Dr ARMITAGE: I understand exactly the nature of the trust but, in his second reading explanation, the Minister said:

> Between meetings of the trust there are on occasions matters which arise which require more urgent attention than a quarterly meeting will allow.

As I understand it, this executive committee will deal with urgent business which, according to the Minister's

second reading explanation, is more urgent than business discussed at a quarterly meeting.

I understand that the Chairman discusses issues with the community on a regular basis, and that is part of the dealings, but is he doing that as official trust business or is he doing that in being a good Chairman and in being on top of the job? If it is the latter, if the present Chairman—and I use the male pronoun—in going around to the communities, discussing things and presenting options is just being a good Chairman, the amendment can still stand such that any urgent and important business can be dealt with by an executive committee of several people. If in his daily activity he is doing work of the trust, clearly this amendment would impinge and impede on that work. But, as the Minister has said in his second reading explanation, the present work of the Chairman can continue. I would support that work but, where urgent business of the trust as such is done, more than one member, be it the Chairman or any other, should be involved.

The Hon. M.K. MAYES: I understand the points being made by the member for Adelaide; they are clear, and I understand his concern, but I think there is a practicality that we must take on board. The active word 'impede' has been used. By including this provision, we may in the mind, and possibly in the legal framework, impede the operation of the Chairman in handling the day-to-day operations. I think that would be retrograde, it would be unfortunate and I think it would be seen by the trust as a limitation. The executive cannot, by the very word that follows the proposed deletion, make those decisions: it has to be a trust decision in regard to lease matters and other matters set out there, which deliberately exclude committee members of the trust from undertaking those activities.

I understand the thrust of the matter. I would certainly prefer to see the word 'member' retained. This very debate helps to clarify for the Chairman and members of the trust their responsibilities. I am sure they are aware of those anyway, but I hope that this can be used as some form of explanation to them and to the community as to why we are delegating, through this Parliament, those opportunities for a member of the committee to have those powers vested in them by a decision of the trust. I would prefer to leave the Bill as it is.

Amendments negatived.

Dr ARMITAGE: I move:

Page 3, after line 1—Insert subclause as follows:

(4) The Minister's representative is entitled (but is not required) to attend a meeting of a committee of members of the trust acting in pursuance of a delegation under this section.

Given that we passed a similar amendment to clause 4, which in fact is a move towards less paternalistic views of the trust, if you like, it is appropriate to provide a similar entitlement for the Minister's representative—but certainly not a requirement—to attend any meeting of any trust subcommittee acting in pursuance of delegation under this clause. As I indicated both in my second reading speech and in my not speaking to clause 4, we support the requirement of the Minister's representative being curtailed. But, given that we have just provided the executive committee with these powers, I believe it is appropriate that the Minister's representative be entitled to attend meetings as the Minister may chose. I stress it is an entitlement not a requirement, and it is no more or less paternalistic than clause 4. Indeed, given the Minister's comments in relation to the last three amendments regarding the types of meetings that the executive committee may have, it is highly likely that the Minister may choose not to have his or her representative at a large number of those meetings. Nevertheless, it is appropriate to provide the entitlement for attendance.

The Hon. M.K. MAYES: This approach has been discussed, and it has been made abundantly clear to me by the trust and by the Aboriginal communities around South Australia since I was appointed to this portfolio that those communities do not want to see a non-Aboriginal Minister or the Minister's representative taking a guiding hand on the steering wheel and the gear lever. I understand the intention of the member for Adelaide and his reason for moving this amendment. It may be misjudged by the community if I accept this amendment. I understand the logic for inclusion of the provision that the Minister's representative is entitled but is not required to be present at a meeting of the trust, but this may be seen as paternalism—and I am not suggesting that the member for Adelaide intended that. It may be misread in the community.

I would not want to contemplate this provision as part of the Bill. Enough controls are built into this Bill to ensure that the responsibilities are accepted by the trust and are properly demonstrated. Accountability is built in, and that can be exhibited to the community as a whole through the operations of the trust. I hope that we can put in place the legal framework that will give the trust the opportunities, with the communities, to develop these lands for the benefit of the communities and of every South Australian. It may be seen as being a little heavy-handed if this amendment was included; it would, of course, involve but not require the Minister's representative attending committee meetings. I oppose the amendment.

Dr ARMITAGE: I understand exactly what the Minister is saying; however, it would seem to me he is attempting to be a little bit pregnant. Why do we enact under clause 4 one provision and not enact it under clause 5, even though the words are similar? I understand from the Minister's words that this will not be enacted, and we will certainly not force that issue, but it is completely illogical that the Minister's representative is entitled to be present at a meeting of the trust yet is not entitled to be present at a meeting of the executive committee of the trust. Those comparative views do not sit well together, and I merely point out the illogicality.

The Hon. M.K. MAYES: I do not believe it is illogical because, if one looks at the limited nature of committee operations—and the reduction in their powers is set out under clause 5—one sees that there are circumstances where the trust may wish to invite the Minister or the Minister's representative to be present at a full meeting of the trust, but there would be very few situations where it would be necessary for the Minister or the Minister's representative to attend a meeting of the committee. The Minister or the Minister's representative would be focusing on major issues, and there would be circumstances where, at the invitation of the trust, there

would be a need for one or other to be present. But when one looks at the limitations on the functions and powers of the committee, the chairman or the member who has been vested with these powers by the trust, one sees that it would be unlikely that there would be a call for the Minister or the Minister's representative to be present at any one of these meetings or at a meeting with a member who has been vested with these powers.

We must be fairly sensitive to the fact that it could be misread by the community that we are providing only part of a release so that this might be seen as paternalistic interference from the Government in terms of the operations of the trust. I want to give a clear message—as I am sure the Committee does—that we have complete faith and that we are prepared to vest in the community the powers to run the trust; we wish them all the best in undertaking all their endeavours.

Amendment negatived; clause passed.

Clause 6—'Appointment of manager or management committee in respect of land leased by trust.'

Dr ARMITAGE: I move:

Page 3, lines 25 and 26—Leave out '(orally or in writing)' and insert 'in writing'.

It is the view of the Opposition that the business of requiring a lessee of a person involved in the management of the land to report to the manager or management committee what has been going on in the land is an extremely important issue. Thus we believe that the importance of this reporting ought to be emphasised by making certain that that report is in writing.

Members of Parliament know only too well the potential for slip-ups when oral reporting occurs. In doing this, I think the Opposition is attempting to indicate how important we believe the reporting process might be. That relates to the amendment. However, I wish to raise with the Minister the matter of clause 6, new section 16aa(1)(b), which provides:

(1) The trust may . .

(b) with the consent of the Minister, where the trust is satisfied that land the subject of such a lease is not being properly managed by the lessee for the benefit of the Aboriginal community for whose benefit the lease was granted.

I think I know what that means, but the Minister's second reading explanation states:

The purpose of this Bill is to assist the Aboriginal Lands Trust to carry out its program of working with Aboriginal communities to increase the return from the lands which it holds.

To me that quite clearly means an economic benefit. If we put that with new sections 16aa(1)(b) and look at an economic benefit to the Aboriginal community under this clause, that is quite clear, but as I mentioned in my second reading speech, the economic benefit to the Aboriginal community may well be to mine gold, uranium, you name it; it may well be to mine land which the Aboriginal Lands Trust has, that may be to the economic benefit, and that would certainly, as the Minister says, increase the return on the land.

I am delighted to say that I believe the non-Aboriginal community is becoming more cognisant of the benefits of cultural entitlement, heritage values and so on within the lands, not only to the Aboriginal community but also to the non-Aboriginal community, knowing that it may well be to the economic benefit of the Aboriginal community to mine something or other but certainly not to its cultural and heritage benefit. So, what exactly does new section 16aa(1)(b) mean by 'is not being properly managed by the lessee for the benefit of the Aboriginal community'?

The Hon. M.K. MAYES: My interpretation of that is that it encompasses all aspects, not just the economic aspects, in terms of the management of the lands. My recent experience would suggest it has been in terms of the economic benefits and returns to the community, because matters have recently been brought to my attention in relation to those areas, two of those matters having been raised in this place, in relation to the proper management, and that is the reason for including a specific provision in this Bill.

I can also envisage where one would see the lessee not providing proper management, control or administration for the benefit of the Aboriginal community. That would also apply to other aspects of the community's life or expectations of the benefits which should flow to it from that particular parcel of land or that particular lease.

Dr ARMITAGE: I hope I indicated by talking about cultural benefits and heritage values that that is what I take it to mean as well, but the difficulty is that if the lessee looks at the second reading explanation and says, 'Well, clearly this Bill is to increase the return from the lands', the conclusions may be different. I am not asking for a particular answer; I am merely pointing out the dilemmas. However, I once again stress the importance, we believe, of leaving out the oral reporting regarding the management of the land as an attempt to emphasise how important those reporting processes are.

The Hon. M.K. MAYES: I think I can admit that the second reading explanation is deficient, because clearly what I would have in mind is that it would involve benefits that flow to all aspects of community life, including cultural, educational, training and social aspects, as well as economic. So, I think the member has picked up a flaw in that explanation and I am happy to amend that as a consequence of his attention to that new section. The amendment before the Committee involves an interesting, and I guess unique, aspect for the Aboriginal community of Australia and certainly indigenous peoples, in that their language, of course, is traditionally a verbal language. It is something that the non-Aboriginal community has brought to bear in terms of establishing and certainly continuing of those languages.

Just a week and a half ago the Premier and I had the opportunity to attend the launch of the language centre at Port Adelaide which we hope will allow our Aboriginal languages not only to be recorded but also to flourish and, in fact, enrich our lifestyles in this country as a consequence. This is an important aspect. We would have communities throughout South Australia that would be making reports and be involved in discussions and negotiations where there would be little opportunity for these people to provide those reports in writing.

From my limited knowledge of the Aboriginal community, but certainly from my exposure to and discussions with those who have a far greater knowledge, those oral discussions are very significant and are

regarded as fundamental in the process of negotiations within the Aboriginal community. That is why this provision is specifically included. For example, discussions could be taking place over a lease or a cultural matter involving a particular community, or a management or development proposal may well be in the process of being considered by that community, and the trust, as a consequence, may require a report on that. Most likely, that would be provided to the committee or the trust in an oral form. That is very significant because that is the traditional way the Aboriginal communities would deal with this, and to provide for an oral report is, I think, fundamental, whereas to insist that it only be in writing could create difficulty for the overall operation.

I note the honourable member's comments, which I endorse: that there is always an opportunity for things to go astray and come unstuck. I know that that happens quite frequently with written documents as well. It happens in this place—and should I say, Mr Clerk, that it happens more often in that place than we care to count on our fingers and toes. I think that what we are picking up here is the traditional way that Aboriginal people have dealt with issues within their communities. If the committee, chairman or officers of the trust are negotiating with the community about some sort of development proposal—a lease or some other matter—it will be a requirement that there be an oral report. It is likely that that oral report would be the most efficient way of reporting those discussions and negotiations, but once it is brought before the trust there would then be a requirement that minutes be kept and that it be recorded by the trust.

If we insist that it be in writing we think there could be far greater opportunity for things to go astray than if we allow for it to be in oral form. This procedure can involve discussions occurring at Yalata, Nepabunna or anywhere else in the State, and it may relate directly to the activities of that community, to its lands and, as a consequence, any flow-on from a decision of the trust.

Amendment negatived; clause passed.

Title passed.

The Hon. M.K. MAYES (Minister of Environment and Land Management): I move:

That this Bill be now read a third time.

Dr ARMITAGE (Adelaide): I wish once again to contribute to the debate and indicate the Opposition's support for the total thrust of the Bill. It was our belief that the amendments in no way curtailed that thrust. In 1993, the Year of Indigenous People, we believe that it is important that there be a loosening, if you like, of the bonds or powers so that the Aboriginal communities become more able to manage Aboriginal lands as they would wish. That is an important recognition of the fact that this is the Year of Indigenous People.

I am pleased that our agreement with the general thrust of the Bill has been acknowledged by the Minister. We look forward to the efficient management continuing under these freer arrangements, and hope that the benefits—be they financial, social, heritage, economic or whatever—that the Minister has identified during the Committee stage will flow on to the communities and everyone concerned.

Bill read a third time and passed.

WHISTLEBLOWERS PROTECTION BILL

Received from the Legislative Council and read a first time.

POLICE SUPERANNUATION (SUPERANNUATION GUARANTEE) AMENDMENT BILL

Returned from the Legislative Council without amendment.

FIREARMS (MISCELLANEOUS) AMENDMENT BILL

Reconsidered Bill returned from the Legislative Council with an amendment.

The SPEAKER: I advise the House that I am aware that the amendment is the same as that considered on 3 March. I remind the House of my statement of 9 March which explained how this reconsideration became necessary. The Legislative Council declared its proceedings subsequent to the motion that the incorrect Bill be read a second time null and void. It was therefore necessary for the Council to pass its amendment again as well as agreeing to the remainder of the corrected Bill. Despite the fact that the amendment is identical, I am ruling that the same question rule does not apply, as the amendment was made by the Legislative Council to the corrected Bill.

[Sitting suspended from 1 to 2 p.m.]

QUESTION

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

POINT LOWLY LIGHTHOUSE

In reply to **Mrs Hutchison** (Stuart) 9 February.

The Hon. M.D. RANN: The lighthouse and associated facilities and land at Lowly Point are owned by the Federal Government and operated through the Australian Maritime Safety Authority. The lighthouse is deemed to be of no further use to commercial shipping, and its service has been discontinued as from 17 February 1993. The Australian Maritime Safety Authority is currently considering options for either the lease or disposal of the lighthouse and property.

PRISONER, RELEASE

The Hon. R.J. GREGORY (Minister of Labour Relations and Occupational Health and Safety): I seek leave to make a ministerial statement.

Leave granted.

The Hon. R.J. GREGORY: Last Thursday in this House during Question Time, the member for Bright asked what action I was taking to correct erroneous projected release dates for prisoners and how many prisoners have been released early as a result of errors in calculating prisoner release dates for the past 10 years. I now have the full details from the Department of Correctional Services, as follows. Calculation of prisoner release dates is a very complex process. If prisoners behave, they are entitled to 15 days remission for every month served in prison. However, under the Correctional Services Act, the department has the power to administratively discharge a prisoner within the last 30 days of their sentence. In other words, in some cases it is quite acceptable for prisoners to be released up to 30 days prior to their designated earliest release date.

During the department's transfer of prisoner information to a computerised system, some miscalculations were found between the earliest release dates recorded manually and the date calculated by computer; however, these were minimal. These manual calculations have not always worked in favour of the prisoner; in some cases, prisoners have been detained longer than their earliest release date. The department has projected that 175 prisoners out of the 34 674 sentenced over the past 10 years have a greater than 30 day variance to their previously specified earliest release date. After the differences between the dates recorded on the two systems for all existing prisoners in our State's institutions have been monitored, it has been found that only 18 prisoners out of 1 150 have a variation of more than 30 days. These 18 inmates are generally serving very long sentences. Release dates are now more accurately determined than under the previous manual system. I am pleased to announce that the newly introduced computer system is now operational and will overcome these problems.

QUESTION TIME

EMPLOYMENT

The Hon. DEAN BROWN (Leader of the Opposition): My question is directed to the Premier. As the number of South Australians with full-time jobs has fallen by 30 000 over the past three years, including a further fall in the past month; as the youth unemployment rate has almost doubled, including a further rise in the past month; and as 88 800 South Australians are amongst the 1 053 000 unemployed Australians at present, why should South Australians trust for another term Labor Governments which have no plans to create jobs and certainly no vision for the future?

The Hon. LYNN ARNOLD: Yes; I will certainly answer the Leader's question. Again, the Leader has not chosen to quote all the figures that should be quoted, so I will fill in the gaps that he notably left out. If we look at a year by year basis, we see that the figures that have come out today are very telling indeed.

Members interjecting:

The SPEAKER: Order!

The Hon. LYNN ARNOLD: A total of 636 500 people were employed in South Australia in February 1992. If we look at the total number of people employed in South Australia in February 1993, we see that the figure is 647 600—an increase of 11 000.

Members interjecting:

The Hon. LYNN ARNOLD: I would have thought that an increase was something to be pleased about. Somehow or other, an increase—

Members interjecting:

The SPEAKER: Order! The Premier will resume his seat. If the Chair cannot hear the answer to the question, I am sure the person who asked the question cannot, and I would draw the attention of the House to the requirement that responses be heard in silence. The Premier.

The Hon. LYNN ARNOLD: It should be noted that the situation for all of Australia was a bit different from that, and those figures are of some concern, as I know they are of concern to all Australians. Nationally, the figures for people in employment actually went down between February this year and February last year, but we in South Australia had an 11 000 increase in those in employment. Members opposite laugh at that; they think it is something to be mocked, even though we went against the national trend. The situation with respect to—

Mr S.J. Baker: They were all part-time, though.

The SPEAKER: Order! The Deputy Leader will be part-time if he persists in interrupting.

The Hon. LYNN ARNOLD: While the full-time employment figures for the nation went down some 30 000, the full-time employment figures for South Australia went down by 800; less than one in 30. Our population share is about 8.7 per cent of the country so, in terms of that, even there we resisted the national trend.

Members interjecting:

The Hon. LYNN ARNOLD: These are the figures that members opposite are quoting or, I should say, misquoting. Let us look at the unemployment rates. For South Australia, the rate in February 1992 was 11.5; it is now 11.

Members interjecting:

The SPEAKER: Order!

The Hon. LYNN ARNOLD: It is certainly an improvement. Now they start quoting participation rates. They have never wanted to know the participation rates before, but now they want to talk about participation rates as if they will explain this oddity—the fact that, compared with a year ago, there are now 11 000 more South Australians in work and taking home a pay packet. Members opposite want to move off into participation rates, when all the time previously they have brushed that aside. Let us look at the month by month figures, because they show that the unemployment rate in South Australia, which was 11.8 per cent in January, is now 11 per cent, so it improved by .8 per cent. Let us look at the actual figures, month by month.

Month by month, the level of unemployment in South Australia—the number of people unemployed—fell by 6 000, and the number of people actually employed in South Australia increased by 5 500. That is 5 500 extra people taking home a pay packet from a month earlier,

and the Leader is attempting to suggest that these figures are something to laugh at, to deride and the basis on which to put confidence in a Fightback package that would undermine manufacturing in this State and would see manufacturing employment plummet in the years ahead, were there to be a Hewson Government. The Leader wants us to reject this sort of trend line that for some months now has seen a real growth in employment in South Australia and replace that with a real decline in employment that a Fightback package would bring if we had the misfortune to have a Hewson Government elected.

Mr FERGUSON (Henley Beach): Will the Minister of Education, Employment and Training provide the House with any further details of the February employment statistics for South Australia and indicate whether the strengthening labour market in South Australia would be adversely affected by the labour market policies of the Federal Coalition?

The Hon. S.M. LENEHAN: I take this matter very seriously, unlike some members of the Opposition, who regard the unemployed as some kind of political football. This side of Parliament does not.

Members interjecting:

The Hon. S.M. LENEHAN: This side of Parliament takes the plight of unemployed people very seriously. I thank the honourable member for his question. I would like to add a couple of points to the answer that the Premier gave to the previous question. It is absolutely true to say that for the third month in a row we have seen a decline in the number of unemployed in South Australia. It is quite obvious that going from 11.8 per cent to 11 per cent is a significant decline. However, I would like to say that, while we are looking at a large decline and while it is an encouraging sign, it should still be treated with some caution because of the volatility of the labour market and the labour force figures in the first few months of any year.

As the Premier said, the decline in the unemployment rate is reinforced by a strengthening in the labour market, and it is important to acknowledge that total employment in South Australia increased by 5 500 in February on a seasonally adjusted basis. It is also important to note that this is the highest level of employment since June 1991. We are talking about the February figure for 1993, which is the highest level of employment since June 1991 and an increase of almost 13 000 people since the trough in the employment recession of May 1992. So, we are coming out of this recessionary trough. The number of people unemployed in South Australia also fell, as the Premier said, by 6 000.

The fact that employment levels have increased for two consecutive months and that unemployment levels have declined for three consecutive months highlights the improving trend in the South Australian labour market. Given that the question is about the impact of the Federal Coalition's policies, it is important that we look at them. On the one hand, the Federal Labor Government's employment strategy will create a minimum of 500 000 jobs in the next two to three years. This strategy is backed by an accord with the union movement and by the fact that we are looking at working with the union movement for steady and achievable growth. That was supported as recently as this morning by the professor from ANU, Dr Bob Gregory, who said it is possible to have an increase of 500 000 jobs in the next three years.

On the other hand, the Federal Coalition has talked about two million jobs by the end of this decade. It is interesting to note that a paper released this week by 24 leading Australian economists questions Dr Hewson's claim and says that it is impossible. If members want more evidence, even Dr Judith Sloan, from Flinders University, who is going to be one of the advisers, said that she believes 'that two million jobs are unachievable'. That clearly shows that the Coalition's policies for the creation of jobs is nothing more than a desperate grab for power. They are more than—

Mr S.J. BAKER: Mr Speaker, I rise on a point of order. Not only is the Minister taking an inordinate amount of time but she is debating the question.

The SPEAKER: I uphold the point of order. The Minister is now debating the answer. Has the Minister completed her response?

The Hon. S.M. LENEHAN: Yes, Mr Speaker, I will conclude. It is important to acknowledge that the unemployment level is higher than certainly this Government would like to see it, but we are working constructively and cooperatively with all sections of the community to ensure that we bring the level down. There are promising trends and I believe we should be working to reinforce those trends; not to undermine them as the Opposition in South Australia is doing.

UNEMPLOYMENT

Mr INGERSON (Bragg): My question is directed to the Premier. As almost half of the South Australians without work have been unemployed for at least 12 months, will the Premier concede that this spreading cancer of long-term unemployment can be cured only by getting rid of the Keating Government?

Members interjecting.

The SPEAKER: Order! I hope the member for Bragg will not bring comment into his explanation.

Mr INGERSON: Yes, Sir. Figures released today show that 40 022 South Australians are classified as long-term unemployed because they have been out of work for at least 12 months. This represents an increase of more than 1 200 over the past 12 months. Other figures released today on the number of unemployment relief recipients show an increase for all but four of the 28 CES offices in South Australia over the past month. The increases include 6.3 per cent at Modbury CES, 5.2 at Norwood CES and 3.4 per cent at Noarlunga CES.

The Hon. LYNN ARNOLD: I certainly do not concede the point being made by the member for Bragg. What I will say is that unemployment has been a matter of great concern to all Australians. It is certainly a matter of concern to me, and I know it is a matter of concern to the Federal Government. We all want to see this period of high unemployment come to an end. We must look at what can be done to address that and what could be done to worsen that situation. Clearly, there are choices to be made on Saturday about whether or not unemployment levels in this country will be worsened or

improved. The Fightback package will undoubtedly worsen the employment situation in South Australia.

Members interjecting:

The Hon. LYNN ARNOLD: Members opposite may jeer about that.

Members interjecting:

The SPEAKER: Order!

The Hon. LYNN ARNOLD: The records of the Federal colleagues of members opposite show what they propose to take out of South Australia. We know from their own words what they propose to rip out of South Australia—

The Hon. Frank Blevins: And Victoria.

The Hon. LYNN ARNOLD: Yes, and Victoria.

Members interjecting:

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

The Hon. LYNN ARNOLD: When that is ripped out of the State economy, what is the logical consequence? We talk about the multiplier effect when money is put into an economy and all the extra things, the extra benefits that flow from that, but there must be another word to explain what happens when you take money out of an economy to indicate the minimiser effects that actually reduce the other things in the economy. From the very figures of Fightback itself, we know that fiscal equalisation is under threat. We know that the cuts that will be imposed on State Governments as a result of Fightback will cost this State dearly. It will cost South Australia $200 million in the 1993-94 financial year.

It is interesting to note that, when I issued a press release or made statements about that, one of the media went to the Leader and asked what the figures were. He said, 'That is wrong.' He was asked, 'What is the figure?' The Leader said, 'I don't really know the figure, actually.' They then put my figure of a $200 million loss to South Australia on the screen, and that was possible because we could quantify the position. We used their evidence to quantify it. Next to Brown was a big question mark, because he could not come up with a figure. He could not come up with a figure because he knew that my figure was either right or an underestimate, as I may have erred on the side of conservatism.

To remind members, those figures show that we would lose $1 billion over three years if a Hewson Government were elected. If we think about the impact of fiscal equalisation being removed from this State, what would it do in terms of the State Government's capacity to influence this economy? Our capital works program of the order of nearly $1 billion has some impact on the economy, and I think members opposite would acknowledge that. Jobs do come from the capital works program of this State. How many jobs would not come if each year we had to rip out $380 million from the capital works program? How many fewer jobs will there be in construction, how many more unemployed would one add to the unemployment queues if those dollars had to be taken out of the money that the State Government can spend on capital works in South Australia? The question by the member for Bragg is ludicrous. The answer is clear: a Fightback package will devastate South Australia.

PAYROLL TAX

The Hon. J.P. TRAINER (Walsh): Will the Premier advise the House whether the Leader of the Opposition ever asked him or officers of the Government to provide advice on the impact on the State's finances of abolishing payroll tax in South Australia? I understand that the Leader of the Opposition signed an agreement last month with other non-Labor Premiers and the Federal Opposition undertaking to abandon payroll tax. Reports prepared by the State Governments in South Australia, Queensland and Victoria, however, highlight that the compensation promised to the States would not be sufficient to compensate for the shortfall in revenue.

The Hon. LYNN ARNOLD: The answer is 'No'; I am not aware of any request from the Leader to any officers of Government for advice on this matter before he jetted off interstate to sign away South Australia on this supposed good deal he made for South Australia if a Hewson Government were to be elected. I am not aware of that at all. I might say that he could well have done that; he could well have got advice and discovered that what he has done is precisely the point I have been making—he has signed away South Australia. He is not even ashamed of the fact that he will take out of South Australia, if a Hewson Government is elected, millions of dollars by agreeing to a package that is not substantial and is not sufficient to meet the payroll tax needs in this State. I know that had other people done the job for him—

The Hon. D. C. Wotton interjecting:

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

Mr BRINDAL: I rise on a point of order, Mr Speaker. I would ask you to rule on this question. I do not believe the Premier is responsible to this House for the actions of the Leader of the Opposition. As I understood the question, it was in connection with an action of the Leader of the Opposition.

The SPEAKER: It was an inquiry by a member as to he responsibility of the Premier to this House. I rule that point of order not valid.

The Hon. LYNN ARNOLD: I have made this point on a number of occasions over the past couple of weeks. I guess members opposite have been a bit cynical, saying, 'Well, this is a Labor Government making this accusation.' Let us see what happened in Victoria with a Liberal Government, according to the *Age* this morning. We find that the Liberal Government in Victoria had its Deputy Premier run off and do the same signing away deal—signing away the interests of Victorians. He came back to Victoria, and suddenly the Victorian Treasurer said, 'Hang on a minute. What have you signed? Just what have you signed? You have agreed to cost Victoria money.' I can just imagine what the conversation was like in the Cabinet room or the other Party rooms.

It has taken them some days to have the courage to front up about this matter and say publicly to John Hewson, 'By the way, John, if you get elected, you know that signature that Victoria has on that document, could you just ignore it? Could you pretend it is not there?', because they have had to come out today and say that, if there were a Federal Liberal Government, they would have to renegotiate that matter.

Mr S.J. BAKER: On a point of order, Mr Speaker, it is tradition of this House that the Minister address the Chair and not his colleagues.

The SPEAKER: I uphold that point of order. The Premier will address his remarks through the Chair.

The Hon. LYNN ARNOLD: And why not? The Victorian Government knows that the deal is a shonky deal. At least it has the guts to come out publicly and say so before the Federal election. The Leader of the Opposition, who found it so easy to rush over there and sign away South Australia, should also have the guts to come out and say that he was wrong and that the deal would need to be renegotiated.

UNEMPLOYMENT

Mr SUCH (Fisher): Does the Minister of Education, Employment and Training accept that the true number of people unemployed in South Australia is double the 88 800 recorded in the latest ABS figures? Does she accept the validity of a report from the Australian Bureau of Statistics which was published recently and which states that, for every person officially recorded as unemployed, another is waiting to work but has not registered?

The ABS counts as employed anyone 15 years and over who is paid for as little as one hour's work per week. A special ABS report recently stated that the number of people unemployed could be double the official figure if included were those people—71 per cent of whom are women—who wish to work and could start working in four weeks if a job was available.

Mr Hamilton interjecting:

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

Mr SUCH: I also understand that about 8 000 South Australians who would otherwise be classified as unemployed are on training schemes but have no guarantee of a job. I further understand that there is a 20 per cent increase this year in the number of students—in excess of 5 000—who have returned to school in year 13 to repeat matriculation, thus reducing the unemployment figures even further.

The Hon. S.M. LENEHAN: I find this question amazing, coming from a member of this House who as recently as yesterday said of women in this State, when talking about the removal of equal pay for equal work, which particularly impacts upon women, 'Well, at least they have got a job. What does it matter whether we exploit people? At least they have got a job.' The same person has also come out publicly supporting the exploitation of youth at $3 an hour up to the age of 19 years. This is the person who is now crying crocodile tears for young people in this State. It is nothing more than hypocrisy, and the honourable member knows it.

The Hon. D. C. Wotton interjecting:

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

The Hon. S.M. LENEHAN: The Premier and I have put on the record that we believe that the levels of unemployment in this State are unacceptably high. I have said that in this House, as indeed my predecessor did. However, the moment we see some positive trends, the moment we see a reduction in the number of unemployed, an increase in the number of jobs and the highest level of jobs in South Australia since 1991, the Opposition wants to try to undermine South Australia's recovery. It does not want South Australia to recover, so we have now got the shadow Minister wanting to undermine young people. Is the shadow Minister saying that we should not be offering comprehensive vocational education and training for youth in this State?

Mr Such interjecting:

The Hon. S.M. LENEHAN: Mr Speaker, I allowed the honourable member to ask his question. Is the shadow Minister also suggesting that the only reason—

Members interjecting:

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

The Hon. S.M. LENEHAN: —why students go into year 13 is that they do not have a job?

Mr Such interjecting:

The SPEAKER: I warn the member for Fisher.

The Hon. S.M. LENEHAN: The member for Fisher knows only too well that there is a range of programs—labour market programs and training programs—being conducted throughout South Australia. He also knows that there have been extremely positive economic indicators right across the board, and not just some of the ones that he has wanted to pick out. He also knows that, when we cite a figure for youth unemployment, we are not talking about a percentage of youth as a total percentage of the age cohort: we are talking about a percentage of young people who are not in university, who are not in vocational employment or training, who are not at schools or who are not in employment. So the percentage is in fact a very misleading percentage when it is used in such a scurrilous and destructive way as the member for Fisher is seeking to do in the Parliament today. I reject the assertions of the member for Fisher. I feel very angry that he is selling out the youth of this State, and we on this side will not have any part of it.

FEDERAL FUNDING

Mrs HUTCHISON (Stuart): Will the Premier advise he House of the latest threat to South Australia's level of Commonwealth funding?

The Hon. LYNN ARNOLD: Some news of concern came through yesterday on the matter of fiscal equalisation—or horizontal fiscal equalisation, as it is termed. It came through when the Victorian Treasurer, Mr Stockdale, was debating with Mr Dawkins on the matter of finances to the States. As a result of a comment that Mr Stockdale made, he has let the cat out of the bag as to exactly what the plans of the Liberal Party are if they win Government nationally: they are in fact going to take money away from South Australia; and they are going to redress fiscal equalisation.

When Mr Stockdale was in debate with John Dawkins about this matter, he said that Victoria, along with New South Wales, is arguing that the level of cross-subsidy implicit should be reduced and that the balance should be redressed in favour of Victoria and New South Wales. Do members opposite agree with that? When he was

talking about this matter with John Dawkins, he said, 'And you, John Dawkins, are proposing to continue it', because he knows that John Hewson would not. He knows that John Hewson would stop that. Fiscal equalisation would be dead, and what that means for South Australia is $380 million a year out of the State coffers.

If members opposite are genuine about supporting South Australia, at least they would do what Stockdale did on another matter to which I referred earlier today, that is, they could have the guts and publicly call on Hewson to give an undertaking that this State would not suffer under fiscal equalisation changes if John Hewson were to be elected Prime Minister.

The Hon. M.K. Mayes: They haven't got the guts.

The Hon. LYNN ARNOLD: They haven't even got the guts to do that. Not even a slight nod or, 'We would like to talk to him privately about it.' They are all looking in the other direction at the moment, looking busily down at their papers or talking in another direction, because they know full well that they do not have the courage, they do not have the guts to take on John Hewson on this matter, yet if John Hewson is elected on the weekend, South Australians will pay that price, and members opposite will have to be ashamed of themselves because they did nothing to change that policy of John Hewson. Unlike Stockdale, the Liberal Treasurer in Victoria—

The Hon. Frank Blevins: He stood up to be counted.

The Hon. LYNN ARNOLD: He stood up to be counted—but not in this State; the Liberals in this State will not stand up to be counted. They will wear little grey badges—or most of them will. I see the member for Kavel is not wearing one—quickly he gets it on; there he is; he has got it; it is nicely put on. There are a few others who are not wearing them yet. They will wear those, but that is as far as their bravado will go.

SOUTH AUSTRALIAN GOVERNMENT FINANCING AUTHORITY

Mr S.J. BAKER (Deputy Leader of the Opposition): My question is directed to the Treasurer. When will the long overdue report on the inquiry into SAFA be made public? This inquiry was initiated in March last year and was originally due to take about three months. The head of the inquiry, Mr Peter Wade, said in early January that the inquiry had been completed and the recommendations would be ready to go to Government by the end of January. I have been told that the Government has approached a number of people seeking an indication that they are interested in being appointed to the SAFA board, and this has led to speculation that this report will include some adverse findings about SAFA's activities and that that is why the Government is keeping it hidden.

The Hon. FRANK BLEVINS: I can give the House the assurance that it will not be as long as we waited for the Cawthorne report; the Leader sat on that for three years. He was terrified of releasing it. The report has not been given to the Government; I certainly have not seen it. As soon as it is, and as soon as Government has considered it—

Members interjecting:

The Hon. FRANK BLEVINS: Well, the private consultants are doing the thing—

Members interjecting:

The Hon. FRANK BLEVINS: Well, ring him; ask him where it is. Ring him up. He would be a mate of yours: I don't know the man. It is private consultants who are doing it. As soon as they are ready, I am quite sure they will give it to the Government.

The SPEAKER: Order! I would ask the Treasurer to direct his remarks through the Chair.

STATE BANK

The Hon. J.C. BANNON (Ross Smith): Is the Treasurer aware of any public commentary during the mid-1980s about the apparent quality of senior management of the State Bank of South Australia by senior members of the Liberal Party? Yesterday, the Leader of the Opposition levelled allegations of negligence at the Government for the quality of people it had in charge of the bank. The public have a right to know whether the evidence at the time supported that conclusion.

The Hon. FRANK BLEVINS: I thank the member for Ross Smith for his question. Mr Clark did get some ringing endorsements during his period as Managing Director of the bank—and prior to his coming to the bank, of course—and some of these were detailed yesterday. But I have come across another one that I thought rather interesting, and I know that the House would like to hear it. We have already heard about the endorsement of Dr Hewson, the Leader of the Federal Opposition—

Mr D.S. Baker: Prime Minister on Monday.

The SPEAKER: Order!

The Hon. FRANK BLEVINS:—of Mr Marcus Clark. The book *Hewson, a Portrait* by Christine Wallace, a well-known Canberra journalist, states:

> Hewson's assessment of character overall has to be called into question anyway in light of his suggestion that the then 'young State Bank Turks', as he called them, including Tim Marcus Clark from the State Bank of South Australia, were suitable candidates to succeed Johnston after he retired as Reserve Bank governor. Hewson named them in *a BRW* column, 'It's time for an outsider', on 3 October 1986; the thought that an executive who presided over a banking disaster of the dimension of the SBSA could have been appointed to mind Australia's entire banking system is too horrible to contemplate.

But not to Dr Hewson, apparently. Dr Hewson gave a ringing endorsement and, apparently, this was a mutual admiration society because not only did Dr Hewson think highly of Mr Tim Marcus Clark but it was reciprocated. The book states that, when Dr Hewson went for preselection:

> His preselection dossier revealed the strengths of his network—it could have been matched by few in Parliament beyond members of the Parties' leadership ... Eight market economists [and I will not go through them all] sang his praises... and the then State Bank of South Australia Managing Director Tim Marcus Clark.

He was endorsed for preselection. It just seems to me that here we have two very close friends. Not only were

they close friends but also they had a business connection. One very brief final quote from the book—

The SPEAKER: Order! I suggest it should be brief.

The Hon. FRANK BLEVINS: —that has been praised, that has been hailed, as follows (page 207):

> Having had to resign as an executive director of Macquarie Bank, he took on two company directorships on the side—one with the stockbroker Baring Securities (Australia) Limited, the other—

and this is interesting—

> with Oceanic—

remember the name—

> Funds Management Limited, a unit trust manager on whose board SBSA's Tim Marcus Clark also served. Strangely, the first word in each of these companies' names does not appear in Hewson's *Who's Who* entry, making the companies' identity not readily evident.

It is clear that Tim Marcus Clark, prior to his coming to the bank, during his period as a Managing Director on the bank, had a close personal relationship with Dr Hewson—a very close personal relationship indeed. They praised each other in print.

Members interjecting:

The SPEAKER: Order! I would point out to the Leader that he is holding back a question from his own side; he is wasting his own time.

STATE DEBT

Mr BRINDAL (Hayward): Will the Treasurer confirm that the State Government's financial position is now so parlous that the Government has recently borrowed more than $300 million to meet the Public Service wages bill? Public servants from the Departments of Agriculture, Road Transport and the E&WS have recently informed the Liberal Party that it has been necessary to borrow money to pay salaries. I understand that in total more than $300 million has been borrowed for this purpose. Such a practice ignores the serious warning given by the Auditor-General in his last annual report to this Parliament about the need to avoid consistently borrowing money to pay for the day-to-day expenses of Government.

Members interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: The Government has a program of borrowings, I can assure the member for Hayward. There is a suggestion of our borrowing to pay somebody in the Department of Agriculture—that we could not pay someone in the department—who happened to contact the Liberal Party while someone in the Department of Road Transport happened to contact the Liberal Party. Incidentally, they must be very highly paid people who wanted $300 million to pay their wages; they must be very highly paid indeed. The question is obviously just a fabricated one, and I do commend the member for Hayward for keeping a straight face, because the question is obviously ludicrous.

INDUSTRIAL RELATIONS

Mr HAMILTON (Albert Park): My question is directed to the Minister of Labour Relations and Occupational Health and Safety. In light of Sir Richard Kirby's statement this morning, has the Minister had an opportunity to examine the Federal Coalition's proposed industrial relations reforms and how they will affect South Australian workers? In a radio interview this morning Sir Richard Kirby, a former President of the Conciliation and Arbitration Commission for nearly 20 years and one of Australia's most distinguished industrial judges, stated that he condemned the Coalition's proposed industrial relations reforms and was highly critical of the potential for employers to exploit the Coalition's proposed system of individual contracts.

Members interjecting:

The SPEAKER: Order! The noise level is increasing all the time and it will not be permitted to continue. If I cannot hear the answer, members cannot hear it either.

The Hon. R.J. GREGORY: I heard the interview this morning. I know of Sir Richard Kirby, and I think that on one occasion I may have been in the Arbitration Commission when he was actually presiding over it. He is a person who has had considerable experience in the industrial relations system of Australia and has been a keen observer over a period. He also has a very good understanding of the operations of the Constitution of Australia, and he made the observation on that radio program this morning that the Opposition's proposal to protect wages at Commonwealth level will not work. He said that there are provisions in the Constitution that provide conciliation and arbitration measurements for settlement of disputes of an interstate nature and from that has grown the Federal power. He said that the guarantee that John Howard was giving, that in the absence of awards people would not be exploited and would be able to maintain basic conditions, 'would be highly suspect given the constraints of the Constitution'.

I want to give a couple of examples of what we can expect of this sort of protection. These are actual examples and I suppose Mr Howard would be very proud of them. This is a contract that was forced on employees with the threat of the sack if they did not sign: they would lose their penalty rates for weekends, nights and public holidays and overtime rates; they would lose the right to three hour minimum shifts and the right to accident pay; they would also be forced to sign their contract on the spot, not be allowed to take it home or show it to anyone else, and—

Members interjecting:

The SPEAKER: Order!

The Hon. R.J. GREGORY: —they would not be allowed to have a copy of their contract. Workers are now taking court action to claim that they are losing between $20 and $80 a week. The second example I want to give involves a medical centre, with the employer insisting that the staff be covered by individual contracts. Four nurses and receptionists are to be sacked for refusing—

Mr D. S. Baker interjecting:

The SPEAKER: The Minister will resume his seat. I warn the member for Victoria.

The Hon. R.J. GREGORY: These contracts again take away penalty rates for weekends and public holidays, as well as shift allowances and reduce annual leave, sick leave and overtime rates. The average cut in take-home pay for those people is about 35 per cent or $151 a week. That is a contract that is recommended by the Australian Medical Association. That is the protection that John Howard says he will provide which Sir Richard Kirby says he cannot and it is really a false promise on his part. I would be prepared to believe Sir Richard Kirby long before I would listen to and believe John Howard.

STATE BANK

Mr BECKER (Hanson): I direct my question to the Deputy Premier. Since the Government announced its intention to sell the State Bank, how many serious expressions of interest have been received, and are negotiations currently being conducted with the Hong Kong and Shanghai Banking Corporation?

The Hon. FRANK BLEVINS: The question is based on a false premise. There has been no announcement by the Government that it intends to sell the State Bank. However, I know that the member for Hanson would be disappointed if I just left it at that.

Mr Becker: You're not wrong.

The Hon. FRANK BLEVINS: I never like to disappoint the member for Hanson. What has been announced is very clear; the Premier has on a couple of occasions quite clearly stated that on the basis of the Federal Labor Party winning Government on 13 March and the $600 million compensation package coming to South Australia, and a satisfactory market price being obtained for the bank, he would recommend to the Cabinet, Caucus and the Party that the bank be sold. That is, at the moment, where it starts and finishes.

Mr Becker: No negotiations?

The Hon. FRANK BLEVINS: I am sorry, I did forget. As the bank is not up for sale, obviously there have been no serious or otherwise indications of interest from Hong Kong or anywhere else.

GOODS AND SERVICES TAX

Mr McKEE (Gilles): Could the Minister of Local Government Relations explain to the House what effect the GST will have on local government? Yesterday I read an article in the *Australian* which said:

> Fightback's policy to tax commercial services like garbage collection and exclude non-commercial services like public safety threatens an accounting nightmare for local councils.

The Hon. G.J. CRAFTER: I can advise the honourable member on some of the implications if this situation were to occur and, indeed, I thank the honourable member for the opportunity to do so because it highlights another area in which the GST is most certainly unclear but which we know will affect the daily life of every South Australian. It appears from a letter sent to all local government bodies by the Federal Opposition spokesman for local government, Senator Ian McDonald, that the Federal Coalition is also very much unclear about how the GST will affect local government, and I quote from that letter:

> Over the past year the Coalition has given undertakings to advise local government of what is to be considered commercial when the Cole committee recommendations were received. While no final recommendation has been received the Coalition is considering an indicative list of those services foreshadowed in Fightback I which might be treated as commercial for further consideration and resolution in Government.

It appears that even the Cole committee was unable to decide what the Coalition list should include. God help the rest of us in the country! Those services left off the indicative list supplied by the Coalition include garbage collection, tips, caravan parks, camping grounds, swimming pools, golf courses, tennis courts, other sports complexes, facility hire and no doubt many others. These omissions are, of course, a matter of considerable concern as they impact on the day-to-day and weekend leisure lives of most Australians. Surely, if the Federal Coalition is interested in helping the average Australian in these difficult economic times as it contends, it is obvious that they will be disadvantaged financially by a GST on the essentials of their everyday lives like garbage collection and the other items I have just illustrated to the House. Similarly, they will not be advantaged by the lack of GST on items which do not affect their everyday existence.

CAR CHASES

Mr MATTHEW (Bright): My question is directed to the Minister of Emergency Services. Will the Minister discuss with the Police Commissioner options for arranging appropriation to enable the purchase of spiked road devices to stop cars in high speed car chases? I am reliably informed that the Police Department wishes to purchase such devices but is unable to do so due to insufficient funds and therefore plans to purchase spiked devices in the next financial year. One such device, known as the portable tyre deflator, can be manufactured in South Australia by FJM Industries. Test units were given to the police over four years ago. They are available for about $1 100 each. FJM has been approached by frustrated police wishing to buy the devices from their station budget.

The Hon. M.K. MAYES: In fact, this issue has been raised with my colleagues, and I recall raising it last year with my predecessor as Minister and also as an interested backbencher or local member. The police are at present actually conducting trials involving a number of devices which will assist in high speed chases or apprehension of offending vehicles in other circumstances.

One such device, which I think is described as 'lazy tongs', can be carried easily in the boot of a police car and assembled quickly and can provide a certain capacity for apprehending an offending vehicle. So, those trials are currently being conducted. I have referred a local manufacturer to the police who, I am advised, are carrying out an assessment. I look forward to receiving from the Commissioner a report on whether these

devices have a practical application and, if it is a positive report, to a recommendation for their purchase. I am sure that, if a local manufacturer can accommodate the needs of the Police Department, these devices will be given due emphasis.

BETTER CITIES PROGRAM

Mr HERON (Peake): Will the Minister of Housing explain what effect the Coalition's policy on Better Cities will have on South Australia? A number of major proposals in my electorate are funded by Better Cities money: namely, the Horwood Bagshaw site and the Mile End railway yard development. Obviously, residents of these areas are extremely concerned that these developments should proceed.

The Hon. G.J. CRAFTER: There is no doubt that the Better Cities program is the most exciting urban development strategy to come out of Canberra for some 20 years. There is great expectation in the Australian community and particularly in South Australia about the impact of this program, parts of which have already commenced. Members who have had the opportunity to see some of that work—for example, the Rosewood development at Elizabeth, and so on—will know that they are very exciting projects indeed. South Australia is to receive $69 million under this program over a period of four years, providing a very important boost to urban development strategies in this State. The Federal Coalition has said that this is one of the first programs that it would scrap on coming to office. It sees it as a waste of time and money.

In the honourable member's area of Mile End, to which he refers, Better Cities is providing a major new park on the Horwood Bagshaw site in a suburb where there is very little green open space. Further, there will be remediation, demolition, site clean-up and railway track relocation on the Mile End railway yard site to allow for developments to occur there. The Better Cities program is funding various projects in the northern suburbs, in particular, the establishment of drainage parks, which are vital to the development of the Munno Para council area and to overcome longstanding flooding problems in the Salisbury council area. The program has enabled the Rosewood Village redevelopment to occur—a nationally recognised program that has already won a design award for excellence.

In the south, the Better Cities program is funding the new southern sports complex and other improvements at the Noarlunga centre, a very popular development in the southern suburbs. It is also providing new sewerage connections at Aldinga Beach and an effluent disposal scheme for Maslins Beach. All these programs are, of course, at risk if the Better Cities program is scrapped. Projects, such as those at Mile End, will be delayed or may not proceed at all. The opportunity to get model residential development close to the city may be lost since the economics of converting the site for housing may simply not be feasible without some Federal Government support.

The site will remain an unsightly blight until some other use can be identified. It means that the opportunity to green the area, to provide parks and new housing opportunities, upgrade streets and allow residents access to our superb parklands will be lost. Equally, the projects in the north and south and in the Port Adelaide area cannot proceed without the Better Cities contribution. Projects will have to be scrapped, delayed or phased out over a much longer period, and of course our communities will be the losers. It would be a great tragedy to see this quite magnificent program destroyed in this way.

RESIDENTIAL CARE

The Hon. D.C. WOTTON (Heysen): Is the Minister of Health, Family and Community Services aware of the serious concerns being expressed by staff working with young people in our community residential care facilities and, if so, what immediate action will he take to rectify this situation? I am reliably informed that staff in community residential care facilities are working under extremely stressful conditions because of the limited controls they have to deal with these youths, who are, after all, under the care of the Minister.

Staff have advised me that these youths, aged between 12 and 18, virtually do as they wish because of the limited controls available to staff, that they are not attending school, that young people working under rehabilitation programs are freely mixing with more serious offenders, that young boys and girls are able to leave the premises day or night without supervision, and that as a result these youths are in moral and physical danger. Staff believe that this situation raises serious questions about the Minister's ability to ensure that those in his care are prevented from becoming involved in criminal activity.

The Hon. M.J. EVANS: The honourable member raises some very serious issues, but he does so in an extremely general way and without any specificity as to the nature of the problem. If we are talking about his personal knowledge of individual children who are in danger, he needs to bring those circumstances to my attention. I would be very keen to investigate those circumstances, because each individual child is important and each case must be treated according to the individual merits of the circumstances. I do not resile from the need to impose significant and substantial controls on those who are in custody, but those who are not—those who are in care—have committed no crime as such and naturally must be treated in accordance with those conditions.

So, we need to draw a careful distinction between people who have been convicted of an offence and who are in custody and those who are in care and who have not been convicted of any offence. The honourable member would know, of course, of the work of the Juvenile Justice Select Committee of this House, and I am sure that when the final report of that committee is presented to the House he will be able to see the benefit of the work that is being done in that area. However, if he is aware of individual children who are in danger or in circumstances that are not satisfactory, I urge him to bring those matters to my attention.

SPORTS POLICY

Mr De LAINE (Price): Will the Minister of Recreation and Sport explain to the House what would be the financial status of South Australian sport under a Federal Coalition Government? Yesterday I read in the latest copy of *Sport Report,* which is the magazine of the Confederation of Australian Sport, details of a comparison of the sports policies of the Government and the Coalition, and it would appear that the latter intends to prune funding to sport.

The Hon. G.J. CRAFTER: Some weeks ago, I listened to the ABC radio program *Grandstand,* on which there was a debate on sports policy. The Federal shadow Minister for Sport (Senator Baume) was asked whether he was going to release a detailed policy on sport prior to the Federal election. He said that it was his intention to release one in due course, but we have all been waiting for that to occur and as yet there has been no release. I guess there is still a day and a half to go, but no detailed document has been released on the Coalition's policy on sport. I suggest that there are good reasons for the Coalition not wanting to release that document, because it would be devastatingly bad news for sporting organisations in this country.

In contrast, the Federal Labor Government's commitment to sport (a promise of $293 million over the next four years) is outlined in two major programs, 'Next Step' and 'Maintain the Momentum', both of which are products of the Federal Government's commitment to sport in this country. However, while the Government has guaranteed to maintain its commitment to sport, the Opposition has indicated that it proposes to reduce expenditure in funding for sports grants by $17 million, $7 million of which will be cut from the current level of funding to the Australian Sports Commission.

Let us not beat around the bush about this slashing of funds, because once it has been removed the money will be lost, particularly to those who most need that assistance. The cuts promised by the Opposition must mean reductions in programs and other support for sport across this country, including South Australia, of course, where we are very much reliant upon Federal assistance from the Australian Institute of Sport. We host two key AIS programs in cricket and cycling in this State. Cuts in funding to the Australian Sports Commission also will impact on South Australia, which receives funding for the intensive training centres catering for the sports of track and field, swimming, hockey, rowing, canoeing, basketball and cycling. Of course, we have complementary expenditures in this State, for example, the new cycling velodrome.

The Opposition has also given an undertaking to abolish the recreation and sports facilities program. What this means is that under a Coalition Government there will be no facilities funding across Australia at all from the Federal Government. The impact of the Coalition's goods and services tax on sport and sporting equipment will be, as we know, also quite devastating. Participation costs will increase with GST. This will apply to registrations, entry fees, administration charges, uniforms, coaching courses, coaching clinics, team travel and accommodation. The ultimate outcome is that there will be a significant increase in the cost of participation, and low income earners and their families, often with a number of children participating in sports, will be forced to either minimise their activities or drop out of organised sport.

MEAT INSPECTORS

Mr LEWIS (Murray-Mallee): I address my question to the Minister of Primary Industries. Is it the Government's intention to extend the operations of inspectors in the Meat Hygiene Authority to retail shops in both country and city areas? Some country butchers who do not have slaughterhouses but buy meat from approved abattoirs have been told by inspectors that they will soon have to do what they are told by Meat Hygiene Authority inspectors who have told the butchers that they will have their jurisdiction and authority expanded to control all meat preparation areas in retail outlets.

The Hon. T.R. GROOM: I will have to get some information for the honourable member on that. All I can say in relation to slaughterhouses is that the matter is under review at the present time.

Members interjecting:

The Hon. T.R. GROOM: Members know that it has been in the papers. It is an issue that needs to be revisited, and I am having a look at it. I will obtain some information about the specific matter of inspectors as raised by the honourable member.

POKER MACHINES

Mr HAMILTON (Albert Park): My question is directed to the Treasurer. What procedures must be followed before hoteliers and clubs can install poker machines? A number of hoteliers and clubs in my electorate have asked me about the appropriate procedures to be followed.

Members interjecting:

The SPEAKER: Order!

The Hon. FRANK BLEVINS: As I have less than a minute, I will speak very quickly. The material will be made available because I know that all members are interested in the response. The regulations under the gaming machines which were gazetted today (11 March 1993) come into operation on the day the Act comes into operation. However, section 14 (c) of the Acts Interpretation Act allows for powers to be exercised if it is considered expedient. Before machines can be installed and operated in hotels and clubs the Independent Gaming Corporation must apply for the gaming machine monitor licence, and the Liquor Licensing Commissioner must determine the application. This will involve police investigations to determine the fitness of all persons in a position of authority in the IGC and any related body. The Commissioner will also conduct investigations into the corporate structure, the corporation's management and technical expertise, its credit worthiness, and will evaluate the corporation's proposed computer monitoring system.

As this licence is central to the introduction of gaming machines in this State, the Commissioner has advised

that he will accept the corporation's application immediately under section 14(c) of the Acts Interpretation Act. The granting of gaming machine dealer's licences and the subsequent approval of gaming machines and games are also fundamental and will involve major investigations by both the Commissioner of Police and the Liquor Licensing Commissioner. For these reasons the Commissioner has indicated that he will also accept applications for gaming machine dealer's licences immediately. It is anticipated that between five and 10 such applications will be received.

The Commissioner will grant the gaming machine supplier's licence and the gaming machine service licence to the State Supply Board which will proceed to appoint approved agents or contractors. The Commissioner will proceed to approve State Supply Board agents when they are appointed by the board. This leaves the actual gaming machine licences—that is, the licences which will be applied for by hotels and clubs. The regulations under the Act provide for the Minister to grant certain exemptions, one of which will enable the purchase of gaming machines on finance or the leasing of gaming machines. In order to ensure that all licensees are treated fairly, the Commissioner does not intend to accept applications for gaming machine licences until 5 April 1993.

It is anticipated that around 300 applications will be received within the first four to six weeks. The Commissioner intends to proceed to determine all applications for gaming machine licences and to impose conditions that machines not be installed or operated until dates to be specified. This will enable the regulatory authorities, the holder of the gaming machine monitor licence and the State Supply Board to coordinate the introduction of machines once the monitoring system has been approved and installed and gaming machine dealers, gaming machines and games have been approved. This will ensure that as far as is practicable no licensee will be unfairly advantaged to the detriment of other licensees. It is hoped that the granting of the major licences and the installation of the monitoring system will coincide with the grant of the bulk of gaming machine licences.

WAGES POLICY

Mr SUCH (Fisher): I seek leave to make a personal explanation.

Leave granted.

Mr SUCH: In answer to a question I asked of the Minister of Education, Employment and Training during Question Time she reflected on me in relation to the employment of women, young people, people on training schemes and those attending year 13 classes. Mr Speaker, I want to make it clear that I have never advocated a low wage policy for women or young people.

Members interjecting:

The SPEAKER: Order! Leave has been granted.

Mr SUCH: The policy I support is that wages should reflect productivity.

The SPEAKER: Order! The honourable member cannot debate the issue; he can only raise a point of clarification.

Mr SUCH: Thank you, Mr Speaker. I have been grossly misrepresented. The Minister has tried to portray me in a negative light with respect to my attitude to the employment of women and young people. In respect of training schemes for year 13 people, I am not condemning those people. I simply point out that their involvement in a training scheme reduces the number of people on the official unemployment list, as does the number of people attending year 13.

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

GRIEVANCE DEBATE

The SPEAKER: Order! The proposal before the Chair is that the House note grievances.

Mr McKEE (Gilles): Today I want to address the effect of the GST on New Zealand, and I will quote from an article in this week's *Time* magazine entitled 'The Pain Factor'. Rather than be accused of selective quoting, I will give them a fair go. The article states:

> The economic indicators seem to promise fair. Manufactured exports are climbing... business confidence is at a 30 year high... and business circles are abuzz with talk of investment, expansion and jobs. Inflation remains cauterised at just over 1 per cent.

Now the real world. The article continues:

> Says analyst Brian Easton, former director of the NZ Institute of Economic Research: 'The social impacts have been horrendous, and we're left facing the prospect that a recovery will be hindered because the population is demoralised and the work force dulled.' Most devastating for a Government clinging to figures as a yardstick of success, some international researchers, trying to read the goat's entrails of economic indicators, concede that the policies have damaged the structure of NZ's economy and sent it tumbling to the bottom of rankings for developed nations.

Now for those opposite who believe in the Christian ethic. The article continues:

> In an unprecedented move, the leaders of 10 churches united last month to damn the market-driven policies as morally and ethically in conflict with Christian values... The most obvious consequence of monetarism in New Zealand has been the loss of jobs—

not the creation of them—

> Between 1985 and June 1992, the jobless rate more than doubled from below 4 per cent to more than 10 per cent. In less than seven years 114 000 jobs were lost, and today, in a country of 3.4 million, 235 000 are registered as unemployed... Last month, the part-privatised Telecom announced a record profit but nonetheless gave notice of 5 000 redundancies, slashing its work force by 40 per cent. Labour market reforms introduced by the Employment Contracts Act have allowed many workers to be exploited: contracts—

listen to this—

that demand long hours for wages as low as $1.75 an hour before tax are reported with dispiriting regularity...economist Peter Harris sees some irony in the OECD's acclaim for New Zealand's policies when, according to its own figures, New Zealand has been the worst performing OECD economy since 1985. While Australia's GDP grew by almost 24 per cent in the period, New Zealand's increased by merely 4.5 per cent. In 1991-92, the economy shrank 1.5 per cent. The latest figures...show only a small improvement, a .8 per cent growth. The performance over the past eight years has been the worst since World War II. Even the optimism of supporters such as the NZ Manufacturers' Federation has its limits. Overall, the manufacturing investment rate has declined by...two-thirds since 1986 and remains stagnant. Director-General [of the NZ Manufacturers' Federation] Wally Gardiner, although agreeing with the need for reform, is disheartened by the blanket policies that removed tariff protections for New Zealand industries. A third of businesses were annihilated during restructuring. Says Gardiner: 'The policies took out a lot of the efficient industries, and they won't come back.'

The article further states:

...OECD consultants Isabelle Joumard and Helmut Reisen two months ago reported similar findings in a study that blames excessively tight monetary policies for structural damage to the economy. They calculated that manufactured exports would have been 20 per cent higher had those policies not been adopted.

So, when we see all those sorts of facts and the devastating effect on New Zealand, I ask myself why the Opposition wants to foist these policies on the people of Australia, and I can come to only one conclusion. It is seizing on the world recession to introduce the deep prejudices that it holds in its philosophy and policies. The Opposition will divide this community and make people work under slave labour conditions, such as $1.75 an hour, as they do in New Zealand, and allow 2 to 3 per cent of the population to float around Springfield in their Rolls Royces. Some members opposite who say they have a working class background are serving the purpose of those people, and they get a pat on the head and are told, 'Keep up the good work; you are making me richer and the poor poorer.'

The Hon. DEAN BROWN (Leader of the Opposition): This afternoon I take this opportunity to talk about unemployment, both nationally and here in South Australia. The despair amongst the unemployed is now a national tragedy; more and more of them are giving up even looking for a job. A nation that cannot even offer the hope of a job to its unemployed is a nation clearly in crisis. Members should look at the figures we have here in South Australia and nationally. In South Australia, 88 800 people are unemployed. We have 1 053 000 unemployed Australians. More importantly, members should look at what has occurred in the past three years under the Labor Government nationally and here in South Australia. The number of full-time jobs lost in South Australia over the past three years is 28 600; and youth unemployment has now almost doubled to 38.3 per cent.

There is no hope for young South Australians today in finding a job or, might I add, for those who are seeking full-time employment and who have been previously employed. In fact, job seekers are just giving up in despair as the rate of unemployment increases. In the past three consecutive months, South Australia's participation rate has actually fallen, and fallen quite significantly. We have been losing people looking for jobs at the rate of 60 a day. Sixty people a day have been falling out of the job market, simply out of absolute despair and hopelessness. Under Federal and State Labor Governments the number of people out of work for at least 12 months has increased by a further 1 200 in the past three months alone.

There are now 40 000 South Australians who have been unemployed long term, in other words, for more than 12 months. The average duration of unemployment in South Australia is now 67 weeks. What despair, and what shame for a Government! Unemployed people are out of work for an average of 67 weeks. Over the past year, the average duration of unemployment in our State has increased by almost 16 weeks—in other words, 12 months ago those people were unemployed for an average of 51 weeks, but now they are unemployed for an average of 67 weeks. Despite those gloomy figures, we have a Prime Minister in Paul Keating who talks about the recovery that is coming, and it has been coming for the past 12 months.

Last month alone, the percentage of people unemployed dropped here in South Australia—I acknowledge that—but it dropped only because there was a significant increase in part-time jobs and a drop in the participation rate within the work force. The number of full-time jobs, however, which is the important factor, actually fell during that period. We started the Federal election campaign with unemployment as the key issue, and as the campaign comes to an end unemployment is still the key issue. Today is another important day as well: today marks six months of Arnold as the Premier of South Australia. Look at what he said six months ago. He talked of a new beginning, a new decade of development, and he said that that day marked a new beginning for the Government and the people of South Australia.

Mr S.J. Baker interjecting:

The Hon. DEAN BROWN: As my colleague the Deputy Leader of the Opposition says, a new decay for South Australia is more appropriate than a new decade for South Australia. The Premier talked of renewed, reinvigorated government, committed to overcoming South Australia's current problems. He claimed that his Government was committed to generating jobs and rebuilding this State's economy in a decade of development. What has occurred in the past six months? Absolutely nothing, except going backwards. He said that South Australia was a State at the crossroads. The unfortunate thing is that he took the wrong turn, and today South Australians are suffering as they have for 10 years under Labor Governments and no more can they do so.

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

The Hon. DEAN BROWN: Labor must go.

The SPEAKER: Order! When their time has expired, members will resume their seat.

Mr HOLLOWAY (Mitchell): I would also like to talk about employment and address some of the nonsense that

we have just heard from the Leader of the Opposition. The fact is—

The Hon. Jennifer Cashmore: Let's talk about facts.

Mr HOLLOWAY: The member for Coles says, 'Let's talk about facts.' The latest ABS figures show that in South Australia the seasonally adjusted rate of unemployment in February dropped by .8 per cent to 11 per cent; the unemployment rate is below the national average for the first time since at least May 1991; South Australia has the third lowest unemployment rate of all States; and we are experiencing the highest employment level in South Australia since June 1991, yet what do we get? All we get is doom and gloom from the Leader of the Opposition—the same negative, carping, whingeing criticism that we have heard all along.

What I would really like to talk about in relation to employment is the hypocrisy of those members opposite with their feigned concern for the unemployed. They do not give a damn about the unemployed. Members opposite are the same people who used to talk about dole bludgers. Over the years who has always talked about dole bludgers? They are the same people who had those policies in the Federal Fightback document until December last year, when Dr Hewson was forced to make changes because his pollster told him they were a disaster. He told Dr Hewson that the Australian people would not wear them in a fit. What did he have to do? He had to change his policy, which was to cut the unemployment benefits of all Australians after nine months.

That is the true Dr Hewson. That is what he really wanted to do but, when his pollster told him he would not get away with that, he relented for the sake of giving him some chance of winning the election on Saturday. Let us just hope he does not win because, if he does, the true Dr Hewson will show himself and he will go back to treating the unemployed in the same fashion as other Liberal Governments. Of course, it was Dr Hewson himself who used the term 'couch potato'. That is one of his favourite terms.

This is Dr Hewson, the friend of Tim Marcus Clark, as the Treasurer pointed out today. He shared with Tim Marcus Clark a bit of an interest in property speculation, on which he made $600 000 and paid 15 per cent tax, but that is another matter. Dr Hewson was also the principal architect of financial deregulation as well as being one of the principal beneficiaries of it, of course.

We can certainly talk about health and what will happen under Dr Hewson's policies. Under all the Liberal policies, the impact will be negative on the economy and negative on employment. We have heard the cruel hoax of the Federal Opposition's talking about 2 million jobs, yet there is not one skerrick of evidence to explain how it would create 2 million jobs.

No — self-respecting economist in this country would back them, and even Professor Sloan, who has been chosen for this kitchen Cabinet, would want to be associated with that sort of garbage; because it has absolutely no credibility whatsoever. In relation to health, if the Federal Opposition wins the election on Saturday, it will make massive cuts to Government expenditure on health. That will lead to a massive redistribution of income towards doctors. What will our giving doctors a massive increase do to create employment? One of the great problems that this country will face after the election of a Liberal Government will be the massive redistribution of income.

We have already seen it under Kennett and Greiner. The first thing they did was to increase the salaries of their top public servants by factors of two or three. In Victoria, people are earning $300 000 a year-and $50 000 bonuses if they can sack enough people in their Public Service. Those are the policies they are implementing. What happens if we redistribute incomes along those lines? What will the wealthy do? Where will they spend their money? Will they spend it on the sorts of items that will create jobs for ordinary people? Of course they will not, unless they want to hire them as servants and household help.

That is the sort of economy and the only employment growth that I can see happening under a Federal Liberal Government. We will go back to the nineteenth century. The only jobs will be those where people will be forced to work in service. That is the sort of society that members opposite really want to see. Their concern for the unemployed is absolutely shallow and without foundation. It is a sham, and I hope that the people of Australia thoroughly reject it on Saturday.

The Hon. B.C. EASTICK (Light): I am absolutely disgusted with the public attitude taken by this Labor Government in relation to unemployment. We have just heard from the member for Mitchell that what we should be doing is creating jobs. I do not argue with that: we ought to be creating jobs, but what is the Government doing? I refer to an example that is with us at the present time.

Mr Holloway interjecting:

The SPEAKER: Order!

The Hon. B.C. EASTICK: The State and Federal Governments, both Labor oriented, have poured money into local government and other areas to eliminate black spots on roads. They have provided funds to local government to improve cities and to do various other works.

Mr Hamilton: What's wrong with that?

The Hon. B.C. EASTICK: There is nothing wrong with that. The product is good, but how is it being implemented? It is being implemented by overtime of the existing work force. Where are the new jobs? A senior officer of a large metropolitan council advised me this morning that it is working the staff 10 hours a day, six days a week, to spend the money that has been made available to them, yet not one new job has been created.

Large sums of money are channelled off into overtime and increased salary to existing staff. Whilst that is excellent for existing staff, it does nothing at all to put a dent in the unemployment problem. What is the circumstance in respect of funds that have been made available to local government, in particular, to reduce unemployment through the injection of large sums of money—multi million dollars—to create jobs? It has not created jobs: it has maintained existing jobs and is artificially propping up a labour force that, without that input of money, would have no job to undertake. Local government bodies and others are employing private enterprise. That is excellent for private enterprise and for the public, who will finish up with new projects in their

communities. I have no problem with that at all, but what has it done for unemployment? It has just kept a cap on unemployment by maintaining a number of people in jobs in the work force-in private enterprise and in the Department of Road Transport, the railways and other areas—and by artificially creating jobs for them.

The end result is that the value for the dollar spent is not producing the total amount of work that a community should expect. We have a situation where work is being undertaken on overtime and penalty rates; therefore, productivity is reduced markedly. I say to members opposite, as I have no doubt that it has been drawn to their attention over a period, particularly to those members who have a union background, that, if we are working people 10 hours a day, six days a week, the degree of productivity diminishes, the element of work overload builds up—

Mr S.G. Evans: The number of—

The Hon. B.C. EASTICK: And the number of days of sick benefits increases, and productivity diminishes even further. I am saying to the House that all we have heard from the Government this afternoon and for some months about how great it is in creating jobs is for nought. It is doing it artificially and at a tremendous cost to the community, and it is not fulfilling the commitment it claims to hold—to assist unemployed people. The Leader and others today have referred to the tremendous number of people who are out of work for more than 12 months and the number of skilled artisans who are willing to work but who are being denied work.

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

Mr HAMILTON (Albert Park): What a delight it is for me to be able to follow the member for Light, who has just spoken. I have a long memory, and I can remember, as I have been reminded by my colleagues, the situation of unemployed people under a Liberal regime, when they were classified as dole bludgers: they were people who were too lazy to get a job. What did Hewson call them? He called them couch potatoes. How insulting and demeaning, yet members opposite have the gall to stand up and talk about their concern for the unemployed.

Do members opposite remember the RED scheme, which the conservatives knocked? What about the Commonwealth Employment Program, which again they knocked. They have two bob each way. They talk about penalty rates, yet they are the first ones who want to knock off penalty rates. We know that. We had a classic illustration today by one of the most respected men in the industrial arena in Australia, who came out on AM this morning and tipped the proverbial bucket all over the Coalition's policy.

Why did he do that? One reason why he did it was that he knew of the dishonesty of members opposite and their ilk. That is why he did it. They will not release their policy. They know it, the media know it, but unfortunately the media will not run it. The Opposition will not release its policy. They have not the intestinal fortitude or integrity to go before the Australian Press Club.

That is why today I gave notice to the Minister of Labour Relations and Occupational Health and Safety that I intended to ask a question. We then had a sleazy interjection from the member for Bragg; when I raised this issue in a previous debate, what did he say? He degraded Sir Richard Kirby, a person who was given a knighthood on the recommendation of members opposite. That is what it was—a sleazy, slimy comment—which the member for Bragg, unfortunately, is becoming well-known for. He is a hothead. He will not perform well in any debate. It is easy to bait the man; he responds quickly to interjections. It is no wonder that his colleagues unloaded him from the Deputy Leadership of his Party. After he had knifed others in the back, he got it in return.

I come back to Sir Richard Kirby's response. He said that the Coalition's changes will not only be disruptive but create the potential for violence in the community. What a damning statement from a person who had been on the Conciliation and Arbitration Commission for 20 years. I repeat: the changes will not only be disruptive but create the potential for violence in the community. That is from a man with a wealth of experience in the industrial arena, one who knows only too well that you can kick a dog for so long but eventually the dog will bite back. That is what will happen to the workers in this country if, after Saturday, we are lumbered with the Coalition policy of kicking the hell out of workers. We have heard illustration after illustration: $3 an hour for workers as youth wages.

Members interjecting:

Mr HAMILTON: Let the member for Custance deny that. He cannot. It is in the policy and the statements made by his own people. Let him deny it. The Coalition would take away penalty payments. Let us look at some of the contractual arrangements that were cited as an illustration by the Minister today in terms of medical centres. The employer insisted that staff be covered by individual contracts; four nurses and receptionists are to be sacked for refusing to accept the contract. That is the way they want to have it. They would hold a great lump of four-by-two over someone's head—either they sign it or they are out. There are no options, no beg your pardons; that is what they sign if they want a job. That is the policy of members opposite. They will be holding those policies over the heads of those unemployed people who want a job and, if they do not deliver, it will be like the Depression years—if people lift their head, they will be sacked. We on this side know that.

That is the reason why the trade union movement in this country has been so strong for so long. As an aside, in South Australia the number of trade unionists has held up remarkably well, despite the best efforts of members opposite. That is the reason why we on this side attack those gutter policies of members opposite. They do not care about the workers. They cry crocodile tears, but they want cheap labour.

The SPEAKER: Order! The honourable member will resume his seat. Before calling on the next contributor, I would like to raise once again the matter of some of the language being used in debates in the House. Although it may not be specifically unparliamentary, it does nothing to uphold or improve the standard of the House. I would ask all members to be a little more considerate in the language they use in debates.

Mr VENNING (Custance): Before I start my short speech, I want to make a brief comment about the speech of the previous speaker. I have to agree with you, Mr Speaker. That speech was full of malice and hate. This is 1993, when we need the worker and the boss to cooperate. That sort of speech has come straight out of the 1950s. I am afraid that the honourable member must have a giant chip on his shoulder. He knows that the attitude now is a lot softer than it used to be. We cannot bash the worker and we cannot bash the boss; we cannot have one without the other.

I refer to a letter that was sent to me from the Labor Party candidate for Grey, Mr Barry Piltz. It was mentioned in this House last week, but I personally want to finish off this issue. The letter was addressed to the Venning family. How many brains does a chap have when he sends a letter such as this to a member of State Parliament? This is the most scurrilous thing I have ever seen. It is chock-a-block full—and I have to use the expression, under warning—

An honourable member interjecting:

Mr VENNING: 'Untruth' is not strong enough. I have to use the word 'lie'. It is just full of lies. I will explain to the House why. I thought there was honour and truth in politics but, when we read a letter like this which was sent to the people in the Mid North towns around Port Pirie in my area, we see that it contains absolute lies. After being dumb enough to send me this thing, the second thing is—

Members interjecting:

Mr VENNING: The honourable member should wait and see.

Members interjecting:

The SPEAKER: Order!

Mr VENNING: It states:

. making you pay a 15 per cent GST on just about everything you do and buy;

You know, Mr Speaker, and everybody else knows that that is patently not true. To peddle an unqualified statement such as that is blatant hypocrisy; it is a lie. The next statement is worse:

. timing your telephone calls and charging you by the second;

That is a blatant lie, because the Leader of the Opposition, John Hewson, has said categorically that there will be no timed charging of telephone calls, yet it appears in this document as a fact. The next item:

. slashing services, including the ABC's regional network;

Nobody is more conscious of the ABC's regional network than I. I have done much work to make sure its services are enhanced and not cut. I am assured of the Federal Coalition's support in that matter. The next item:

. making you pay his new 'road users tax', which would double or even treble the registration fees on your vehicles.

What hypocrisy! The State Government, particularly since 1983, has been collecting a lot more money via the fuel bowsers and not spending one more cent on the roads. In fact, less than a third of the money collected is actually spent on roads. But the next paragraph is the doozey:

Dr Hewson's industrial policies and his zero tariffs would send unemployment soaring at a time when the Labor Government is working to create new jobs, especially for the young people in Grey.

Sir, you know as well as I do that the three cities in the Mid North in Grey have the worst unemployment in Australia—the worst! One in six people in Grey has not got a job. The level of youth unemployment is about 45 per cent—if there are any youths there. I find it totally ridiculous that the would-be Labor Party member in the District of Grey has these comments to make. It is no wonder that a man for whom I have a lot of time and whom I find honourable—that is, the present Labor member, Lloyd O'Neil—has not publicly endorsed this candidate. And one wonders why the Liberals are cock-a-hoop about our chances in Grey! When a Party chooses a candidate, it should pick somebody who is credible and who can tell the truth. This is absolute desperation on the part of the Labor Party: it puts around stuff like this—and it has the audacity to send it to me. I find it an absolute insult.

I am afraid that the results on Saturday will reflect that the whole campaign has been full of untruths and scare tactics. At least my Federal Leader has initiative and integrity and should receive praise for putting up an alternative. The present Prime Minister has put up nothing: he has just tried to criticise and scare. I look forward to Saturday night with great confidence that the people of Australia, in whom I have much faith, will bring down the verdict on the Federal Labor Government. I look forward to later in the year, when the people will decide the future of this Government as well.

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

EDUCATION (NON-GOVERNMENT SCHOOLS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 11 February. Page 1956.)

Mr BRINDAL (Hayward): The Opposition supports this amendment to the Education Act and, in so doing, notes that it is somewhat slow in coming. It is also worth noting, rather briefly, that the Opposition is disappointed that in this session there have not been many more significant proposals to the Education Act. Daily the Minister at the table is questioned in this House on matters related to education, the press is filled with matters related to education, yet little has been done by this Government to amend the Act on which the education system is based. The Government seems to be incapable of action and it seems to be rather petrified to do anything. Strangely, it has chosen to do something about the non-government schools section of the Act, and the Opposition applauds those efforts.

It is also worth recording that non-government schools are a most important part of a viable and healthy education sector in Australia. Non-government schools are at the very heart of the pluralistic and multicultural nature of our society, and I hope all Parties not only in this State but throughout Australia would support the notion of diversity and the pursuit of excellence and that

that is best achieved through healthy competition and diversity.

The history of non-government schools with all major political Parties in this country has not always been an easy one. For a long time, while Government tolerated non-government schools, there was very much, from all the major political Parties, an us and them attitude. It ran something like, 'If we are the Government, we will run Government schools: if you want to send your children to a non-government school, they can go to a non-government school, but it has nothing really to do with this Government.' As I said, that existed in all major political Parties until comparatively recent times. Fortunately, we live in those more enlightened times, and again both Parties are wedded to the concept that non-government schools have an important place and fill an important function and role in our society. I know the non-government school sector also supports the amendment. I know that the Minister is a very busy person, and I do not want to delay her or the House any longer than is necessary. The Opposition, with some questions in the Committee stage, therefore, supports the Bill.

Mr LEWIS (Murray-Mallee): The Opposition, as has been pointed out by my colleague the member for Hayward, supports the measure. I simply wish to add some personal observations about non-government schools and their role and function in educating the next generation in our society. We do have a multicultural society, as many people have observed from time to time—and quite accurately so. In my judgment, Australia—indeed, South Australia—will be a much more successful and happier place the day we finally hand over every Government school to a community board. Not only would that be efficient by reducing the size and cost of the enormous bureaucracy required to run the department which employs everybody but also it would ensure that schools were responding to the needs of the communities they served. If that were done within a legislative framework determined by this Parliament and under the proper democratic watchful eye of the citizens in the communities they serve, it would undoubtedly be a more efficient way of delivering education to the next generation.

At present, it is too easy for the Government of the day to manipulate the way in which people are put into positions of authority within the Education Department to determine the substance of the curriculum and the options that are available to be taught in that way in the schools and, therefore, the kind of indoctrination which schools should give to the next generation. There is no question about the fact that this Labor Government and the Labor Party over the past 25 years in South Australia have been very successful in that direction and are now further seeking to influence the kinds of things which can be done in non-government schools. The things being done can be described in no other way than social engineering, changing the framework of values and attitudes in society in the next generation. They are not natural and have not sprung from any desire, any groundswell of opinion, abroad in the majority of the minds of the people in the adult community: they come simply from the Left, as the considered idea, which the Left has of the kind of society we ought to be, and it is not democratic.

There is no question about the fact, either, that the *per capita* cost of educating each student in our South Australian Government schools would be reduced— To put that another way, if we were to be a community in which all schools were privately run and amounts of money were spent in the name of education given to those schools on the basis of their location and the disadvantage that that may imply, whether social or economic, we would be able to provide a much better education system if the decisions about what would be done and who would do it in those schools were made by the community rather than by the paid bureaucracy. At present, there is too much incentive for teachers to be careful about how they relate to the central bureaucracy of the Education Department and not careful enough about how they relate their philosophical commitment to their profession as teachers. They worry too much about their promotion prospects and the acceptability of their efforts to the department, rather than the acceptability of their efforts to the community from which the children they are teaching come, from the community in which they work. That is the nub of my concern about the present state of affairs and my view about the most desirable direction in which we can take those affairs in the future.

The Hon. S.M. LENEHAN (Minister of Education, Employment and Training): I thank the member for Hayward for his support for this Bill and for the fact that he has kept his contribution very brief. I thank also the member for Murray-Mallee for his contribution. It is important to acknowledge the contribution of the non-government sector, which actually comprises about 25 per cent of the students in this State in terms of their education and involves 186 sites throughout South Australia. I would have to take issue with the member for Murray-Mallee about his perception that all schools should be privately run— We would find some very serious anomalies and differences arising if we were to try to staff the very remote schools in this State and those schools that are located in areas where there is serious social disadvantage.

One of the strengths of our system is that we have a strong public education sector that works extremely cooperatively with the non-government sector. As Minister of Education, I mix in the two major sectors, and I find that everyone is really supportive of the fact that we do work cooperatively and constructively right across the education spectrum in South Australia. It would be a pity to turn to any kind of suggestion that one sector is better than another, because that is not the case. We have moved on from that; that is 20 years out of date. What we are now saying is that it is important to support, particularly in my view, the small Catholic parish sector that provides an enormous support service for the communities in which they are prepared to open their schools, and this is vitally important.

This Government is very committed to supporting that sector, as is the Federal Government. We do need to ask ourselves whether there is some kind of social justice in any policies that would see a shift in funding to the wealthiest private schools away from the poor Catholic

schools in most cases, because they are very often struggling, and away from Government schools, particularly those Government schools that provide a quality of education for communities in far-flung parts of the country, in South Australia and also in areas of social and economic disadvantage. We have an excellent mix of private and public schools, and I look forward in my term as Minister to ensuring that we encourage that positive spirit of cooperation.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Non-Government Schools Registration Board.'

Mr BRINDAL: The Association of Non-Government Employees has been consulted by the Minister, I am sure, as have all other sectors. That association asks what is meant in this clause by 'an officer of the teaching service': does it mean a teacher employed in a non-government school? It just notes the change of words—that it is an officer of the teaching service—and it is really asking what an 'officer of the teaching service' means.

The Hon. S.M. LENEHAN: I refer the honourable member to the definition of 'teaching service' which is in the original Act of 1972 which means the teaching service constituted under Part III and which includes the teaching service as constituted under the repeal Act. The teaching service is clearly discussed under Part III, Division I, and it talks about the Minister appointing teachers to the offices of the teaching service. I think it clearly defines what the teaching service is. I believe that it covers all teachers.

Mr BRINDAL: Is an officer of the teaching service a teacher currently employed in a non-government school? I think the Minister has indicated that it can mean that but it is a more inclusive term. That is what I understand the Minister to say.

The Hon. S.M. LENEHAN: Yes, it can be but it does not have to be. So, it could be a teacher as long as it is somebody who is properly registered and qualified within the broader teaching service. I would imagine that it would be a matter of the board's determining which teacher and making sure that that person was relevant.

Mr BRINDAL: An officer of the teaching service must, given the definition of the 1972 principal Act, in fact be a teacher, and it does not encompass ancillary staff, teachers' aides or perhaps bursars who are employed under another Act but are within the teaching service in its broader sense; so they are not included.

The Hon. S.M. LENEHAN: It is envisaged that the teaching service will also include a principal or a deputy principal but not an ancillary staff member.

Clause passed.

Clause 4—'Non-government schools to be registered.'

Mr BRINDAL: This question applies to a number of the clauses, but I will ask it only in relation to this clause, because the Minister's answer will cover all others. I notice that it is now the habit of the Government when it is bringing Bills into this place normally to affix any fees payable or fines payable as a schedule and append it to the Act. I note in this Bill that the general rule has been varied because fines are included throughout it. Why is the Education Act not upgraded? I know it is a useful process for Ministers and is a useful tool of this Government that Acts do not constantly have to be brought back here for no other reason than to change fees. I ask the Minister, therefore, why a schedule of fees is not appended rather than the fines being provided in each clause.

The Hon. S.M. LENEHAN: I take the honourable member's point and, in fact, I have asked the same question myself, because it seems to me that a number of things need changing within this legislation. Certainly, regarding the use of the pronoun 'he' I think it should encompass he or she. Also, I think some definitions are out of date in terms of colloquial language as well as proper legalistic language. I am informed that the reason we are not changing some of these things, such as moving to a divisional approach to fines and staying with the financial amounts, is that we are only amending a small part of the Act: we are not amending the whole Act.

It is my intention as Minister of Education to have a complete review of the Education Act in consultation with the very broad education community. I think it makes sense to be able to amend relevant sections in terms of non-government schools and their registration and not visit the whole Act. I think the honourable member's point is a very sensible one and it is something that I will certainly be looking at in the future with a view to possibly undertaking a complete review of an Act that came into being in 1972.

Mr BRINDAL: I am quite sure that the Minister will have every cooperation from the Opposition if she seeks to amend the principal Act and, from the Opposition's point of view, the quicker the better.

Clause passed.

Clause 5 passed.

Clause 6—'Certificates of registration.'

Mr BRINDAL: Under new section 72ga(c), the following information is required: 'the identity of the governing authority of the school'. It has been pointed out to me that in the original draft circulated the word 'employer' was used rather than 'governing authority'. It has further been pointed out to me that especially in the case of a Government school, the governing authority may be one group of people but the employer may be a different group of people, and so I am wondering what is the intent of this clause and whether that word is right.

If we take St Ignatius College as an example, the employer may be, in fact, the Catholic Archdiocese of Adelaide but the governing authority may well be the board of the school, and I am interested to know why the word was used and whether it is the right word or whether it should have been 'employer'.

The Hon. S.M. LENEHAN: I will refer back to the definition in Part I of the Bill which talks about the governing authority in relation to a non-government school or proposed non-government school: it means 'the person, board, committee or other authority by which the school is or will be administered'. What we are asking for in this provision is that the governing authority of a non-government school must, within 14 days after (a) the condition of the registration has been varied, or (b)—etc.—return the certificate. In other words, they must return the certificate of education. I think under the definition the governing authority is quite clearly

interpreted as being the board of the school rather than the Archdiocese of Adelaide.

Clause passed.

Remaining clauses (7 to 10) and title passed.

Bill read a third time and passed.

FIREARMS (MISCELLANEOUS) AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendment:

Page 2, lines 5 to 7 (clause 3)—Leave out all words in these lines and insert—

'pistol' means a firearm the barrel of which is less than 400 millimetres in length and that is designed or adapted for aiming and firing from the hand and is reasonably capable of being carried concealed about the person:;.

The Hon. M.K. MAYES: I move:

That the Legislative Council's amendment be agreed to.

Motion carried.

ADJOURNMENT

At 4.5 p.m. the House adjourned until Tuesday 23 March at 2 p.m.