HOUSE OF ASSEMBLY

Wednesday 19 July 1995

The SPEAKER (Hon. G.M. Gunn) took the Chair at 2 p.m. and read prayers.

STAMP DUTIES (MARKETABLE SECURITIES) AMENDMENT BILL

His Excellency the Lieutenant-Governor, by message, intimated his assent to the Bill.

INDUSTRIAL AND EMPLOYEE RELATIONS (MISCELLANEOUS PROVISIONS) AMENDMENT BILL

The Hon. S.J. BAKER (Deputy Premier): I move:

That the sitting of the House be continued during the conference with the Legislative Council on the Bill.

Motion carried.

EUTHANASIA

Petitions signed by 55 residents of South Australia requesting that the House oppose any measure to legislate for voluntary euthanasia were presented by the Messrs Caudell and Wotton and Mrs Kotz.

Petitions received.

Petitions signed by 553 residents of South Australia requesting that the House maintain the present homicide law, which excludes euthanasia, while maintaining the common law right of patients to refuse medical treatment were presented by Mr Atkinson and Mrs Kotz.

Petitions received.

PROSTITUTION

A petition signed by 473 residents of South Australia requesting that the House uphold and strengthen existing laws relating to prostitution was presented by Mrs Kotz.

Petition received.

LEGISLATIVE REVIEW COMMITTEE

Mr CUMMINS (Norwood): I bring up the twenty-seventh and twenty-eighth reports of the committee and move:

That the reports be received.

Motion carried.

QUESTION TIME

AYTON REPORT

The Hon. M.D. RANN (Leader of the Opposition): Will the Deputy Premier now agree to assist the Senate Committee of Privileges in revealing his substantive source of confidential NCA material leaked to him in February 1993 now that the committee has determined that the leaking of this information is a grave criminal offence? The Senate Committee of Privileges has now identified that a serious criminal offence has been committed in relation to the improper disclosure to South Australian Liberal MPs of a confidential submission to the Joint Committee of the NCA by Western Australia police officer, Superintendent Ayton. Local journalist, Chris Nicholls, was named in the privileges committee's report as a suspect.

In March 1993 the now Premier and the Deputy Premier quoted from this illegally leaked document in Parliament. The Deputy Premier told Parliament in February of last year that he knew the leaked document had come from a substantive source, which is information that could now help track down the perpetrator of this crime. Was his source Chris Nicholls?

The Hon. S.J. BAKER: I thank the honourable member for his question because it raises a number of issues related to the performance of the Opposition over a long period of time and the extent to which it has used documents illegally. Indeed, I understand that the Leader of the Opposition was personally involved on the Roxby Downs issue going back in time. So, it is a matter of sheer hypocrisy to even raise the question that the Leader has raised. In fact, I received correspondence on this particular issue and, as I made clear at the time, I was (a) unaware of the source and (b)—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. Rann interjecting:

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

The Hon. S.J. BAKER: Just listen.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition. He knows the Standing Orders as well as anyone.

The Hon. S.J. BAKER: The first point is that I was unaware of the source and, if anybody wants to question me outside on that matter, I will reiterate that point very strongly. As the member would appreciate, quite often the sources of material are not known to the people. One thing we can do is recognise a good story. Indeed, it was not a fabrication: the document was provided. I am not aware of the source of that material, and that was relayed to the Senate committee. Leaving aside the issue of the source, the second point is that at the time I was also unaware of its privilege, and I would not have been expected to know that. It was just a piece of information which assisted in the examination of a particular matter. On both counts, I have nothing to add to what I have already provided to the Federal body. If the member suggests otherwise—and I suggest he says it outside—I would like to—

The Hon. M.D. Rann: I will; don't worry.

The Hon. S.J. BAKER: That is fine. He had better be very careful what he says because he may breach his privilege. He can say what he likes in the Parliament, but when he goes outside it is a different matter. Whilst I have—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I warn the Leader for the second time.

The Hon. S.J. BAKER: I reiterate that I am not aware of the source of that material, and I would not stand up in this House and say otherwise if there was any way in the world that I had known the source. Let the House be aware that I was not aware of the source of that material, and that is still the case. Therefore, I cannot help the committee. When the Leader receives information, does he check out the source?

The Hon. M.D. Rann interjecting:

The Hon. S.J. BAKER: Well, we have seen some classic examples from his backbench. The member for Elizabeth gets stuff out of committees that is confidential. What sheer hypocrisy. The Leader of the Opposition should repair his own ship rather than directing questions across the House.

TEACHERS, FEDERAL AWARD

Mr BRINDAL (Unley): My question is directed to the Premier.

Members interjecting:

The SPEAKER: Order! The member for Unley does not need assistance from the left.

Members interjecting:

The SPEAKER: Order! Members will hear what the Speaker has to say if this continues.

Mr BRINDAL: What is the South Australian Government's response to the support which the Federal Minister for Employment, Training and Education (Mr Crean) has given to the wage demands of the teachers union? A number of concerned Labor voters have contacted me because they are concerned that Mr Crean does not understand the difference between his own responsibilities and those of the Premier.

The Hon. DEAN BROWN: Yesterday, the Federal Minister for Employment, Training and Education (Mr Crean) signed an agreement between the ACTU and the Federal Government for Accord Mark VIII. Accord Mark VIII says that the Federal Government and the Federal Minister for Employment, Training and Education would support a wage increase for teachers under a Federal award. That wage increase would lead to an additional cost for South Australia of $137 million a year. The second step is that the Federal Minister has not offered $1 to the State Governments to pay for that wage increase. That has serious implications for the standard of education right throughout Australia.

The State Governments pay the wage costs of teachers, but here we have a Federal Government interfering for no more than political purposes—trying to win votes from teachers—and agreeing to a wage accord which would impose an extra cost of $137 million a year on South Australia alone. It is even worse than that, because the Federal Minister then turned around and criticised Victoria, South Australia and Western Australia for imposing cuts in education.

I point out to the Federal Minister that his facts are wrong. In the 1995-96 year, South Australia allocated an increase of $29 million to education. What Mr Crean did not point out in his statement was that South Australia is the best resourced of any State in Australia for education in State schools. Here we have a Federal Minister who criticises three Liberal States but who fails to acknowledge that South Australia, one of those three States, is the best resourced of any State in Australia.

In addition, he failed to acknowledge that South Australia has the best pupil/teacher ratio of any State in Australia, at both secondary and primary level. What he also failed to acknowledge is that in South Australia we spend $51 more per person—in other words, for every man, woman and child in South Australia—on education than is the national average. I repeat: $51 a year more per person right across the State. South Australia makes a bigger commitment to education on a *per capita* basis than any other State in Australia, it has the best student/teacher ratio and has the best school resources in Australia. Yet the Federal Minister is acting like a vandal in trying to win cheap political votes because he knows that the Federal Labor Government is in diabolical trouble after the Queensland election.

Mr Crean is trying to buy the votes of teachers by agreeing to impose on this State Government an extra $137 million a year, but he is not prepared as Federal Minister to put in even one dollar to pay for that cost. Frankly, it is one of the most irresponsible actions I have seen from a Federal Minister. All he is doing is ignoring his ministerial responsibilities and jumping on some cheap political bandwagon. That behaviour is totally unacceptable from a Federal Government.

POLICE, ENTERPRISE BARGAINING

Mr QUIRKE (Playford): Will the Premier assure the House and the people of South Australia that he will not renege on his promise to maintain and even to extend the number of operational police officers? The Opposition has been informed that the pay offer to South Australian police officers involves a cut in police numbers and the use of separation packages.

The Hon. DEAN BROWN: First, let me make quite clear that we said that we would put additional police out in the community. That is what our promise was all about—additional police out in the community. By the end of July this year, we will put about 135 additional police out in the community to improve policing so that we have safer communities here in South Australia. At the same time we have said that we want to work with the Police Department, and the Commissioner has pledged his support to this, as did the union as part of the enterprise agreement, at any rate.

The matter raised by the honourable member is that the union, as part of the enterprise agreement, was willing to work with the State Government to bring about a reduction in the administrative areas of the Police Force and to achieve significant savings and improvements in efficiencies. That is what the Government will continue to work towards. There have been significant changes in technology with computers and mobile phones and we want to identify other areas where additional administration costs can be reduced.

The fact is that South Australia puts about $25 million a year more into policing compared with the national average. We want to make sure that, because we are putting that much more than the Australian average into policing, we get the maximum value out of that additional money in terms of safety and policing in the community. That is where our emphasis will be: putting more police on duty in the community rather than in administrative areas. I have no embarrassment whatever in saying that we are working with the union, the Police Department and the Commissioner in trying to bring that about.

GAMING MACHINES

Mr BECKER (Peake): My question is directed the Treasurer. Does the Government have any plans to increase the number of gaming machines allowed in hotels and clubs in South Australia? Recently, an article appeared in the *Sunday Mail* stating that there was a powerful lobby group pushing to increase the machine limit in hotels and clubs from 40 to 80.

The Hon. S.J. BAKER: The matter was raised in the *Sunday Mail*. I have no doubt that there is a group within South Australia who wish to extend poker machines because, as the member for Giles would recognise, some of the hotels are doing particularly well: they are doing exceptionally well

and wish to increase their market share. However, a letter from the industry signed by Mr Peter Hurley as President, regarding the issue of extra gaming machines, states:

> The [AHA] council unanimously supports the concept of a maximum of 40 machines for all hotels and clubs. This maximum number ensures that:
>
> 1. Clubs and hotels continue to focus on their core business of providing food, beverage, entertainment and leisure activities for customers and members with the machines ancillary to that focus.
> 2. No hotel or club can become a 'mini-casino' to the detriment of the competing business interests within the vicinity. This therefore ensures a proper and orderly development of the entire industry.
>
> We are not aware of a 'powerful lobby' seeking to increase machine numbers as reported in the *Sunday Mail* article. In fact, we are confident that the majority, if not all clubs and hotels with machines, support the current maximum which has allowed a significant number of small, family operated hotels and special interest clubs to participate in a business opportunity that they would be excluded from in other interstate jurisdictions or in a jurisdiction with higher maximum machine numbers. It is worth noting that in the most mature market, New South Wales, only 9 per cent of venues have more than 100 and over 62 per cent have less than 25. Experience in South Australia has already shown that our model is far superior to other jurisdictions because it provides:
>
> 1. Fair and equal access to the opportunity;
> 2. For administration costs covered by the industry;
> 3. Appropriate legislative mechanisms to ensure the integrity of the industry; and
> 4. A commercial balance within the industry.
>
> This association therefore remains supportive of the current existing arrangement of a maximum of 40 machines.

Whilst I had reservations about a number of aspects of the private member's Bill which went through both Houses of Parliament and which was amended in the early hours of the morning, with Mario Feleppa's hand being twisted behind his back, I note that the unique experience with the industry in South Australia is that hotels and clubs work together and perform as a team. Therefore, I would not expect that power relationship to change, which means it is in the best interests of everyone concerned not to have a disjointed industry where very large clubs operate to the detriment of everyone else. I was delighted to receive this letter supporting the 40 machine maximum.

POLICE, ENTERPRISE BARGAINING

Mr QUIRKE (Playford): Why is the Minister for Industrial Affairs claiming that he has offered police an extra $38 a week when the offer is only $14 a week above what police would receive anyway through the safety net payments already granted by the Industrial Relations Commission? Last year police along with many other workers received an $8 safety net increase, and last week received the second $8 before the commission. A third instalment of $8, making a total of $24, is due next year.

The Hon. G.A. INGERSON: I now understand why the honourable member is asking these questions and not the Deputy Leader of the Opposition, who at least understands some industrial relations decisions. The problem for the member for Playford is that the industrial relations decision in both the national and State wage cases said the following: if you are in enterprise agreements and in enterprise bargaining, the first $8 should be part of any first agreement; if you continue with enterprise bargaining, the next $8 should be paid within six months and should be absorbed as part of any agreement. The third $8 could be—not should be—paid in 12 months' time if the parties agree. That is the effect of the national wage case decision, and that is what the State commission put forward. As the honourable member and his informants would know, the comment on our offer yesterday is as follows:

> All employees of the South Australian Police Department will receive an immediate pay increase of $38 per week inclusive of safety net adjustments.

The reason for that last statement is that it is a requirement of the decision of the Industrial Relations Commission at both State and Federal level that it be included: it is a basic requirement. It is a $22 increase—

Mr Quirke interjecting:

The Hon. G.A. INGERSON: Don't just throw your hands in the air. Let us get the facts right. It is not a $22 increase per week. The whole process of paying $8 immediately, $8 in six months and $8 in 12 months has been brought forward so that it will be paid in one payment. This is the only group of public servants in South Australia—and, I understand, the only group of employees in Australia—which has had the safety net award brought forward and recognised at one time. This is the only group for which this has happened, and it has happened for one reason: it is recognised that the Police Force in this State is at the bottom end of the payment scale in Australia.

In the *Advertiser* this morning, a table, which was not supplied by the Government but which I understand was supplied by the Police Association, notes clearly not what the President of the Police Association is saying—that the members of the association are still at the bottom of the scale—but that they are in fourth position. They are back where you would traditionally expect them to be in terms of the wage bases of the Australian system. Bringing forward that total payment recognises that. The reality is that police officers would have got $8 now and $8 in 12 months: that has never been denied by anyone in government. I point out that the actual pay increase for all other public servants is $7. So the offer of $22, which has been brought forward on top of the $16 (the two safety net payments), is the highest payment that has been offered to any group of public servants in this State.

WATER CORPORATION

Mr EVANS (Davenport): Will the Minister for Infrastructure tell the House what safeguards will be put in place within the new South Australian Water Corporation to manage the new outsourcing contractor in the first few years of the long-term contract? Several of my constituents have expressed concern about the handing over of the management of Adelaide's water and waste water treatment to a contractor. In particular, they ask what would happen to the core expertise which might be lost from SA Water if the new contracting company fell over. They also want to know, if SA Water is such an efficient organisation, why it has to contract out some of its activities.

The Hon. J.W. OLSEN: Following a visit to South Australia, Mr Ramsay, brought out to South Australia by the Public Service Association, was somewhat embarrassed on a number of programs when explaining the pitfalls of our policy. When it was explained to him by interviewers that what he was describing was the UK privatisation experience, not the South Australian policy direction, on a couple of occasions he had to retreat from the claims he was making. Let me reassure the honourable member's constituents, first, that South Australian Water will retain a significant skills base to manage the technical aspects of this business. There

will still be 1 500 to 1 600 employees of SA Water in the future. The issue has been strongly addressed in the request for proposal document. Termination of the contract may occur in relation to cause, insolvency, price impasse or convenience. Termination for cause can be for a material breach of any duty or obligation under the agreement. It is not and has not been remedied within a 30 day period or for numerous breaches which collectively are material. The contractor is required to provide termination assistance on matters including the following:

- The contractor must provide all information assistance necessary to assure the smooth transition.
- SA Water or its nominee will have the right to extend offers of employment to the contractor's employees engaged in performing services associated with the contract. The contractor cannot remove or reassign key personnel after notice of termination. (So there is a protection in the skills base.)
- SA Water or its nominee will have the option to purchase, at a fair market value, any equipment owned by the contractor.
- SA Water will have the option to assume leases of vehicles and equipment of the contractor.
- SA Water will have the option to assume contracts for any services provided by third parties.
- The contractor must provide termination assistance for up to 12 months from the date of termination notice if requested by SA Water.
- Any intellectual property used to perform the services must be licensed to SA Water for its use upon expiration of the term of the contract.

As I mentioned, a significant skills base will be retained by SA Water in managing and operating its country and regional networks in South Australia. In addition, SA Water has extensive reporting requirements to ensure that the performance of the contractor can be monitored continuously. SA Water will also own all the contractor's information and data related to SA Water assets. In other words, it will have almost absolute and total control and absolute protection in the provision of water and sewerage services to South Australia in the future.

Regarding the honourable member's question about going to outsourcing for a contractor simply to—and I stress—operate and maintain the facility, I point out that national and international experience has shown savings of between 20 and 25 per cent in the provision of the service. If we could put that in place, a 20 to 25 per cent saving on the approximately $100 million we spend annually on these contracts would involve a significant sum of money that could be reallocated for upgrading our existing infrastructure in South Australia which we do not have the opportunity to put in place, because we were left with a massive debt by the former Labor Government.

UNEMPLOYMENT

Mr CLARKE (Deputy Leader of the Opposition): Is the Minister for Employment, Training and Further Education aware that South Australia's unemployment rate is now two full percentage points higher than the unemployment rate for Australia, a situation which last occurred at the time of the Liberal Government, under former Premier Tonkin? ABS statistics reveal that over 15 000 South Australian full-time jobs were destroyed last month. South Australia's unemployment rate is now two full percentage points above the national rate—10.3 per cent compared with 8.3 per cent nationally. The last time this appalling state of affairs occurred was in November 1981, over 13 years ago.

The Hon. R.B. SUCH: I thank the Deputy Leader for finally catching up with the statistics which were released last week: I think he has been having a holiday somewhere. As I explained in some detail last week via the media, the monthly figures are a snapshot; they are volatile and jump around. One needs to look at the yearly result to get a more accurate picture, and the 12-month period to June this year shows an increase of 18 500 jobs in South Australia. That gives the more accurate picture, not a monthly snapshot but the annual figure, which indicates 18 500 jobs created.

It must be borne in mind that the monthly figures are a sample survey which are subject to all the restrictions and deficiencies of a sample survey process. The yearly figure shows 18 500 jobs created in South Australia which is a fantastic record. I compare this with the thousands of jobs lost under the previous Government, whose Cabinet comprised many members opposite.

WEST TERRACE CEMETERY

Mrs ROSENBERG (Kaurna): My question is directed to the Minister for Correctional Services. Following the appalling spate of vandalism at the West Terrace Cemetery, can the Minister advise the House how the Correctional Services Department is providing assistance to cemetery staff to maintain that cemetery?

The Hon. W.A. MATTHEW: I thank the member for Kaurna for her question; I am aware that the honourable member and her family were personally affected by the vandalism at the cemetery, some of her family's grave sites having been vandalised during that dreadful occurrence at that cemetery. I am pleased to be able to advise the House today that community service offenders will assist the West Terrace Cemetery Trust in the maintenance and upkeep of the cemetery. The cemetery covers some 31 hectares and comprises more than 56 000 grave sites.

The work to be undertaken by offenders will include the clearing of overgrown vegetation and weeds, cleaning public areas and clearance and tidying of grave sites. Work will commence on 1 August. It is expected that a minimum of 10 community service offenders will work on the project each Monday and Tuesday thereby providing a total of 150 community service hours each week. Equipment will be provided by the Department for Correctional Services, with the salary of the departmental supervisor paid by the West Terrace Cemetery Trust.

Members will be aware that generally community service order offenders have been sentenced by the court for minor matters. Prison is an inappropriate penalty for these people due to the nature of the offences and the high cost of imprisonment. We know well in this Parliament that Labor's fine default centre has not proven a viable option, either. Programs such as this offer meaningful work for offenders and provide the opportunity for offenders to pay their debt to society by putting in effort which benefits the whole community.

STATE SLOGAN

The Hon. M.D. RANN (Leader of the Opposition): Given that the 'Festival State' will now not be replaced by either the 'Creative State' or the 'State of the Arts State', can

the Premier say how much it will cost the taxpayers of South Australia in terms of number plates, logos and stationery so that we can ensure that we are 'going all the way with SA'?

Members interjecting:

The SPEAKER: Order! The Leader will be going all the way, too, if he keeps interjecting.

Members interjecting:

The SPEAKER: Order! The member for Wright will join him.

The Hon. DEAN BROWN: The Leader will have to wait until next week. The Government is embarking on a major promotion campaign to sell South Australia. We have tremendous support from the private media for that campaign, and we are looking forward to the undertaking. There is no doubt that, as a result of the damage done to the South Australian economy by the former Labor Government, this State unfortunately has an image across Australia as the State which had the State Bank that lost over $3 billion. It is about time that we in this State took a much more positive approach and got out and sold South Australia as a very competitive place in which to establish business and, as a result, attract major new industry to this State.

I appreciate the enormous support that the media has given to the promotion campaign being undertaken by the State Government. I urge the Leader of the Opposition to wait. I assure him that the State emblem will not be changed. The piping shrike will continue to be the official emblem of South Australia. There is a major promotion campaign for South Australia, and I suggest that the honourable member waits to see the support and the emphasis of that campaign not just here but nationally.

Members interjecting:

The SPEAKER: Order! When the House comes to order, I will call the member for Ridley. The Chair has a discretion to remove members from the question list. I think that that course of action needs to be put into practice forthwith.

MICRO-ELECTRONICS CENTRE

Mr LEWIS (Ridley): My question is directed to the Minister for Employment, Training and Further Education. In what ways is South Australia a leader in the field of micro-engineering, and especially micro-electronics? Members will know that I have been a member of the University of Adelaide Governing Council almost since I became a member of this place, and I have had an interest in the computing science centre there and at the University of South Australia. I can best explain my question through a quote from the University of South Australia's brochure on the subject, which states:

> Micro-electronics has quickly become fundamental to all modern manufacturing and engineering disciplines. Its current expansion through micro-engineering processes and concepts will mean new products that will not only cause further engineering changes but will have a significant impact on every aspect of society.

The Hon. R.B. SUCH: Last week I had the privilege to officially open the new micro-electronics and micro-engineering centre at The Levels, which is part of the University of South Australia. That project has also been supported by the University of Adelaide, and that is most appropriate given the honourable member's link to that university. In that micro-engineering laboratory in South Australia we have another example of how South Australians are leading the world. As a result of the developments in terms of micro-electronics, we are receiving added interest from overseas companies which wish to invest here and which wish to pick up on some of the technology which we are developing as part of a research and training operation.

The centre, which is headed by Professor Haskard, is to be commended on the excellence of the work being carried out. More compact laboratory equipment for measuring environmental quality is one example of how developments taking place at the centre can benefit industry and the community. That type of equipment, which currently cannot be transported easily outside laboratories and which costs $250 000, can now be made for $200 using micro-electronic technology. That is just one example of how the centre is advancing our knowledge in micro-electronics and micro-engineering.

In the next 10 years, we will see radical advances in electronics, and the electronics that we have today will be considered to be well and truly out of date. In fact, they will be regarded as quite primitive in terms of what will be achieved within the next few years. I urge all members to make themselves familiar with this little gem (the micro-electronics and micro-engineering centre) in South Australia and be proud of what is being developed here. I urge them to ensure that the message that South Australia can deliver and that we have the knowledge and the skills is put across, not only in South Australia but to the world at large.

MOUNT GAMBIER HOSPITAL

Mr CLARKE (Deputy Leader of the Opposition): Is the Premier satisfied with the Minister for Health's handling of the tendering process for the design and construction of the Mount Gambier Hospital and, in particular, the delays in changes to financing arrangements made after the close of tenders? On 21 January, tenders closed for the hospital's construction on the understanding that project finance had been arranged. In April, the hospital board wrote to tenderers to extend the tender validity period to 31 May on the ground that the Government's preferred position in relation to the project is that private financing be arranged. The Opposition understands that the construction industry participated in the original tender in good faith at a total cost to itself of between $1 million and $2 million.

Mr ASHENDEN: I rise on a point of order, Mr Speaker. In view of the point that the member for Ross Smith is raising, he should divulge his source. It appears that there is a possibility of a breach of the privilege of a committee of this Parliament.

The SPEAKER: The Chair cannot uphold the point of order. The Deputy Leader of the Opposition has to stand by the source of his remarks. He is not required to divulge it. However, I point out to the House that I have already ruled that the Chair will not tolerate information which is currently before a committee being divulged before it is divulged to the House.

The Hon. DEAN BROWN: It is quite clear that the honourable member has no integrity whatsoever. The fact that they take information from a Public Works Committee meeting this morning and walk straight into this Parliament—

Mr CLARKE: I rise on a point of order, Mr Speaker. I get tired of this pious hypocrisy on the Premier's part.

The SPEAKER: Order!

Mr CLARKE: He wants to impugn my integrity—

The SPEAKER: Order! I warn the Deputy Leader of the Opposition.

Members interjecting:

The SPEAKER: Order! The Minister for Tourism is not helping the Chair. The Deputy Leader of the Opposition has been a member of this Chamber for long enough to know that when he wants to raise a point of order there is a proper process for that and he should not engage in a debate. He has no point of order. I suggest that he has a close look at the Standing Orders and, if he is unable to determine how to raise a point of order, he should seek some assistance from the member for Giles.

Mr CLARKE: Mr Speaker, my point of order is that the Premier alleged that I have no integrity. I ask him to withdraw that.

The SPEAKER: In relation to the point of order about the honourable member not having integrity, I ask the Premier to withdraw that comment.

The Hon. DEAN BROWN: I am certainly willing to withdraw, but the situation is quite clear. I pose this question: does the honourable member have any integrity when, clearly in breach of Standing Orders, he takes information from a parliamentary standing committee and uses it in this Parliament? In all my time in this Parliament, and as a former Minister of Public Works—

The Hon. FRANK BLEVINS: I rise on a point of order, Mr Speaker. If the Premier wants to make accusations against breaches of Standing Orders—

An honourable member: What is the point of order?

The Hon. FRANK BLEVINS: You are about to find out.

An honourable member interjecting:

The Hon. FRANK BLEVINS: Are you in the Chair?

The SPEAKER: Order!

The Hon. FRANK BLEVINS: You should stick to dealing with the police. You are making a big enough mess there without trying to run Parliament.

The SPEAKER: Order! The member for Giles is raising a point of order.

The Hon. FRANK BLEVINS: Thank you, Mr Speaker. My point of order is this: if the Premier wants to make accusations of that nature against the Deputy Leader of the Opposition, they should be made by substantive motion and not during debate.

Members interjecting:

The SPEAKER: Order! The Chair cannot uphold the point of order. However, I suggest to all members that in asking or responding to questions, or making comments in the House, they should be aware that it is contrary to Standing Orders to impute improper motives in relation to any honourable member. Even further, I suggest that unparliamentary comments or comments which are particularly derogatory to any member are not what the public expects.

Mr ATKINSON: I rise on a point of order, Mr Speaker. You asked the Premier to withdraw his allegation against the Deputy Leader. I wonder whether the words 'I am willing to withdraw' constitute a withdrawal.

The SPEAKER: Order! The Chair was satisfied with the withdrawal. I point out to members that I believe that the use of points of order is becoming far too frequent. I would suggest to members that they ought to concentrate on what they are in the Parliament for instead of engaging in conduct which leaves much to be desired. Further, I do not believe that the people of South Australia want to view their members on television taking points of order when they should be addressing the issues.

Mr BRINDAL: I rise on a point of order, Mr Speaker. I accept your ruling, Sir, and I am sorry to detain the House. There is a strict code in the Standing Orders for the taking of points of order, and every day the Opposition comes into this place and abuses Standing Orders.

The SPEAKER: Order! The honourable member is commenting, and that is not a point of order. I refer him to my earlier comments.

The Hon. DEAN BROWN: All I did was pose a question to the House and allow members to make their own judgment about the Deputy Leader of the Opposition.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: I therefore pose this question: would you want this man to have the power of a Minister? I come to the central issue, and that is the Mount Gambier Hospital itself. For 20 years the Labor Government promised a hospital at Mount Gambier, and for 20 years the Labor Government failed to deliver that hospital.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: I can recall promises being made year after year by various Labor Ministers of Health as to what they would do in terms of putting in a new hospital at Mount Gambier. Of course, it goes back to the election won in 1975 by the now member for Gordon. I was at Mount Gambier on the Monday before that election when a new hospital was promised by the Labor Government of the day.

Mrs Kotz: When was that?

The Hon. DEAN BROWN: That was in 1975—20 years ago. I am satisfied with what the Minister for Health has done. I believe he has done it very effectively, and I commend him on the fact that Mount Gambier is about to get an entirely new hospital on a greenfield site. Out of that the people of Mount Gambier will get a considerable improvement in health services.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: The hospital has been made available as a result of the significant 'Building a Better Future' program which was included in the last budget and for which the Government allocated $300 million of private funds to allow projects such as this to go ahead and which otherwise would not go ahead because of the limited money available under the Government's capital works program. I am delighted that the people of Mount Gambier will have a new hospital, that it will proceed with private funding and that it has been handled so competently by the Minister for Health.

WATER PIPES

Mrs HALL (Coles): Can the Minister for Infrastructure investigate the technical aspects of a better warning device that could automatically shut off the flow in a water main when a pipe ruptures? As the Minister is aware, yet another water main burst in my electorate at Rostrevor earlier this week. SA Water attended promptly, but it took 15 minutes to turn off the main. In April at Newton, which again is in my electorate, there was another pipe rupture and it took more than 60 minutes to shut down the flow. During this time the continuing gush of high pressure water caused further damage to property. Therefore, as a matter of urgency and as an interim measure, prior to any general refurbishment of the system, will the Minister investigate this possibility?

The Hon. J.W. OLSEN: I will ask SA Water to look at the proposal put forward by the honourable member. However, an impediment to the proposal is the number of

sensors that would be required throughout the metropolitan area. Given the level of frequency of bursts in the north-eastern suburbs, it might be that the number of sensors could be reduced in that you could isolate it to a particular area of South Australia that has a greater propensity for bursts than elsewhere in Adelaide. This underscores the fact that it is important for us to put in place international best practice in relation to the provision of water and sewerage services in South Australia.

One of the outcomes of going to a prime contractor for the management and operation of the metropolitan water and sewerage system is to bring to South Australia international best practice in relation to the provision of services to South Australians at a lower cost than is currently the case or which could be provided in other circumstances. I commend SA Water and its employees for its response time—I understand it was nine minutes in this case, with a further 10 minutes to isolate and turn off the burst main—and for the way in which it has worked cooperatively with the family to clean up after this incident. If we are going to tackle in any meaningful way these sorts of—

The Hon. Dean Brown interjecting:

The Hon. J.W. OLSEN: The Premier makes the point that past practice was to not look at new technology that could be put in place to alleviate the problem for South Australians in the future. One of the outcomes in relation to this proposal is to bring in international best practice. The water project which was implemented two years ago in Buenos Aires is the biggest and most complete concession of sanitary services in the world, and it is interesting to note that over those two years the number of burst mains has gone from 1 650 down to 430, and the average repair time has gone from 180 hours down to 48 hours. So members can see that, by bringing in international best practice and prime contractors to projects such as that in Buenos Aires, a very significant improvement in the provision of service to people can be obtained. In relation to the specific question, as I said, I will be happy to look at it and ascertain a way in which we can bring in international best practice and new technology to provide a better service for South Australians.

Members interjecting:

The SPEAKER: Order! Ministers will cease interjecting.

CIRKIDZ

Mr ATKINSON (Spence): Has the Minister for Housing, Urban Development and Local Government Relations found alternative accommodation for Cirkidz, the circus school and performing troupe? In March last year, the Minister told Parliament that—

Members interjecting:

The SPEAKER: Order! I suggest that the member for Spence does not need any assistance in asking his question.

Mr ATKINSON: From the member for Playford. That was the electorate name you were after, Sir.

The SPEAKER: Order! I warn the honourable member. The Chair has taken a very tolerant view. I point out to the member for Spence that it was touch and go whether he was taken off the question list. I assure the honourable member that, if there is any repetition, not only will he be taken off the list for a week but he will be named in the process. The Chair has taken a tolerant view in relation to members. I suggest to the honourable member that he examine the *Hansard* in respect of his colleague the Speaker of the New South Wales Parliament, where he will see what it is like to have the Standing Orders rigorously enforced. If he wants me to do the same here, I will certainly apply them rigorously.

Mr ATKINSON: Thank you, Sir. In March last year the Minister told the Parliament that, after the sale to S.D. Tillett, the stonemasons, of the West Street, Hindmarsh site, on which Cirkidz paid a peppercorn rent, the Minister would find alternative premises for Cirkidz and that he expected little difficulty finding suitable accommodation of a far superior standard to the present premises. Cirkidz are required to vacate West Street, Hindmarsh (Brompton Square) by 27 July.

The Hon. J.K.G. OSWALD: We are in contact with Cirkidz on a regular basis. They had only 12 months in the Tillett property. We had that extended for an extra six months and I have the ability to extend that once again, if required. Currently we are looking at six individual properties. The new manager of Cirkidz is involved with officers of my department in looking at those properties, as is the local council. I believe we will achieve a satisfactory conclusion for Cirkidz. There was no point in putting them into a property just for the sake of it and then moving them again. If any members have seen them perform, they will agree that they are a treasure as far as a small youth circus is concerned. When we do find premises for them I am very keen to see that they are useful premises and something they can settle into and make their home.

Local government has only recently shown considerable interest in Cirkidz, for which I am pleased. Until a few months ago it was left to the Government to try to find them a home, but local government is now showing keen interest in becoming involved. As I said to the House, currently we are looking at six properties and I hope that one of those six properties will become their home.

Mr Atkinson: It has been a long time.

The Hon. J.K.G. OSWALD: The honourable member says, 'It has been a long time,' but he has to bear in mind that during the first 12 months the management of Cirkidz was very reluctant to move from their existing property. Everyone would have to agree that, in the long term, the current property is not in keeping with the type of property from which a circus troop like that should operate. The Government is endeavouring to find them a decent home, and I thank Tillett and Co., which has cooperated in extending the lease on the property. In my latest discussions with Mr Tillett, I have the option of further extending it until we resolve to which of those six properties the troop will go. If all of those prove impossible, then we will continue until we find them a decent home because they deserve it.

PHARMACEUTICALS DISPOSAL

Mrs KOTZ (Newland): Will the Minister for Health inform the House of any initiatives being taken to meet environmental concerns associated with the disposal of pharmaceuticals?

The Hon. M.H. ARMITAGE: I thank the member for Newland for a very important question, because the pharmaceutical industry is an enormous industry in Australia, and indeed in South Australia, with companies such as Faulding and others doing such a great job. I am sure that everyone recognises there is a tendency for a number of pharmaceuticals, once made, to end up not being used. In the first instance, the most important factor to minimise environmental concerns in relation to the disposal of waste in pharmaceuticals is to ensure that they are appropriately used.

Accordingly, if we can maximise the utilisation, we can minimise the waste. To this end, one of the most exciting projects that I have heard of for a long time is called OPAL (Overseas Pharmaceutical Aid For Life). This organisation was set up when the principal visited European hospitals in war-torn areas and saw some of the incredibly disadvantaged and sick children.

Pharmaceuticals which are still useable within South Australia are donated to OPAL and sent to the areas of greatest need as determined by World Vision. OPAL has been established since 1992 and it is an incorporated charitable, non-profit organisation. It has covered every base. It is now a licensed wholesale dealer under the Drugs Act and it works very efficiently in association with the World Health Organisation in Geneva, and indeed with World Vision. The Pharmaceutical Guild in South Australia actively supports the work of OPAL. Its support includes collecting the pharmaceuticals. On the guild's figures, approximately $85 million of the annual prescription products in Australia could be recycled. Based on OPAL's experience, 40 per cent of this material, which is approximately $35 million worth, could be recycled to the specifications for the World Health Organisation, obviously to the advantage of the children who would receive them overseas.

The World Health Organisation's specifications are quite harsh—I believe, in some instances, far too harsh. For instance, one of its specifications is that, for pharmaceuticals arriving in overseas countries, there must be at least 12 months before the use-by-date expires. Given the number of people who could benefit from pharmaceuticals with a use-by-date of much less than one year, it ought to review those specifications. Clearly, the recycling of the product has two benefits. The unused product is not incinerated, therefore it does not add to the environmental degradation. Clearly, there is a benefit to overseas people who need the treatment.

In those circumstances, the taxation law in this country is quite bizarre. Under the taxation law we do not provide tax deductible status to donations of pharmaceuticals for overseas aid, yet, if the pharmaceutical companies destroy this stock, there is a tax deduction. That is quite clearly stupid. It means there is both an environmental and a humanitarian cost.

I have written to the Federal Government seeking support for OPAL's aims. I am disappointed with Minister Lawrence's response: it has excited more enthusiasm in her bureaucrats. I am hoping that the Ministers responsible for taxation and overseas aid might be more positive. This is a great opportunity and I congratulate everybody involved with OPAL.

NORTH-WEST HEALTH EDUCATION UNIT

The Hon. FRANK BLEVINS (Giles): Will the Minister for Health guarantee that the North-West Health Education Unit will continue its role of providing continuing nurse and related education to health units and health professionals on the Eyre Peninsula and in the north-west of the State? I have been contacted by numerous country health units that are concerned that the Government's relocating to Adelaide nurse educators now based at north-west will severely disadvantage country health professionals and, therefore, country communities.

The Hon. M.H. ARMITAGE: I do assure the member for Giles and people living in rural areas of South Australia that the continuing education of rural professionals will be closely looked at, and indeed will continue apace. This Government believes that rural health is a vitally important issue in South Australia, recognising full well that, if there are not appropriate rural health facilities, whole towns can be in jeopardy because teachers, policemen and so on do not wish to go there with their children. The member for Giles indicated that he has been contacted by a number of rural health units that stressed the importance of education. I wonder whether the Blyth Hospital, the Laura Hospital, the Minlaton Hospital or the Tailem Bend Hospital contacted him. Of course they would not have because, under the administration of the member for Giles and under the previous Labor Administration, they made an art form of closing hospitals. Of course, Blyth, Laura, Tailem Bend and Minlaton were just some of those.

CHEMICALS

Mr KERIN (Frome): Will the Minister for Primary Industries inform the House about measures to assist farmers to use and dispose of agricultural chemicals more safely and efficiently and say whether there are any future plans to have more information available to farmers who use chemicals?

The Hon. D.S. BAKER: I thank the honourable member for his question and his interest in the matter. As the member for Spence said, what a good member he is. Of course, before he came into this place he ran a very successful farm chemical business and chemicals were very dear to his heart. However, as people would understand, chemical residues are a very important part of our overseas export trade. It is an area where there has to be continued education. As all farmers move under quality assurance programs—and they will within the next five years—the knowledge of farm chemicals and their proper and adequate use is a must for farmers generally. It is also very important that that knowledge filter through to people in the cities and their back gardens so that everyone uses chemicals according to the instructions on the label. Overuse of chemicals, especially in metropolitan areas, is very dangerous.

To this end, the department has just launched a new farm chemicals resource centre, the specific role of which is to provide greater service to farmers on chemical use. A committee looks after urban areas and representatives of metropolitan groups are on that committee to make sure that everyone understands that chemicals are a good thing in our environment, if properly used, but, if they are indiscriminately used, not only do they affect our own environment in Australia but also they put at risk our export commodities, especially meat and grain.

It is hoped that, over the next few years, with two-day courses, all farmers in South Australia will gain adequate knowledge about how to use chemicals, exactly what is meant on the labels and the levels of toxicity on those labels. It is thought that, by the turn of the century, every farmer in South Australia will have a certificate which enables him to use chemicals more effectively and in keeping with our export goals in this country.

CADELL TRAINING CENTRE

Mrs GERAGHTY (Torrens): Will the Minister for Correctional Services ensure that the Cadell prison farm is adequately funded to enable it to continue to carry out its role of the rehabilitation of prisoners in the South Australian prison system?

Members interjecting:

The SPEAKER: Order! The Chair is not only interested in but familiar with the subject matter of this question. The member for Torrens.

Mrs GERAGHTY: Thank you, Sir. This facility has an exceptionally sound record in the area of rehabilitation of prisoners, and any reduction in the funding will have grave consequences.

The Hon. W.A. MATTHEW: I thank the honourable member for her question. Members of this House would be well aware that, during the 11 years of Labor Government, $180 million was spent on correctional institutions around the State. Much of that money was misdirected. If today in 1995 this Government had that $180 million, we could utilise it to build a prison system to cater for the State's imprisonment needs through into the next century as well as return money to Treasury, and that would make the Treasurer particularly happy. Despite the fact that money was spent by Labor on indoor, heated swimming pools in the Adelaide Remand Centre, on gymnasiums, swimming pools and tennis courts at Port Augusta, and on glass-walled squash courts in Mobilong Prison, the Labor Government did not undertake capital works that were needed in some institutions.

One task that needed to be undertaken was the adequate fencing of Cadell prison. The Cadell prison is responsible for a significant proportion of the State's prison escapes. In addition, no assessment was made of the State's imprisonment needs. The Opposition would be well aware that, as Minister, I have taken an almost unprecedented step in releasing publicly a departmental report to me as Minister on the future of Cadell prison, and there is no secret, therefore, because that report is public knowledge, that part of our overall assessment of the prison system and the state it was left in by the previous Government includes a recommendation from the Department for Correctional Services regarding two options for Cadell. One of those options is to spend capital works money on the prison, to adequately fence the accommodation areas and to continue to use it as a prison. The other option is to close that institution and to expand the Mobilong Prison near Murray Bridge to accommodate those numbers and to put those resources into that institution. The downfall of the latter option is the loss of jobs in the Cadell region. All local members involved have put their case to me strongly. The member for Chaffey, the member for Custance and, of course, your good self, Mr Speaker, have interest and responsibility in that area. Those points of view have been taken on board, as have the points of view of the local community. The consultation process is not yet finalised. When it is, Cabinet as a whole will make a decision on what the outcome will be for Cadell prison.

HOUSING TRUST RENTS

Mr De LAINE (Price): My question is directed to the Minister for Housing, Urban Development and Local Government Relations. With the restructuring of the public housing sector and, in particular, the proposed Parks housing redevelopment project, will the Minister give an assurance that the present policy of assisted rents not exceeding 25 per cent of a tenant's total income will be maintained for the remainder of the Government's term?

The Hon. J.K.G. OSWALD: The figure of 25 per cent is in accordance with the Commonwealth-State Housing Agreement. We are not about to make changes in that area, nor has there been any public debate surrounding such a change.

YOUTH PARLIAMENT

Mr ASHENDEN (Wright): Will the Minister for Youth Affairs highlight the many achievements of the inaugural State Government-YMCA Youth Parliament held last week? I was one of a number of members on this side of the House who attended the opening of that Parliament, and we could not help but be impressed by what we saw.

The Hon. R.B. SUCH: I thank the honourable member for his question and his interest. I noticed that a lot of members of both Chambers attended the inaugural Youth Parliament, which was strongly funded by the State Government and coordinated by the YMCA. It was also assisted by the Law Society through the Law Foundation, and it was an outstanding success. The young people were involved in training for eight months leading up to last week's activities. They participated in a camp and they debated and discussed issues that they raised themselves.

I should just like to mention some of those issues. They were generated by the young people, they debated them in teams but they had the option, which we do not always have, of a conscience vote at the end of the debating process. I will circulate to members the details of the debates but, in essence, they voted against the suggestion of an introduction of capital punishment and the lowering of the voting age below 18 years, but they supported euthanasia, penalties for young offenders, the right of residents to protect their person and their property in matters of self-defence, and the use of cannabis for medical purposes.

It was a very useful exercise. It not only gave them increased self-esteem but helped their public speaking capabilities. It brought together young members of the community from the city and the country. I should like to thank the Speaker of this House, the President of the other place, the clerk and all the staff who generously supported this activity by giving of their time freely. Another Youth Parliament will be held next year and it will continue into the future. The young people were delighted to participate. They were a credit to themselves and to the groups with which they were associated. Once again, this Government has honoured an election commitment to introduce a Youth Parliament, and I believe that the State is better off for it. Young people understand our parliamentary process better as a result of this activity, and I believe it will become an annual event worthy of recognition in South Australia and throughout Australia.

GRIEVANCE DEBATE

The SPEAKER: The question before the Chair is that the House note grievances.

Mr SCALZI (Hartley): I refer to the two tapestries in the Chamber, and in doing so I acknowledge the significant part they played in the celebration of the Women's Centenary of Suffrage last year. I believe it is as important to acknowledge that fact as it is to acknowledge the work put into those tapestries by the women concerned. I raise this matter not because there is no place for those tapestries but because in this Chamber they are out of place. These tapestries should be hung in a prominent location such as Centre Hall where more people can have access to them and can note the

importance and significance of the Women's Centenary of Suffrage. That would be more appropriate and bring their significance into perspective.

If the tapestries remain in this place then, in a way, we have not necessarily progressed the cause of women. Indeed, they are not in keeping with the heritage aspect of this Chamber. A portrait of the first woman in this place, who was also the first woman Minister (the Hon. Joyce Steele), should be hung in the Chamber, as that would be in keeping with its heritage features. In that way we would progress the celebration of the Women's Centenary of Suffrage, at the same time giving equal prominence to women in this place, which would be more appropriate, in my view.

The corridor along the eastern side of the Legislative Council Chamber has the portrait of the Hon. Anne Levy, who was the first woman President of that Chamber. That portrait sends a powerful message to the community that women can succeed, and have done so, equally with men. That portrait is very much admired, and its message is very clear. I have escorted many people through this place, having had the privilege only the other day of taking 28 women through Parliament House, and it was from their comments that I take this opportunity to express my view that something should be done.

With the tapestries exhibited, for instance, in Centre Hall people, including students, going through that area will be able to note the part that women have played in this respect, and we will have moved from celebrating the centenary of women's suffrage to actually promoting women in this place. That is a very important point, as I am sure many members would agree.

The glass panels in this Chamber could perhaps depict South Australia's history. For example, I envisage a leadlight panel featuring Aboriginal dreaming, with further panels in chronological order depicting the history of this State. It would not only have a powerful meaning but would demonstrate an holistic approach.

Mr Atkinson: What does that mean?

Mr SCALZI: It means that it is all inclusive. I acknowledge that these tapestries have played an important part in celebrating women's suffrage; indeed, I attended many of the centenary functions last year at Payneham and Campbelltown, as well as at the burial site of Mary Lee.

The Hon. M.D. RANN (Leader of the Opposition): Today I called upon the Premier, the Attorney-General and the Deputy Premier to help track down the person who leaked a confidential police report about Casino matters to the Joint Committee of the National Crime Authority now that that leak has been determined as a serious criminal offence. The Premier and his two senior Ministers have information about the source of the leak which they have so far refused to disclose. In February last year the Deputy Premier identified the source as 'substantial', which suggests he knows who it is. Today, he has denied that he knows the source, so how could he tell this Parliament that it was a substantial source? Now that this matter has been designated as a criminal one, the Brown Government, if it is to maintain any integrity, has no choice but to cooperate in identifying the source.

Last week the Senate Privileges Committee released its report of an investigation into the source of the leaked confidential submission to the NCA committee by a Western Australian police officer, Superintendent Ayton. It concluded that a grave criminal offence had been committed by the person who leaked the Ayton submission. Chaired by Liberal Senator Baden Teague, a Liberal Senator from South Australia, the committee concluded that the release of the Ayton submission was 'improperly disclosed and that such a disclosure constituted a serious offence'. The report states that in February 1993 the National Crime Authority committee received a telephone call from South Australian journalist Chris Nicholls, who asked whether the publication of submissions made to the committee was protected under parliamentary privilege. Mr Nicholls was told that privilege applied only if the committee authorised publication. A month later the leaked document was tabled in both Houses of the South Australian Parliament.

Mr ASHENDEN: I rise on a point of order, Mr Speaker. If you observe the Leader of the Opposition you will note, Sir, that he has his back completely to you while he is facing the camera to get maximum exposure. I believe it is not just a courtesy but a requirement of this House that the Speaker be addressed and not the television cameras.

The SPEAKER: The honourable member is correct: members are required to address the Chair. The Leader of the Opposition.

The Hon. M.D. RANN: A month later the leaked document was tabled in both Houses of this Parliament by the then Leader of the Opposition, now Premier (Mr Brown) and the then shadow Attorney-General, now Attorney-General (Hon. Trevor Griffin) and quoted from in Parliament by the man who is now Premier of this State. In 1993 the present Treasurer used the Ayton submission to instigate inquiries by the Casino Supervisory Authority and later forced a judicial inquiry by Frances Nelson, QC. In March 1994 Liberal Senator Amanda Vanstone, as Deputy Chair of the NCA committee, raised the question of improper disclosure of the Ayton submission, and the committee of privileges then investigated the leak. The committee questioned Mr Nicholls about the document; he at first denied he could assist but upon further questioning admitted he had received a document of this nature but had destroyed it one or two months after receiving it. Mr Nicholls still has many questions to answer. Earlier last year the Attorney-General, Mr Griffin, told Parliament that the Ayton submission had not come to Liberal Opposition MPs from a member of the NCA committee but refused to say how he obtained the copy.

It is quite clear that a serious criminal offence has been committed and equally clear that the pre-eminent Law Officer of this State (the Attorney-General), the Premier and his Deputy have information which could help track down the perpetrator of this serious crime identified by the committee chaired by Senator Baden Teague. To ensure their absolute integrity, the Premier and other Ministers concerned have a duty to reveal the identity of their source so that the privileges committee can follow through in its investigation of identifying the offender to enable prosecution proceedings to begin. I believe that the Deputy Premier knows the source of this leak and that Mr Nicholls knows the source of the leak quite intimately.

Mr ASHENDEN (Wright): I address what I and I am sure other members see as a breach of protocol which occurred in the House yesterday. I can only assume that it occurred because the member for Taylor, being new to the House, may not be aware of the protocol she breached. Yesterday in the grievance debate the member for Taylor referred to constituents who live in my electorate. Although the honourable member began her remarks by saying that she was speaking in favour of an independent health complaints

unit, approximately two-thirds of her time was spent on addressing a situation which constituents of mine have faced.

As members of this House know full well, there is a very firm protocol that members do not raise matters relating to constituents who live in the electorate of other members. I have been acting on behalf of my constituents in regard to this matter since before I became a member of this House. Because this occurred, I contacted my constituent to find out what on earth had happened. I was advised that this matter was raised in the House yesterday without his knowledge or permission. He advised me—

Ms White: That is an absolute lie.

The SPEAKER: Order!

Mr ASHENDEN: I repeat: I telephoned my constituent, who advised me that this matter was raised by the member for Taylor without his knowledge or permission. He said that he had written to the Federal Minister for Health pointing out problems that his wife had experienced in Adelaide and requesting that an independent health complaints unit be set up in this State. I am advised by my constituent that the Federal Minister for Health then forwarded that letter to the shadow Minister for Health in South Australia, who passed it on to the member for Taylor who, in turn, raised this matter in the House. I stress that this is the information that I have been given by my constituent.

I believe that this is totally unprofessional; it concerns me, and it is a lesson to us all. It appears that, if you write to a Federal Minister, that information may be sent back to shadow Ministers and used in this House for purposes for which it was not intended. My point is this: in my opinion, there has been an awful misuse of that letter but, more importantly, I come back to the fact that it is an accepted rule of this House that members do not raise matters pertaining to constituents of another member's electorate. If the ALP wants to do this, I assure members opposite that plenty of constituents from the Leader of the Opposition's electorate telephone me for all sorts of reasons, including the fact that they do not get satisfaction from the Leader's office. I am advised by the member for Newland and the member for Florey that they are frequently contacted by constituents in the adjoining electorate of Torrens, and that they do the right thing and refer the matter back to the member concerned.

There are some unwritten rules in this House, and if they are not adhered to it could lead to all sorts of problems. As I have said, the honourable member is new to this House, but I hope that it does not happen again. I have no quarrel with the way in which her remarks on the grievance debate began yesterday. Quite rightly, the honourable member said that she wanted an independent health complaints unit to be established. However, if members refer to *Hansard*, they will see that the honourable member spent the remaining two-thirds of her time addressing a situation pertaining to my constituents. As I said, that is something which I have certainly avoided. When constituents come to me from other electorates I do not handle those matters but forward them on to the correct electorate. I have certainly never raised matters in this House pertaining to constituents from other electorates. I hope that this will not occur again, and I assure the House that, before I was even elected to this House, I was working strenuously for the constituents to whom the member for Taylor referred, and I will continue to do so.

Mr ANDREW (Chaffey): Last Sunday, a further milestone in river and riverboat history was created with the formal recommissioning of the paddle steamer *Industry* at Renmark on the Murray River by the Minister for Transport, the Hon. Diana Laidlaw. I would like to take this opportunity today as the local member to say how proud I am of that activity and of being able to be associated with it, albeit in a small way. I am particularly proud of all those who were involved in this success story at Renmark at the weekend. The paddle steamer *Industry* was built in Goolwa and commissioned in 1911 as a work boat for the EWS. She played a role in removing snags to keep the river open for traffic and was later involved in the construction of locks and weirs. After 59 years of service, the vessel was decommissioned in 1968 and handed over to the town of Renmark.

In about 1975, it became a successful static museum for a period of about 19 years. However, there was a growing enthusiasm to restore the vessel to working condition. Through the strong initiative, initially of the Renmark Apex Club and the Corporation of the Town of Renmark, an assessment was undertaken of the cost involved in restoring the hull and the vessel in general, and there was considerable community interest in raising the necessary funds. Voluntary assistance, particularly the formation of the Friends of the PS *Industry* Club, played a major role in physically restoring the hull, and by 1991 the *Industry* could be seen plying the Murray River waters once again. It is remarkable to note the range of activities in which she has been involved since 1991. These include appearances in the film industry, particularly the telemovie *The River Kings*, and she undertook a number of extended trips up and down the river from Morgan to Goolwa. The *Industry* provided colour and atmosphere and played a valuable role in celebrating the majority of the centenary celebrations for the river settlements last year.

At this point, as the vessel had not been surveyed and it could not carry passengers on a legal fare-paying basis, the revenue was severely limited in terms of funds required to continue the survey desired by the Friends of the PS *Industry*. So, they thought about the option of financial assistance. I was pleased to take a deputation to the Minister for Transport last year. From those discussions emerged an offer of an interest free loan of $50 000 to speed up the process of resurveying. I want to place on public record today two important aspects of this project. First, on behalf of my electorate but more specifically on behalf of all those people who are directly involved (the Renmark Corporation, the Renmark Apex Club, and the Friends of the PS *Industry*), I want to thank the State Government for its significant support with a $50 000 interest free loan and also for a $20 000 grant from the South Australian Tourism Commission for wharf reconstruction to aid passenger transport and access on and off the vessel.

I would also like to thank the volunteers over the past five or six years who have made a tremendous effort to get the *Industry* reconditioned from being a static display to a fully functioning steamboat on the river. I mention, in particular, the efforts of David Natrass, who was the President of the Apex Club at the time of the initial decision to try to refloat the *Industry*. David has been a driving force throughout the whole period of the restoration. I refer also to John Halliday, who was the inaugural President of the Friends of the PS *Industry* in 1990, and Ken Petersen, the current President. They all had a vision for the restoration recognising that the vessel would last much longer as a working exhibit and that it would be a much greater tourist asset to the district. It is no coincidence that I have in my office in Parliament House a very recent painting of the *Industry*. When I noted this in my electorate office on Monday morning after the successful

event on Sunday, I also noted that on my wall I have an ABC weather calendar for 1995 and depicted in the month of July is a very impressive photograph of the *Industry* on the Murray River in the morning mist. I take this opportunity to congratulate all those involved.

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

Ms WHITE (Taylor): I feel compelled to rise to my feet to respond to the extraordinary and unjustified attack made on me by the member for Wright. I understand why the honourable member felt compelled to complain because another member had referred to an issue that involved constituents in his electorate. It is not unusual for constituents of the member for Wright's electorate to approach my office. A stunning number of constituents who have approached the member for Wright's electorate office with no satisfaction have complained—

Mrs Rosenberg interjecting:

Ms WHITE: A stunning, large number have come to my electorate. Yes, I service those constituents because they do not have anywhere else to go. The member for Wright stated that the constituent to whom I referred yesterday said he did not give permission for me to raise the issue. I do not know whether the constituent said that, but I do know that the constituent rang me, invited me to his house and explained that the member for Wright had not done what he had said and promised he would do, that is, to raise the issue in Parliament. For well over 12 months—

An honourable member: How long?

Ms WHITE: Well over 12 months. My constituent had been corresponding with the member for Wright all that time and had received no satisfactory redress of this issue. The member for Wright is sensitive in this area, and I can understand why. I suggest to members opposite that they conduct a poll in the member for Wright's electorate. If they were to ask people in the member for Wright's electorate who they thought their local member of Parliament is, they might just find that two members—not one, but two—of the Labor Opposition score more highly than the member for Wright. I suggest that the Liberal Party conduct such a poll.

Mr Lewis interjecting:

The ACTING SPEAKER (Mr Bass): Order! The member for Ridley is out of order.

Ms WHITE: I can assure the honourable member that he won't be. The member for Wright referred to a letter that he said I used incorrectly. My quoting from a letter by the Minister for Health to a constituent does not constitute misuse. If the member for Wright were to stop for a second to consider from where the information came, he might just twig to the fact that it was his constituent who provided me with that information, asked me to raise this matter in public, in Parliament, and was in full knowledge that it would be raised yesterday.

I cannot comment on whether or not it is true that the member for Wright did contact the constituent and that he did say that I did not have permission. I simply point out that I did have permission. This is not the first time that the member for Wright has got up in Parliament and told untruths. In his maiden speech to Parliament he made three. I responded in the local paper. I did not call them untruths in the local paper. There was no response from the member for Wright, because he knew that it was true. I suggest to the Liberal Party that it does some polling in the member for Wright's electorate. I am sure it will find the results extremely interesting.

Mr KERIN (Frome): I would like to raise two issues which show the general contempt AN and the Federal Government seem to have towards this State and road users. The first matter relates to AN's duty of care to road users virtually all over Australia. Whilst metropolitan areas have their 'flash harry' red lights, whistles, bells and gates at crossings, on many rural roads the crossings are far less obvious. Last Friday evening, when I was returning from an appointment, it was after dark and I was travelling on a dirt road. I was approaching the Broken Hill/Port Pirie line, in undulating country in an area called Huddleston, when I found myself almost right on a train. Because of the grade of the road, I was almost on top of the train before I could see it. It is absolutely inappropriate that there are no lights or reflective strips, because it makes it very difficult to see the trains. After my experience on Friday evening, I find it much easier to understand how, quite a few years ago, a friend of mine and of many others lost his life at that same crossing by running into the side of a train.

I can understand the lack of any flashing warning devices at some crossings because of the cost. At some of these lesser used crossings, it can be argued that such devices are not warranted. However, with the large number of lesser crossings around the countryside, I find it ridiculous that the railways do not have to provide some form of lighting or at least a reflective strip on the side of their carriages. Many of these trains are very long, and in undulating or hilly country it is extremely hard to see the side of the trains as they go over the crossings. At night in these areas it is not possible to see a train until your lights level out onto the side of the carriages and, for some people, this is just too late.

It seems particularly negligent when you consider the extent of the rules and laws we as road users have to comply with in the way of lighting and indicators. We also see the three levels of Government spending enormous amounts of money on lighting, reflective signage posts, whatever, to protect motorists. Yet we see no effort whatsoever to make trains more obvious to assist unwary motorists so that they avoid hitting trains at these lesser crossings—a type of accident which most unfortunately has dire consequences. I find it unacceptable that, in this day and age, where we are so safety and liability conscious, this nation's rail authorities are not prepared to accept their responsibilities, to identify their duty of care and to make their carriages far more easily visible from the side in the dark.

I turn now to the Warnertown railway crossing, which is in my electorate. Warnertown is a small town just this side of Port Pirie. There is a railway crossing just off Highway 1, going down Abattoir Road, which is a sealed road. It is a busy double crossing which is also used by school buses. The crossing has no flashing lights or gates. It is a Federal line crossed by a local government road. The Federal member for Grey, Barry Wakelin, has done a lot of work on this issue, and I have been glad to work in with him. It was an initial recommendation of the State Level Crossing Committee that flashing lights be installed. In a letter dated 10 September 1994, AN asked the Federal Minister, Mr Laurie Brereton, that certain savings achieved under the One Nation Rail Program be allocated to that crossing. The Federal Minister knocked it back.

Money was saved in an Adelaide to Kalgoorlie project which could have been used on that line, which is in that

same sector. Instead, the Minister did not accept that recommendation and asked that the money be spent on the standardisation between Adelaide and Melbourne, which just adds to the perception that any project that is on or towards the eastern coast takes priority over those in our own area. I commend the efforts of Barry Wakelin and everyone else who has worked on this issue. We are trying to reach a compromise. Unfortunately, the Federal Government is not prepared to meet the full cost, and we are looking at State, Federal and local government trying to fund it. There have been several telephone conferences, and hopefully we are moving towards a solution. Hopefully we will find a solution before we have an accident at that crossing, because at the moment it is very dangerous. It concerns many users and those whose children use the school buses.

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

PARLIAMENTARY SUPERANNUATION (NEW SCHEME) AMENDMENT BILL

The Hon. S.J. BAKER (Treasurer) obtained leave and introduced a Bill for an Act to amend the Parliamentary Superannuation Act. Read a first time.

The Hon. S.J. BAKER: I move:

That this Bill be now read a second time.

I insert the second reading explanation in *Hansard* without my reading it.

This Bill seeks to make some significant changes to the superannuation arrangements for the Members of this Parliament. The changes are the most significant to be made to the Parliamentary Superannuation Scheme in over 20 years.

The Bill provides a package of changes which in the longer term will see the cost to taxpayers of the superannuation arrangements for Members of Parliament, reduced by about 20%.

The cost reduction principally results from the proposed closure of the existing scheme to new Members of the Parliament, and the establishment of a new less expensive scheme for future Members.

Under the existing arrangements, it is possible, in certain circumstances, for a Member of this Parliament to retire with a benefit significantly above the benefit that would be paid for similar service in an interstate or the Commonwealth scheme. In terms of the proposed new scheme, benefits payable on retirement will generally not be greater than those paid to MP's retiring from a Parliament of another State or the Commonwealth.

In accordance with accepted standards for people in existing superannuation schemes, the Government proposes that members in the existing scheme be allowed to continue in their present scheme.

This proposal is also consistent with the arrangements that have been adopted in the past whenever a scheme for Government employees has been closed and a new scheme established. However, because in some circumstances individual members of the existing scheme could be better off under the new scheme, the Bill contains a provision enabling members to transfer to the new scheme.

The Bill seeks to make a few minor changes to the existing scheme. These are, the introduction of an option for new spouse pensioners to commute their pensions to a lump sum, new arrangements covering transfers to another Parliament, an expanded definition of spouse so as to include a putative spouse, and a provision to provide for persons who die in service without a spouse or dependent children, having a lump sum based on the accrued benefit being paid to their estate.

The new scheme is a pension scheme which is considered the most appropriate type of superannuation arrangement for persons who choose to serve their community and State through parliamentary service.

As I have earlier stated, the formula to be used under the new scheme for the purpose of calculating a pension benefit, shall ensure that, in general, retirees do not receive pensions larger than their counterparts in the other States and the Commonwealth. While the Commonwealth's general method of calculating pensions is to be adopted, particularly in respect to higher office, there will be a minor variation in the accrual rate based on basic salary. This will mean that the maximisation of pension entitlements from higher office shall be over 12 or more years rather than the current arrangement of the best six years of service.

One of the significant changes to be introduced as part of the new scheme, is a provision that will restrict the amount of pension that a retired member can receive where the former member is in receipt of any income from remunerative activities before the age of 60. No other parliamentary scheme in Australia has this feature. This is the first time this has been done in Australia. Under the new scheme, retiring Members will be able to commute up to 100% of their pension. This will further assist in controlling the costs of the scheme.

Under the existing scheme, persons who involuntarily leave the Parliament without completing six years service receive no employer support. They do receive however, a Superannuation Guarantee benefit under the State Superannuation Benefit Scheme. It is proposed that under the new scheme, for those persons who involuntarily leave the Parliament with less than six years service due to defeat at an election or loss of pre-selection, an employer financed benefit equal to the member's contributions plus interest will be preserved until at least age 55. The member's contributions may be preserved where the member so desires. This means that these persons will receive an employer component equal to 11.5% of salary, thereby ensuring that the new Parliamentary Superannuation Scheme satisfies the Commonwealth's Superannuation Guarantee requirements within the one scheme.

The new scheme also provides for a 'dislocation allowance', in the form of a lump sum to be paid to those persons who involuntarily leave the Parliament and are not entitled to a pension. However, the allowance will not be paid to those members who involuntarily retire due to being elected to another Parliament. The allowance has primarily been introduced to cover members in marginal seats who often encounter financial and other difficulties in finding new employment after short parliamentary careers.

The Bill also provides that where a Member has served 20 years and one month of service and thus attained the maximum benefits applicable to base salary, the contribution rate will be halved to 5.75% of basic salary. This recognises that members who have served for more than 20 years and one month, and who continue to make contributions, receive no additional benefits in respect of basic salary. Any higher salary will incur the standard 11.5% contribution rate.

The Bill also includes some updating and technical changes to existing provisions. For example, the provision which deals with the indexation of pensions has been updated to be consistent with the arrangements under the *Superannuation Act* covering the main State Pension Scheme.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

Clauses 1 and 2 are formal.

Clause 3: Amendment of s. 5—Interpretation

Clause 3 amends section 5 of the principal Act. The definition of 'determination day' is struck out. With the replacement of section 35 of the principal Act the term will not be used. 'State' is defined to include a Territory of the Commonwealth. In a number of places the Act makes special provision for a member who transfers to or comes from the Parliament of the Commonwealth, another State or the Northern Territory. The purpose of this amendment is to include the Parliament of the Australian Capital Territory in the ambit of these provisions.

Clause 4: Voluntary and involuntary retirement

Clause 4 amends section 6 of the principal Act by removing the reference to the Northern Territory. Separate reference to the Northern Territory is not required because 'State' is now defined to include Territories.

Clause 5: Amendment of s. 14—Contributions by members

Clause 5 amends section 14 of the principal Act by reducing by half the contributions to be made by certain members of the old and new schemes in respect of their basic salary.

Clause 6: Amendment of s. 16—Entitlement to a pension on retirement

Clause 6 makes a consequential amendment to section 16 of the principal Act.

Clause 7: Amendment of s. 17—Amount of pension for old scheme members
Clause 7 makes consequential amendments to section 17 of the principal Act and removes subsections (2a), (3) and (4). Paragraphs *(b)* and *(c)* of subsection (2a) are repeated in new section 17C which will apply to both the old and new schemes. Paragraph *(b)* of subsection (2a) is now defunct. Subsections (3) and (4) are no longer needed in view of new section 35.

Clause 8: Insertion of ss. 17A and 17B
Clause 8 inserts new sections 17A and 17B.

Clause 9: Amendment of s. 18—Invalidity retirement
Clause 9 makes a consequential amendment to section 18 of the principal Act.

Clause 10: Amendment of s. 19—Reduction of pension in certain circumstances
Clause 10 makes a consequential amendment to section 19 of the principal Act.

Clause 11: Insertion of s. 19A
Clause 11 inserts new section 19A. This section provides that the pension of a former member who has moved to another Parliament will be preserved if the member is under 55 and the superannuation scheme available to the former member as a member of the other Parliament does not recognise the South Australian service.

Clause 12: Amendment of s. 21—Commutation of pension
Clause 12 amends section 21 of the principal Act to make separate provision for commutation by old scheme and new scheme former members. Subsections (1a) and (1b) are replaced by new subsection (1b).

Clause 13: Amendment of s. 21a—Application of s. 21 to certain member pensioners
Section 13 makes a consequential amendment to section 21a of the principal Act.

Clause 14: Insertion of s. 21B
Clause 14 inserts new section 21B as an interpretative provision for Division 3 which now deals with both old scheme and new scheme former members. The new section is basically subsections (2) and (3) of existing section 22.

Clause 15: Amendment of s. 22—Other benefits under the old scheme
Clause 15 makes consequential amendments to section 22 of the principal Act.

Clause 16: Insertion of s. 22A
Clause 16 inserts new section 22A which provides other benefits for new scheme members. New scheme members who are not entitled to a pension will be entitled to twice the balance standing to the credit of their notional contribution account and an amount being one month's salary for each year of service. Preservation of an amount equivalent to the balance standing to the member's notional contribution account applies until the member reaches 55 years.

Clause 17: Amendment of s. 24—Pension for spouse of deceased old scheme member pensioner

Clause 18: Amendment of s. 25—Pension for spouse of deceased old scheme member
Clauses 17 and 18 make consequential amendments to sections 24 and 25 respectively.

Clause 19: Insertion of ss. 25A, 25B and 25C
Clause 19 inserts new sections 25A, 25B and 25C.

Clause 20: Insertion of Part 5 Division 1A
Clause 20 inserts new section 26AA which provides for commutation of spouse pensions.

Clause 21: Amendment of s. 26A—Certain former members deemed members at time of death
Clause 21 amends section 26A of the principal Act. This amendment is consequential on the new definition of 'State' in section 5 of the Act.

Clause 22: Amendment of s. 31a
Clause 22 changes the benefit payable to the estate of a deceased member who leaves no spouse or eligible child.

Clause 23: Substitution of s. 35
Clause 23 replaces section 35 of the principal Act with a provision drawn on the same lines as the corresponding provision in the *Superannuation Act 1988*

Clause 24: Insertion of Part 6A
Clause 24 inserts section 35A of the principal Act which enables old scheme members to transfer to the new scheme.

Clause 25: Amendment of s. 36—Pensions as to previous service
Clause 25 inserts a provision into section 36 of the principal Act that makes it clear that a former old scheme member who returns to Parliament in the circumstances referred to in section 36 remains an old scheme member.

Clause 26: Insertion of ss. 36A and 36B
Clause 26 inserts new sections 36A and 36B. New 36A is necessary because of the change to the definition of 'spouse' in section 5. New section 36B enables the Board to obtain information as to income of a new scheme member pensioner that will reduce the amount of his or her pension.

Clause 27: Insertion of third schedule
Clause 27 inserts commutation factors for spouse pensions.

Mr QUIRKE secured the adjournment of the debate.

SOUTH AUSTRALIAN WATER CORPORATION (BOARD) AMENDMENT BILL

The Hon. J.W. OLSEN (Minister for Infrastructure) obtained leave and introduced a Bill for an Act to amend the South Australian Water Corporation Act 1994. Read a first time.

The Hon. J.W. OLSEN: I move:

That this Bill be now read a second time.

I insert the second reading explanation in *Hansard* without my reading it.

The *South Australian Water Corporation Act 1994* presently provides for the board of directors as the governing body of the Corporation to consist of four members appointed by the Governor, and the Chief Executive Officer. A quorum of the Board consists of three members.

Given the other responsibilities and commitments of Board members it is considered that more flexibility and expertise may be provided if the membership of the Board was increased to seven members. By increasing the membership to seven it is appropriate to provide for four members to constitute a quorum of the Board.

I commend this Bill to the House.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement
These clauses are formal.

Clause 3: Amendment of s. 12—Establishment of board
The proposed amendment will mean that the board of the South Australian Water Corporation will consist of seven members comprised of six (instead of four) members appointed by the Governor and the chief executive officer of the Corporation.

Clause 4: Amendment of s. 16—Board proceedings
This amendment proposes to change the quorum of the board of the Corporation from three members to four members consistent with the increase in membership of the board proposed by clause 3.

Mr CLARKE secured the adjournment of the debate.

ELECTRICITY CORPORATIONS (ETSA BOARD) AMENDMENT BILL

The Hon. J.W. OLSEN (Minister for Infrastructure) obtained leave and introduced a Bill for an Act to amend the Electricity Corporations Act 1994. Read a first time.

The Hon. J.W. OLSEN: I move:

That this Bill be now read a second time.

I insert the second reading explanation in *Hansard* without my reading it.

The *Electricity Corporations Act 1994* presently provides for the board of directors as the governing body of ETSA to consist of four members appointed by the Governor; and the Chief Executive Officer. A quorum of the board consists of three members.

Given the other responsibilities and commitments of Board members it is considered that more flexibility and expertise may be provided if the membership of the Board was increased to seven members. By increasing the membership to seven it is appropriate to provide for four members to constitute a quorum of the Board.

I commend this Bill to the House.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Amendment of s. 14—Establishment of board

The proposed amendment will mean that the board of ETSA will consist of seven members comprised of six (instead of four) members appointed by the Governor and the chief executive officer of ETSA.

Clause 4: Amendment of s. 18—Board proceedings

This amendment proposes to change the quorum of the board of ETSA from three members to four members consistent with the increase in membership of the board proposed by clause 3.

Mr CLARKE secured the adjournment of the debate.

RACING (RE-ALLOCATION OF TOTALISATOR BETTING DEDUCTIONS) AMENDMENT BILL

The Hon. J.K.G. OSWALD (Minister for Recreation, Sport and Racing) obtained leave and introduced a Bill for an Act to amend the Racing Act 1976. Read a first time.

The Hon. J.K.G. OSWALD: I move:

That this Bill be now read a second time.

I insert the second reading explanation in *Hansard* without my reading it.

This Bill proposes amendments to the *Racing Act 1976* relating to deductions on totalizator betting with the TAB.

Firstly, the Bill proposes to reduce the amount deducted from totalizator investments and applied towards the capital expenses of the TAB.

Secondly the Bill proposes that the funds released from the TAB capital fund be distributed to the three racing codes.

Thirdly, the Bill proposes to delete reference to the section which enabled the Minister to direct the TAB that money from the capital fund be distributed to the controlling authorities.

The present legislation allows for 1% of all bets made with the TAB to be applied to the capital expenses of the Board. The Board's current policy is that all assets are purchased out of the capital fund and no depreciation is charged on assets so purchased. Proceeds from the sale of assets originally purchased out of the capital fund are credited back to the fund.

TAB capital funding in Victoria, NSW, QLD, WA and the ACT is provided on a commercial basis, ie. the TAB is required to bid for the funds it requires from operating revenue. The NT and Tasmanian TAB's deduct 1.0% and 0.5% respectively of totalizator investments for Capital Funding.

TAB profit distribution has steadily declined from $44.4m in 1990-91 to an estimated $39.8m in 1994-95. This reduction comes at a most difficult time for each of the codes and the racing industry generally.

It is essential that the industry be assisted at this time given, in particular, the effect that poker machines have had on TAB and on-course totalizator turnover.

It is proposed that, based on the 1995-96 estimated TAB turnover of $505m, the racing codes will benefit by approximately $2.525m per annum which will be distributed in accordance with the codes fixed percentage distribution of TAB profit, ie. horse racing 73.5%, harness racing 17.5% and greyhound racing 9.0%.

The proposed distribution will be as follows:

Horse Racing	$1.856m
Harness Racing	$0.442m
Greyhound Racing	$0.227m

In June 1994 the *Racing Act* was amended to provide that an amount of up to $1 million be appropriated from the TAB Capital Fund to supplement distributions to the racing codes because of a shortfall in TAB profit. The actual amount appropriated was $409 000. The provision allowed the Minister to give no more than one instruction which was given in July 1994.

Consequently, it is proposed to delete reference to this provision.

Explanation of Clauses

Clause 1: Short title

Clause 1 is formal.

Clause 2: Commencement

Clause 2 provides that the Act will be taken to have come into operation at the commencement of the 1995-1996 financial year.

Clause 3: Amendment of s. 69—Application of amount deducted by Board under s. 68

Clause 3 amends section 69 of the principal Act in the manner already outlined.

Mr CLARKE secured the adjournment of the debate.

HISTORY TRUST OF SOUTH AUSTRALIA (LEASING OF PROPERTY) AMENDMENT BILL

Second reading.

The Hon. J.W. OLSEN (Minister for Industry, Manufacturing, Small Business and Regional Development): I move:

That this Bill be now read a second time.

I insert the second reading explanation in *Hansard* without my reading it.

This Bill amends the History Trust of South Australia Act 1981 by providing that with the consent of the Minister, and on terms and conditions approved by the Minister, the Trust may make the constitutional museum, better known as Old Parliament House, available for the purposes of the Parliament.

Honourable Members may recall that on 11 May this year the Government outlined a grand plan whereby, after 56 long years, the Parliament would resume occupation of Old Parliament House.

This move involves an understanding that the appropriate Minister will, on behalf of the Parliament, lease all but the restaurant area of Old Parliament House to help overcome the longstanding shortage of committee rooms and office space within Parliament House. The move also addresses the current costs associated with the leasing of space for the same purposes in other buildings along North Terrace.

Old Parliament House will not be closed to the public. While the occupier will change and the temporary exhibition program will close, the history and nature of the building remains intact for all to see and enjoy.

The public will continue to have access to Old Parliament House. The original House of Assembly chamber will continue to be open to the public. And even when it is being used for committee meetings, it is rare for such meetings to be closed to the general public.

Also the old Parliamentary Library will become the base for the education services of both old and new Parliament Houses—in turn providing a far superior facility for all groups visiting both or either building. In this space, or the area now used for the shop, there will be an exhibition interpreting the State's constitutional history and the heritage significance of the site.

The Board of the History Trust of South Australia has expressed its willingness to sign an instrument endorsing the lease of Old Parliament House to the Parliament provided that a suitable permanent home for the Trust can be found and provided that there is no financial penalty for the Trust.

The Government has agreed to these terms.

Initially it was proposed that the State History Centre would move to the old Police Barracks and part of the Armoury Building—and this remains an option, but not the preferred option.

Now, both the Government and the Trust consider that Edmund Wright House would provide a suitable, permanent base for the History Trust with both the Directorate and the State History Centre relocating to Edmund Wright House, subject to resolution of the various issues associated with the occupancy of this heritage building.

Since its inception in 1981, the History Trust Directorate has occupied space in the Institute Building. However, for some years this tenancy has been tenuous because the Libraries Board, which owns the Institute Building, has been keen to reoccupy the space. Indeed, the primary reason for the recent restoration of the interior of the Institute Building has been to enable the State Library to generate income from the hire of facilities and to help overcome space constraints. The relocation of the History Trust Directorate to Edmund Wright House would address both of these issues.

In order to put all the above arrangements into effect, the History Trust must be in a position to lease Old Parliament House. This Bill provides for this to occur with the consent of the Minister and on terms and conditions approved by the Minister.

And further, for the information of Honourable Members, I can confirm that a condition of Ministerial approval for the proposed leasing to the Parliament will be that a significant museum function is retained, with the public continuing to have access to the historic parts of Old Parliament House, together with improved education services for both old and new Parliament House.

Finally, the Government recognises the important role played by Old Parliament House in pioneering new approaches to museum practice in Australia and in leading the way in audio-visual displays. However, the number of visitor numbers has fallen substantially in recent years. In particular, average weekend attendances over the last nine months have averaged 40 on Saturday and 52 on Sunday. This matter has been of ongoing concern to the History Trust.

Explanation of Clauses

The provisions of the Bill are as follows:

Clause 1: Short title

This clause is formal.

Clause 2: Amendment of s. 15—The constitutional museum and other historic premises

This amendment relates to the use and availability of the constitutional museum. Section 15(1) of the Act places the constitutional museum ('Old Parliament House') under the care, control and management of the History Trust of South Australia. Subsection (3) of that section provides that land placed under the care, control and management of the Trust must be administered by the Trust in accordance with the provisions of the Act. Advice has been received that these provisions would prevent the Trust from making the constitutional museum available for purposes outside the scope of the Act (including for purposes associated with the Parliament). Accordingly, the amendment will make specific provision so as to allow the Trust, with the consent of the Minister, to make the constitutional museum available for the purposes of the Parliament, on terms and conditions approved by the Minister.

Mr CLARKE secured the adjournment of the debate.

ROAD TRAFFIC (SMALL-WHEELED VEHICLES) AMENDMENT BILL

Second reading.

The Hon. J.W. OLSEN (Minister for Industry, Manufacturing, Small Business and Regional Development): I move:

That this Bill be now read a second time.

I insert the second reading explanation in *Hansard* without my reading it.

The purpose of the Bill is to clarify the law in relation to the use of in-line skates, roller-skates, skateboards and other small-wheeled vehicles under the *Road Traffic Act*.

Road Traffic Act Regulation 10.07(2)*(a)* bans the use of in-line skates, roller-skates and skateboards on the carriageway of public roads.

It is also considered that section 61 of the *Road Traffic Act* which prohibits the driving of vehicles on footpaths, applies to in-line skates, roller-skates and skateboards.

Accordingly, since in-line skates were introduced in South Australia from 1991 there has been a lot of speculation in the press and elsewhere that on-the-spot traffic infringement notices would be issued by the Police to in-line skaters that used the road or footpath. Meanwhile, skaters have either ignored the legal situation by knowingly using the skates or skateboards on a road or limited their use of these implements to private property.

In late 1992, the former Minister of Transport, the Hon. Frank Blevins, responded to the public concerns about the rights and obligations of users of various types of small-wheeled implements by establishing a working party to examine the use of in-line skates and the like on public roads, including footpaths. The working party comprised representatives from the following Government departments and organisations:

- Department of Road Transport
- South Australian Police Department
- Local Government Association
- the Road Accident Research Unit
- the State Bicycle Committee and
- the Department of Recreation and Sport.

The working party recommended that the *Road Traffic Act* be amended to allow in-line skates and other forms of small-wheeled vehicles to use—

(a) footpaths with Council approval;

(b) urban roads with no marked centre line or median strip; and

(c) shared use bicycle paths with bicycles and pedestrians.

Subsequently the Government was alerted to the fact that in both New South Wales and Victoria measures were enacted over three years ago to provide for the use of "toy vehicles" on footpaths (except where a Council deemed otherwise); on minor roads; and on shared use bicycle paths.

Further discussions with local councils, the police and road authorities in both States has determined beyond doubt that the respective legislation had been a positive initiative because it finally provided the police with the necessary power to take action where appropriate, and in particular in respect to unruly behaviour by users of in-line skates.

These discussions also confirmed that there had been considerable agitation among older people about the prospect of in-line skaters using footpaths, but that these fears had not been realised following the legal recognition of "toy vehicles".

Earlier this year the present Minister for Transport, the Hon. Diana Laidlaw, reconvened the working party and extended the membership to include a representative of the Australian Retired Persons Association, the Office of the Commissioner for the Ageing, the Youth Affairs Council and the roller-blade fraternity. The expanded working party has endorsed in principle the use of in-line skates and other small-wheeled vehicles on footpaths (except where a council deemed otherwise), on minor roads and on shared use bicycle paths, as has been the practice in both New South Wales and Victoria for over the past three years.

This endorsement recognises that the use of in-line skates, roller-skates and skateboards is a steadily growing trend which necessitates clarification of the rights and responsibilities of their users.

The Bill addresses current deficiencies in our law by introducing a separate class of vehicle, to be known as small wheeled vehicles, with specific operational requirements.

Small wheeled vehicles will be allowed on bikeways, footpaths, and other areas of road, but will not be allowed on the carriageway of a road where there is a centre line, median strip or other marked line. They will not be allowed to use bicycle lanes on roads. They will also not be permitted on any road, or a footpath, or other part of a road from which they are excluded by regulation or by appropriate signs.

As small wheeled vehicles are not equipped with lighting and would be difficult to see, they will not be allowed to be used between sunset and sunrise or during periods of low visibility—a decision that will displease representatives of small wheeled vehicles.

In addition, in recognition of the risks associated with the use of these vehicles, particularly in regard to the potential for falling, users of all small wheeled vehicles will be required to wear a helmet of a type approved for use by bicycle riders.

And, in recognition of the need to ensure that users of small wheeled vehicles act responsibly whether on the carriageway of a road, bikeway or footpath, clause 7*(b)* provides—

'the rider must exercise due care and attention and show reasonable consideration for other persons using the road'.

In order to reinforce this due care responsibility it is proposed that a Code of Conduct be prepared based on the codes used in the United States of America and as adopted in Victoria.

A draft Code of Conduct endorsed by the working party has been prepared for community consultation and outlines that users should—

- always wear protective clothing, including wrist protectors
- always skate under control and within your ability
- keep left when skating and overtake on the right hand side and always advise those that you are overtaking—"Passing"
- give way to pedestrians at all times
- skate in single file
- avoid areas of high traffic
- stay alert and be courteous at all times
- observe all regulations and obey all directions of local law or police officers
- skate at speeds which are appropriate to the environment that you are in
- learn how to skate in a quiet area before using high activity areas

The draft code will be distributed to schools and user groups and retailers and will form part of an extensive public awareness/education campaign.

Finally, the Government acknowledges that the Local Government Association and a number of Councils have expressed concern in relation to their liability arising from accidents involving the use of small wheeled vehicles on footpaths. Accordingly they have sought to include a provision limiting the liability of Councils. The Government accepts that there is some basis for concern in this area.

The Bill will therefore allow councils and other road authorities to continue what they currently do in terms of the design, construction, maintenance or management of roads. In other words, the precautions currently taken to protect pedestrians and cyclists will be sufficient in relation to riders of small wheeled vehicles. They would have to do no more than they do now in relation to the precautions they take to protect pedestrians and cyclists. From the point of view of negligence liability, nothing new or special will be required because of the use of small wheeled vehicles on footpaths or roads.

The objective of the legislation is to provide some latitude in the use of small wheeled vehicles while, at the same time, providing protection for other users and having regard to the road safety needs overall.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for commencement on a day to be fixed by proclamation.

Clause 3: Amendment of s. 5—Interpretation

This clause amends section 5 of the principal Act, an interpretation provision, by inserting a definition and amending others. "Small-wheeled vehicle" is defined to mean a skateboard, roller-skates, in-line skates, scooter or other vehicle of a kind ordinarily used by a child at play or by an adult for recreational or sporting purposes that is designed to be propelled wholly or partially by human power, but does not include—

(a) a pedal cycle; or

(b) a vehicle that is fitted with a motor or that is designed to be propelled by the wind; or

(c) a vehicle of a class prescribed by regulation.

The definition of a "pedestrian" for the purposes of the principal Act is amended so as to include the rider of a small-wheeled vehicle. The definition of "vehicle" for the purposes of the principal Act is amended so as to exclude small-wheeled vehicles.

Clause 4: Amendment of s. 6—Application of Act to driving, etc., on roads

This clause amends section 6 of the principal Act, which provides that references in the principal Act to driving vehicles or riding animals or walking are to be taken as references to driving, riding or walking on a road (unless it is otherwise expressly stated). This amendment makes it clear that references in the principal Act to riding or driving a small-wheeled vehicle are to be taken as references to riding or driving such a vehicle on a road, unless the contrary is expressly stated.

Clause 5: Amendment of s. 33—Road closing and exemptions for road events

This clause amends section 33(7) of the principal Act, which empowers the police to give traffic directions for the purpose of conducting certain sporting and other events on roads. This amendment (together with the amendment made to the meaning of "pedestrian" by clause 3 of the Bill) makes it clear that those powers can be exercised in respect of a person riding a small-wheeled vehicle.

Clause 6: Amendment of s. 41—Directions for regulation of traffic

This clause amends section 41 of the principal Act, which gives members of the police force general powers to direct traffic. This amendment (together with the amendment made to the definition of "pedestrian" by clause 3 of the Bill) makes it clear that those general powers of the police can be exercised in respect of a person riding a small-wheeled vehicle.

Clause 7: Insertion of s. 99B—Use of small-wheeled vehicles

This clause inserts section 99B into the principal Act. Section 99B sets out a number of provisions that apply to the riding of a small-wheeled vehicle on a road. In particular, it provides that:

A person must not ride a small-wheeled vehicle on a road or part of a road that is prescribed by regulation (or that is within an area prescribed by regulation) or on or adjacent to which a traffic control device is erected, displayed or marked to indicate that the riding of a small-wheeled vehicle is not permitted on that road or part of a road. A person must not ride a small-wheeled vehicle on a section of carriageway that is alongside a continuous or broken centre line or a dividing strip or that is divided into marked lanes for traffic proceeding in the same direction or that is a bicycle lane or alongside a bicycle lane. A person must not ride a small-wheeled vehicle on a road between sunset and sunrise or during a period of low visibility.

The rider of a small-wheeled vehicle must exercise due care and attention and show reasonable consideration for other persons using the road.

When on the carriageway of a road, the rider of a small-wheeled vehicle—

(a) must keep as near as is reasonably practicable to the left boundary of the carriageway;

(b) must, when passing a vehicle proceeding in the opposite direction, keep to the left of that vehicle;

(c) must not pass a vehicle that is in motion and proceeding in the same direction;

and

(d) must give way to any vehicle that is on or about to enter the carriageway (other than where the driver of that vehicle is required under the principal Act to give way to the rider as a pedestrian).

In addition, the rider of a small-wheeled vehicle must not ride abreast of a vehicle or of another small-wheeled vehicle, permit himself or herself to be drawn by a vehicle in motion or ride for more than 200 metres within 2 metres from the rear of a motor vehicle.

The rider of a small-wheeled vehicle must comply with the provisions of the principal Act (and the regulations) applicable to bikeways and with section 99A of the principal Act (which requires cyclists to give warning of danger to other users of footpaths or bikeways) in the same way as if the rider were the rider of a pedal cycle.

Subsection (2) provides that the rules specified in this section do not prevent the rider of a small-wheeled vehicle from riding on a carriageway to cross directly between two sections of road on which the vehicle may be lawfully ridden.

Subsection (3) provides that the driver of a vehicle must not permit the rider of a small-wheeled vehicle to attach himself or herself to, or be drawn by, the vehicle.

Subsection (4) provides that a "road authority" (that is, the Minister, the Commissioner of Highways, a council or any other authority, body or person in whom the care, control or management of a road is vested) incurs no liability in negligence because of any failure on its part in the design, construction, maintenance or management of a road to take account (or proper account) of the fact that the users or potential users of the road include riders of small-wheeled vehicles.

Subsection (5) is a definition provision. It provides that for the purposes of this section a "designated" road or part of a road is a road or part of a road prescribed by regulation (or within an area prescribed by regulation) or on or adjacent to which there is a traffic control device indicating that the riding of a small-wheeled vehicle is not permitted on that road or part of a road. It defines "dividing strip" for the purposes of this section to mean a dividing strip, safety island, safety bar, safety zone, traffic island, roundabout and any strip of road marked off by lines on the road that divides the road into separate carriageways. It also defines "road authority" for the purposes of this section to mean the Minister, the Commissioner of Highways, a council any other authority, body or person in whom the care, control or management of a road is vested.

Clause 8: Amendment of s. 162C—Safety helmets

This clause amends section 162C of the principal Act. Section 162C regulates the wearing of safety helmets by persons riding pedal cycles or motor cycles, and this clause extends the application of certain parts of that section to persons riding small-wheeled vehicles. Subsection (1) of section 162C is amended to make it an offence for a person to ride (or ride on) a small-wheeled vehicle unless the person is wearing a safety helmet that complies with the regulations and is properly adjusted and securely fastened. Subsection (2) is amended to make it an offence to ride a small-wheeled vehicle on which a child under the age of 16 years is carried unless the child is wearing such a safety helmet. Subsection (2a) is amended to make it an offence for a parent (or person having custody or care) of a child under the age of 16 years to cause or permit the child to ride or be carried on a small-wheeled vehicle unless the child is wearing such a safety helmet.

Subsection (3)*(a)* of section 162C is amended to empower the Governor to prescribe specifications as to the design, materials, etc., of safety helmets for use by persons riding small-wheeled vehicles. The existing exemption from the requirement to wear a helmet that applies under subsection (4) in the case of a person of the Sikh religion who is wearing a turban is extended to such a person when riding a small-wheeled vehicle.

Clause 9: Amendment of s. 176—Regulations

This clause amends section 176 of the principal Act, the regulation-making power. This amendment empowers the Governor to make regulations prohibiting, regulating or restricting the driving, standing or parking of small-wheeled vehicles on prescribed roads or parts of roads or on roads or parts of roads within a prescribed area.

Mr CLARKE secured the adjournment of the debate.

COLLECTIONS FOR CHARITABLE PURPOSES (LICENSING AND MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 6 July. Page 2772.)

Mr ATKINSON (Spence): The Bill before us seeks to restore the public's confidence in charitable collections. It is common knowledge that in order to secure donations from a reluctant public certain charitable organisations have had to resort to hiring collectors on commission. This is especially so with the smaller medical research foundations which find it hard to recruit volunteers to collect for charitable purposes, that is, collect door-to-door or sell badges on the street.

There are well-known charities in Adelaide—such as the Red Cross or the Anti-Cancer Foundation—which can find volunteers, but many of the smaller charities, as I say, particularly for medical research, have resorted to a work force made up almost entirely of paid collectors who have only a commercial association with the charity. These collectors are paid up to and sometimes more than 80 per cent commission, that is, more than 80¢ of each dollar collected goes to the collector and only a small fraction goes to the charity.

As a result of these arrangements certain larger charities which are able to collect with volunteers almost exclusively have formed an organisation known as Charity Direct. Charity Direct charities can be distinguished by the red and white target and the logo 'Charity Direct' which appears on their television advertisements, newspaper advertisements and fliers. These charities are saying that all or almost all of the money collected by them is applied to a charitable purpose, and they compare themselves favourably with some of the other charities that pay very high rates of commission.

Another form of prising donations out of a notoriously uncharitable public is the device of selling small items door-to-door or over the telephone: these items might be fountain pens, multi-coloured biros or diaries. They often do not represent particularly good value because they are sold above cost with a considerable margin to pay the wages of the canvasser and a margin for charity. One might buy a fountain pen for $25; its retail value might be $15; there is perhaps $7 for the telemarketer (who also has to bear the costs of making the phone calls); and then only a few dollars are left for the charity.

It is as a result of arrangements such as these that the Government has thought it necessary to introduce the Bill in the hope that the Government can restore public confidence in charitable collections and that perhaps collections will increase. Another method of raising money has been for charities to put out charity bins—these are large metal bins in public places, often in supermarket car parks. Members of the public place unused items of clothing and household chattels in those collection bins. If the donation is too large and it will not fit in the bin, it has to be left beside the bin. The charity then sells those goods second hand or applies them to indigent individuals or it sorts them and tries to sell them on in bulk to the modern equivalent of the rag-and-bone men.

Some of those charity bins are not actually charity bins. They are run by commercial organisations and the charity whose name appears prominently on the bin receives only a small royalty. Some commercial bin operators are using a charity's name more prominently than the royalty would justify. Those bins look as if they are charity bins when, in the commonly understood meaning of the term, they are not charity bins.

Those charity bins have run into trouble lately with members of the public depositing in them what can only be described as rubbish, using them as refuse receptacles. That spoils any useful clothing or household items that may be in those bins. The cost of sorting the refuse from the useable material has been a heavy burden on the operators of charity bins. Goodwill Stores, which relied on charity bins for much of their stock, have gone out of business.

The Bill introduces three categories of licence while the previous Act got by with one. The categories include the section 6 licence for charity collectors, which we have always had. However, there will now be a section 6A licence. That is a special licence for a collector who is collecting on a contract or commercial basis and employs people. The section 7 licence has been with us before. That licence is required for someone who puts on entertainments for which admission is charged.

The Hon. S.J. Baker: There were two licences before and there are now three.

Mr ATKINSON: The Deputy Premier corrects me. While there were two licences before, there are now three. The section 7 licence applies to someone who charges admission to entertainment for the purposes of raising money for charity. I note that there is an omission in the Bill of certain charitable purposes which the Deputy Premier explained in his second reading explanation as follows:

> Other proposed amendments relate to the removal of provisions under the definition of charitable purpose which no longer have any relevance.

I was intrigued by that reference so I examined the terms of the Bill. I was surprised to see that the charitable purposes which the Parliamentary Liberal Party is proposing to remove are as follows (and this comes from section 4(b) of the Collections for Charitable Purposes Act 1939):

> . . . the relief of distress occasioned by war, whether occasioned in South Australia or elsewhere.

As I watch the river of thousands of refugees flowing away from Srebrenica to the Bosnian-government held town of Tuzla, I wonder why the distress occasioned by war is not a contemporary charitable purpose in the Deputy Premier's view and I wonder why it needs to be omitted. If the Muslim Bosnian people of South Australia, of whom many are obtaining citizenship and migrating to South Australia, and in particular to my electorate (I meet them when I am door-knocking)—

Members interjecting:

Mr ATKINSON: I do meet them, actually. There is a block of units housing Bosnian people in Rowell Crescent, West Croydon. There are more of them in Renown Park and in Bowden. However, enough of that. If the Bosnian people of South Australia wanted to raise money for the relief of distress caused by the war between the Bosnian Government and the Bosnian-Serb Government, I do not see why that should not be a charitable purpose under the Act.

Section 4(c) of the original Act is also eliminated. That relates to the supply of equipment to any of His Majesty's naval, military or air forces, including the supply of ambulances, hospitals and hospital ships, and section 4(d) relates to the supply of comforts or conveniences to members of the armed forces. I apologise to the Deputy Premier: I am not sure whether section 4(b) is being eliminated. Perhaps the Deputy Premier will inform us later about that. However, I have the feeling that I have overstepped the mark and that section 4(b) will remain while sections 4(c) and (d) are going.

Many older Australians, particularly those who are celebrating the fiftieth anniversary of the end of World War II, will recall that, in their youth, they raised money for just these charitable purposes which the Deputy Premier is eliminating. Who is to say that Australia will not go to war again and require the raising of money for that purpose? I would have thought that that was a charitable purpose.

My favourite author, the English socialist Mr George Orwell, was involved in that kind of fund raising as a child. I refer to his celebrated political article 'My Country Right or Left' which he published in 1940 when Great Britain was immersed in the Second World War. In that article he recalled that the earliest political slogan he could remember was:

> We want eight and we won't wait.

The eight to which Mr George Orwell referred were eight Dreadnoughts for the Royal Navy. He wrote that, at that time, he was:

> Seven years old and I was a member of the Navy League and wore a sailor suit with 'HMS Invincible' on my cap. Being a 'member' may have meant no more than putting pennies in a collection-tin and wearing a flag; and most middle-class children wore sailor suits simply as a convenient and hard-wearing fashion.

The significance of that passage is that, within living memory, people have raised money in order to equip the armed forces. That is my point.

My sister, who is a constituent of the Deputy Premier, once rather cheekily gave me a tea towel with a slogan which read something like, 'Wouldn't it be a wonderful day if child-care and schools received all the money they needed from the Government and the air force had to run a cake stall in order to get the latest bombers?' The truth of the matter is that, within living memory, the people (of Great Britain at any rate) have raised money for a charity, being equipment for the Royal Navy. I am not quite sure why a patriot and a Tory like the Deputy Premier should seek to remove that part from the original Act.

Mr Clarke: Tory yes, patriot no.

Mr ATKINSON: Well, the Deputy Leader of the Opposition may say that, but I am not sure whether the Deputy Premier is a Tory. I have always regarded him more as a Whig, particularly with regard to his attitude to the armed forces—

Mr Quirke: Surely the Deputy Premier is not wearing a wig!

Mr ATKINSON: The member for Playford asks whether the Deputy Premier is wearing a wig. I think that he is one of 34 members of the Government in the House of Assembly who do not wear a wig.

Mr Quirke: No, 33.

Mr ATKINSON: Thirty-three? I stand corrected.

Mr Clarke: Thirty-two.

Mr ATKINSON: Thirty-two? Are there any more bids?

Mr Quirke: We know of three wigs.

The ACTING SPEAKER (Mr Bass): Order! The honourable member cannot relate that to the debate.

Mr ATKINSON: The Acting Speaker is right: we cannot relate that to the debate. I thank him for his guidance on bringing me back on track. The Bill also amends section 16 of the principal Act so that, where a charitable purpose is frustrated by the purpose of the money raising no longer existing under this legislation, the Government can issue a proclamation that the money be applied for a similar purpose. Under the principal Act that required not merely a proclamation by the Government but also a resolution of both Houses of Parliament. The Opposition has scrutinised the Bill most carefully and we find that generally its principles are sensible. However, I do await with interest the explanation of the Deputy Premier in relation to the deletions from the list of charitable purposes.

The Hon. S.J. BAKER (Deputy Premier): I thank the honourable member. He certainly has shown some knowledge in relation to charitable collections. As he has quite rightly pointed out, this Bill contains a number of changes, some of which will be quite far reaching in their impact, and that is the design of the Government. We believe that there has been a loss of confidence in some areas in relation to charities as a result of events overseas and, more pertinently on the home front, large numbers of calls are being made on citizens through a variety of devices to give to charities. In the process, many people who have traditionally donated to these charitable causes have become either saturated with requests or concerned that their money is not being directed towards the area of need in the most effective fashion.

There has been a commitment by the Government to do some repair in this area and the repairs contained in this legislation have the full support of the charities. The matter of agents' conduct is a matter of concern for Charity Direct and also for the populace at large. Everyone in this Chamber would have seen examples of some element of misbehaviour in this area. A number of times I have walked into a shopping centre and seen an unemployed person rattling a can for some diverse charitable purpose for which I am not even sure there is a registered name and which I am reasonably sure is not well known to the populace at large. Importantly, one wonders whether the bulk of the money will go back to the agent and only some small amount will go to the source signified on the tin.

We have had examples of door to door charitable collections; a number of examples relating to the sale of sweets and other items; and certainly we have seen telephone canvassing which, because of the way in which it has been conducted in certain circumstances, has not assisted the charities and their reputation. Every member would have received some complaint. So we have a commitment to restore the credibility which charities once enjoyed and which I hope they still do enjoy, even though many people have become a little disillusioned about a number of aspects of charitable collections.

The work of these charitable and welfare institutions outside Government is absolutely vital both to the people and to the Government for obvious reasons. Without that charitable and volunteer effort, obviously the need would not be met and we would be facing larger demands on Government. So, in the main they do a fabulous job. An enormous amount of volunteer hours is involved and a lot of care and love is provided by these organisations, and we would not wish to see more recent circumstances diminish the regard and the respect that people have for charities. So we intend to ensure that the charities operate by a code of conduct, and

I can provide the honourable member with a copy of that draft code of conduct, which is being discussed at the moment, if he so wishes, so that he can understand the direction in which the Government is heading. Of course, we are doing it in full consultation with the charities themselves.

So there is a code of conduct and there also will be rules and strictures relating to those agents who would seek to operate on behalf of some of the smaller charities and increase their funding capacity. In relation to the question of what should be deleted from the Act, the honourable member was not quite correct. If he looks at his amendments he will see that the relief of distress occasioned by war remains, and that covers most of the circumstances that the honourable member would question. We do not believe that the wars around the world are going to cease; therefore we did not think it appropriate to take out that reference.

The next two references were struck as a prelude, I would imagine, to World War II. If the honourable member looks at the Collections for Charitable Purposes Act 1939, he will see that there are specific references relating to the circumstances of that day. That was a time when wars were not fought purely by Governments providing money: they were fought by everyone digging in and providing some sustenance for the troops and some of the equipment for the soldiers. Those circumstances have changed dramatically. We do not have 'His Majesty's navy' in Bosnia. I am not sure that we actually want to raise money for guns or ships for Bosnia.

Mr Quirke interjecting:

The Hon. S.J. BAKER: I think a few of them need a lobotomy as well, but that is shifting away from this debate. The issue is whether the previous references still have relevance, and I think that all members of this House would agree that they do not have the same relevance as they did before World War II. I was pleased that a number of members had a look at the provisions.

Mr Atkinson interjecting:

The Hon. S.J. BAKER: After this matter had been considered by Cabinet it was made available and I requested that, if any member had any contribution to make towards the Bill, they should sit down and talk to me about it.Three members who had an interest in this matter did that. We discussed a number of issues, one of which was whether we should have the word 'disabled' included in the legislation. I will be moving an amendment to that effect. That will be a very important improvement in the definition of 'charitable purposes'. The second related to whether 'a person or body' was an appropriate reference in section 6, new section 6A and section 7. However, the difference in the terminology was deliberate so that has been catered for and there was no need for a change.

The third item was whether clause 7 of the Bill relating to entertainment licences should remain in its current form. We believe that, whilst we have not issued these licences over a number of years—and I am informed that over the past seven years no entertainment licence has been issued for the specific purpose of charitable collections—it was appropriate to leave it in. Specifically, charities can conduct a number of events under their own licence: the situation would be visited only if, for example, Bob Geldorf or someone of the same ilk came to South Australia and said, 'I am going to have a concert for world famine' and then told us how he was going to direct the revenue from that concert.

That person would be using entertainment as a form of fundraising and therefore would not have a charitable licence as such. So, that was an issue. We believed that that situation may arise, where a third person came in and operated. In terms of commercial bins, people across the border and some South Australians have put bins close to the normal bin collection for old clothing. We have seen signs stuck on those bins—

Mr Clarke: Have you ever given anything of yours away?

The Hon. S.J. BAKER: I will come to that in a minute. These bins have been used to collect this clothing. Misleading information has been provided on the front of the bins, because professional outfits have emptied those bins. Let us be quite clear: 90 per cent of the funds raised through that process has not gone to the charities; it has gone to the professional agent, and some small amount has gone to the charity which has been referred to on the bin. In relation to the gratuitous comment from the Deputy Leader—'Do I donate to the charitable bins?' I do it regularly, as I presume the honourable member and the Deputy Leader do. Members of Parliament go through a lot of clothing, as we would all recognise—and probably more than most members of the population. I am sure that most members take the trouble to take that clothing down to one of the Goodwill, Salvation Army or St Vincent de Paul bins to ensure that someone else has the use of that clothing.

In relation to, again, the gratuitous comment from the member for Spence, at least I have been in the armed forces. I thank the member for Spence for his comments on the Bill. We believe that this is a step in the right direction, although there is still a lot of work to be done.

Mr Atkinson: When were you in the armed forces?

The Hon. S.J. BAKER: I was in National Service in 1970 and 1971.

Mr Atkinson: You mean you weren't a volunteer?

The Hon. S.J. BAKER: I was in National Service in 1970 and 1971—the member heard me quite correctly. I was volunteered into National Service, yes. I was volunteered by a marble into National Service. I can say to this House that I have been in the armed forces, which cannot be said for the member for Spence.

Mr Atkinson: How do you know that?

The Hon. S.J. BAKER: I would be assured of that, Sir—he might be a man if he had been in the armed forces.

Members interjecting:

The Hon. S.J. BAKER: I am a full member of the RSL. I thank the honourable member for his contribution. I respect the fact that he has looked at the Bill and has understood some of the ramifications. The changes are of a positive nature and are supported by the charities.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Interpretation.'

The Hon. S.J. BAKER: I move:

Page 1, after line 19—Insert:

(ab) by inserting in paragraph (a) of the definition of 'charitable purpose' 'disabled,' after 'diseased,';

This amendment was put forward by one particular member, and we believe it is appropriate. It widened the definition and took account of the specific circumstances of a large number of charities today that deal in the area of the disabled. It did improve the definition and I am sure that the member for Spence will support the amendment.

Amendment carried; clause as amended passed.

Clause 4—'Repeal of section 5.'

Mr ATKINSON: I understand that this clause repeals the ability of the Government to limit the application of the Act

to certain areas of the State. Under the principal Act the Government had the power to apply this Act to parts of the State by proclamation, leaving other parts unaffected by its provisions. I thought it was a reasonably sensible provision in the principal Act, in that one of the vices of charity collection is people whom you have never met before coming to your door carrying no credentials or dubious credentials. This is common in metropolitan Adelaide.

However, in certain country areas, particularly in remote districts, one would think that everyone knows everyone else and perhaps the provisions of this Act do not need to be applied, because charity collectors in these remote places are well-known to the person to whom they are appealing for donations and the worthiness of the cause can be judged by the person to whom the appeal is made. So, perhaps the need for protection of the donor is not as great in some parts of the State and this provision is an unnecessary procedure in those parts of the State where the collectors are well-known.

The Hon. S.J. BAKER: I do not know from where the original provision came, but it does sound silly in today's circumstances. The section being deleted provides:

(1) This Act shall apply only to those parts of the State which are proclaimed by the Governor.

(2) The Governor may by proclamation declare that parts of the State to which this Act shall apply and may from time to time by proclamation declare additional areas to which this Act shall apply or declare that this Act shall cease to apply to any area to which it formerly applied.

I am at a loss why the original provision was placed in that way. I am not aware of any organisation that should be restricted by some territory in relation to its capacity to raise funds.

If we are dealing with a large number of charities, 95 per cent of which might have a State or more global influence, it is ridiculous that we are placed in this restrictive situation. If someone came to the honourable member's house and said, 'I am collecting for the South Eastern Dogs Home'—one does not exist, but we will use it as an example—I am sure that the honourable member could make up his mind as to whether or not he wished to donate to that charity. Knowing the fine representation that is provided by the member for Gordon, he would say that it sounds like a good charity.

The provision is strange in the way in which it is placed within the Act. It is anachronistic in its formation and interpretation. It adds nothing to the legislation, so it has been deleted. That is the best explanation that I can give the honourable member.

Mr ATKINSON: I am not entirely satisfied with that explanation. I am sure that there is an explanation, but the Deputy Premier did not seem to quite grasp my point. Let me make the point again for him. This Act imposes certain procedural and licensing requirements on charities in the way they collect. There are parts of the State, remote from the metropolitan area, where everyone knows everyone else. When a citizen of that town or village is approached by another member of the same town, he or she knows the trustworthiness of that collector. He or she knows the purposes to which the donation will be put.

Presumably, it was the mind of the Parliament which passed this provision, which the Deputy Premier cannot understand, that in those circumstances it was unnecessary for the Parliament to impose licensing requirements. I have a feeling that either the principal Act or the Bill recognises this point somewhere else where it says that, where a person is collecting on behalf of a particular person or a particular family, who presumably is known to be destitute because of certain circumstances, they are exempt from the licensing requirements.

For instance, in my own neighbourhood of Croydon, there was a fire in a flat at the back of a dwelling in Elizabeth Street, and a mother and father with a number of small children lost all their possessions in the fire. The delicatessen owner in Elizabeth Street, Croydon, launched an appeal for money for this family, who had been rendered destitute by the fire and who, not having house insurance, lost everything with no prospect of replacement. Under the Act as I understand it, the deli owner did not have to get a licence because, when customers came into the deli, he said to them, 'Will you kick the tin for the Harris family?' I forget their name, but people knew for what purpose they were donating.

In those circumstances, people are exempt from the Act and, as I read it, possibly completely exempt from the Act. If they are only partially exempt from the Act, perhaps the Deputy Premier will explain that to the Committee. It seems to me that the origin of the clause that we are debating was in the fact that, in remote towns in South Australia, everyone knew everyone else and everyone knew to what purpose the donation would be put. It seems to me that it may be unnecessarily cumbersome to require someone raising money at Cook on the Trans Australia railway, or at Coober Pedy, or at one of the smaller hamlets in the Riverland, to go through the licensing requirements in order to raise money for a strictly local purpose. Would the Deputy Premier care to comment on that?

The Hon. S.J. BAKER: The honourable member involves himself in a great deal of speculation and, as I mentioned to him, the source of the original provision in the Act is not known to me or to my officers who have responsibility for this legislation. In relation to the Harris family, as was mentioned by the member for Spence, a licence is not needed in such a situation. A football club does not need a licence. If somebody wants to donate to the Spence Football Club, a licence is not needed for that purpose. We are saying that those people who hold themselves out as charities rely on the goodwill of other people. If somebody came to me and asked whether I would donate to the Spence Football Club, I would say that I know the guy concerned and I would not.

Mr Atkinson: The Spence Football Club is the Eagles.

The Hon. S.J. BAKER: I still would not donate. What we have here is a limited number of organisations with the right of licence under this Act. The member for Spence would appreciate that. There are 320 organisations that have licences under this Act. However, the definition in New South Wales is much broader and takes in all forms of collection for people, so the number of licensed charities is well over 12 000. It is a difference of interpretation and a difference of intent in this legislation. What the Government of the day presumably said was that, if people hold themselves out to be a charity, they should have a licence to be a charity and they should live by the rules of a charity. That does not stop a kindergarten from raising money through a tin method or a raffle method to buy more equipment. It does not stop school fundraising and it does not stop football club fundraising.

The last thing the Government wants to get involved in is all these other areas. If collections are being taken up on behalf of those organisations, they are not covered by this Act. It is simply saying, 'I am a charity. Therefore, I expect some public confidence as a result of the fact that I am a licensed charity.' If that is the case, such people have to live by the rules that are set down. There is a difference, but that

does not stop other people doing the right thing. If the shopkeeper, for example, had used that occasion to collect money and that money had not gone to the source, that would be fraudulent. That would be misrepresentation and fraud, which is covered by the criminal and summary offences law. There is a difference, and we have to get a fine line and make sure that the definition holds. The application of the Act according to area is irrelevant.

Clause passed.

Clause 5—'Restriction on certain collections.'

Mr ATKINSON: I just want to note that, in my view, the Government has been quite sensible in deleting the $100 fine and substituting a division 6 fine, which is a fine not exceeding $4 000. That seems a sensible move.

Clause passed.

Clauses 6 to 11 passed.

Clause 12—'Statements to be furnished by licensees.'

Mr ATKINSON: I notice that the Government has made the accounting requirements stricter. New subsection (1) provides:

> A person, society, body or association to whom a licence has been granted under this Act must keep proper accounts of the receipt and payment of money collected or received by it for charitable purposes and of the receipt and disposal of goods collected or received for charitable purposes.

The existing provision is not quite as detailed as that. Could the Deputy Premier explain the change and why it is necessary?

The Hon. S.J. BAKER: The honourable member is quite right: it is virtually a new section and a new requirement. That is because the existing provision is largely silent on this issue. We have made it explicit. If the honourable member wishes to compare existing section 15 with the new provision he will see that there is a significant difference. We are making our requirements explicit, whereas existing section 15 (1) provides:

> Every person, society, body, or association to whom or to which a licence is issued under this Act who or which collects or receives any money or goods for any charitable purpose shall at the time or times (if any) fixed in the licence and also at any other time when required by the Minister, submit to the Minister a statement setting out the money and goods so collected or received. . .

It does not say that you have to keep proper accounts. We thought we would make it quite explicit, as the honourable member would understand.

Mr ATKINSON: I notice that new subsection (3) makes the requirements stricter. It provides:

> A person, society, body or association must appoint a registered company auditor, a member of the Australian Society of Certified Practising Accountants, a member of the Institute of Chartered Accountants in Australia or some other person, or some other person of a class, approved by the Minister to audit—
> (a) the accounts. . .
> (b) each statement submitted to the Minister. . .

What other classes of person does the Deputy Premier propose to approve under this provision?

The Hon. S.J. BAKER: There is obviously no particular body in mind now, but in order to ensure that there is flexibility and that we do not have to amend the Act every time a new organisation springs up we thought it would be useful to include that provision.

Clause passed.

Remaining clauses (13 and 14) and title passed.

Bill read a third time and passed.

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

A quorum having been formed:

PARLIAMENTARY SUPERANNUATION (NEW SCHEME) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from page 2842.)

Mr QUIRKE (Playford): I will make a few remarks on behalf of the Opposition in respect of this legislation. For the benefit of the Public Service Association and its next publication, which no doubt will contain some precised remarks, I point out that my wife is not being abandoned today in a public hospital; so it will not be able to say that. I am not with you, Mr Speaker, trudging through some weed or other that I have never heard of in the next journal. For the sake of that organisation I thought I should make a few remarks on the public record. I am the Shadow Treasurer and it is my job to talk about these matters on behalf of the Opposition. Far be it for me to jump into the Public Service Association, which has been well served by this Opposition in terms of what the Government intended to do to its members in 1994.

I have not read about that in its publication, but I have read that I allegedly abandoned my wife in the maternity ward to race in here to debate a pay rise for all MPs. If that is the way that that organisation wishes to conduct its affairs, it will have to deal with one of my colleagues and not with me. Until my wife and I receive a full and unreserved apology from that organisation my door is closed to it—I make that abundantly clear to all members in here. I am happy for that to go on the public record. I had the opportunity to tell that to the secretary yesterday, to the alleged author of the article and another person I did not recognise at that time who is party to that organisation. I take this opportunity to put on the public record that it is not my favourite organisation. As all members would know, my door is open not only to every organisation but to members of all Parties.

I have had constructive discussions with all members of this House and of the other place. Those sorts of remarks do nothing for any organisation—they are not only unfounded but absolutely scurrilous and disgraceful allegations. I wait with bated breath to see what they will say about my comments today. I have no doubt that the *Hansard* record will not get in the way, but I cannot imagine anything that I have said today that will feature in their articles other than the fact that the Opposition has some concerns about this legislation but not the sorts of concerns that the Public Service Association has. The Opposition's concerns are primarily that future members of Parliament in South Australia will not have the same level of benefit as existing members.

I need to put a few remarks on the table in this regard, because I will not be browbeaten by any organisation into starting a stampede or a run. We have seen salaries and all sorts of conditions of employment of members of Parliament in this State eroded over the past 10 to 15 years because some members on both sides of politics thought that there would be some cheap political advantage. I have never found that to be so. Every time someone puts a microphone or a camera in front of my face, I support my colleagues—and I advise every member here to do the same because, as I said in the pay debate, every member has to pay a mortgage, has children growing up and all the expenses normally associated with living.

Some of the Public Service heads who come in here earn three times my salary, so I wonder about a system that has allowed our conditions of employment to get so far out of kilter. I make it quite clear that I understand what the Government is doing. I put on the record that the Deputy Premier and I have had extensive negotiations on this matter over a number of months, not late one night at a supposed dinner party. I have never had a dinner party with the Deputy Premier, but I read about that in a journal. The reality is that the Opposition is fully informed about these measures. We are across the issues. We are concerned that in the future new members of Parliament, who I think predominantly but not entirely will be on my side of politics after the next election or the one thereafter, will feel the effects of this measure.

Having made that point, let me return to the closing of the existing scheme. As far as the closing of this scheme is concerned, the Government has been reasonable about the means by which it has been done. I am happy to go on the public record and say that the tinkering at the edges in respect of the old scheme is the sort of thing that needed to be done following a comprehensive review by me and the Deputy Premier of some of the problems that exist within the existing scheme. Whilst the Opposition does not entirely welcome and endorse the new scheme, it will support this legislation. I indicate to the Chairman of Committees that we will allow the passage of this Bill through to the third reading and that we will support it in the other place.

A large number of people out there say that the parliamentary scheme ought to be cut back for all existing members of Parliament. In fact, that was put to me by an official of the Public Service Association. I pointed out to that official that his organisation had 11 000 members in the most generous of all schemes: the scheme that was closed 10 years ago in this place, I believe in 1986—I was not a member at that time. To argue that schemes that are now in place should be changed and modified and that a 20 or 30 per cent cut should be made in their benefits I suggest is unconscionable.

We all know about the slippery pole and how members are elected to Parliament. One or two get shoved up the slippery pole but not very many—most of us have had to scramble up the pole. When we get benefits from superannuation it is because we have paid a very large contribution for those benefits, and we have signed a contract. It is not a contract that we necessarily wanted to sign; it was signed on our behalf when we were elected. There is a legal obligation for a very substantial percentage to come out of our salaries to pay for those benefits. I believe that it would be dreadful to have the situation now where those benefits were cut in any way, shape or form for existing members of Parliament. I am quite happy to make that statement here or anywhere else.

The reality is that in the time that I have been here we have never allowed a cut in benefits or an increase in contributions for either of the two closed public sector schemes. The Opposition made it clear during the questioning process and through the legislation which we debated for many hours in this place that we would not support that type of retrospectivity. So, quite consistently, we will not support that for members of Parliament.

I conclude my remarks by saying that this is an emotive issue. I believe that many members of Parliament wish to try to curry favour with media outlets and many constituents who raise these issues. In one way or another, they try to make themselves more popular by saying, 'We do not think that these benefits are appropriate, but we are caught up in the system.' We all know whom we are talking about. There are a couple of them further up the corridor—that is what they specialise in. They say, 'This is dreadful, this is shocking, there ought to be a 20 or 30 per cent cut in these benefits.' They should be grateful to have the two major political Parties in here to save them from themselves. The Mr Gilfillans and the Mr Elliotts of this world are lucky to have the rest of us who have to run this State and protect these schemes.

These sorts of cheap shots from these people and from other senior persons on both sides of the fence guarantee that, whenever there is a pay rise in the wind for members of Parliament from whatever source, there will be a story about the suggestion of a pay rise or a superannuation rise. The next day a feature story will be written by one of the reporters who will say, 'What are you going to do with this money when you get it?' Then there is a follow-up story, when they say, 'It'll be only another six months before you might get it; we'd like to do a story about that as well.' One of the problems with this is that far too many people want to take a cheap political advantage at the expense of their colleagues. I will not do that—I never have and I never will.

I make quite clear that I am sorry that this is happening, because I think that the new scheme for members of Parliament is a further impediment that has been placed in the path of many persons who wish to enter this House to serve the community of South Australia. I look around this Chamber, and I cannot see too many people who keep a nine to five existence. I do not know of any member in this place who does that. I do not know of any member on either side who is not greatly shortening their life because of the stress they go through and what they put their family through, and they need to be protected.

I will happily get up on any soapbox anywhere and defend those conditions of employment for all my colleagues, irrespective of their political Party, including others who do not necessarily follow the same industrial principles. As a consequence, I have spoken longer than I intended on this issue. We will go straight through to the third reading stage.

I want to finish with these remarks. One of the reasons why members of Parliament are held in such low repute in the community is that they do not address these issues front on and say, 'We have a job; we have a responsibility; we have a contract with you.' We are giving up probably the key part—not in every instance—of our working career, because persons who come in here are at the absolute pinnacle of their working career. They give that away for four, eight or 12 years—or in some instances 20 years, but that is unusual. We know that you, Mr Speaker, and the member for Peake are the two members who have been in this House the longest. If I went to any organisation in South Australia, wherever it was, I would find persons who had been in that employment for a lot longer than you two gentlemen. Around here I would find that the average stay is seven or nine years.

One has to look only at the rogues gallery on the wall in the members' lounge to see that 25 faces have been added since 1989. I am not even including the Class of '89; I am talking about since 1989. As a consequence of that, it is sufficient to say that in this place of employment every member would love a five day week: they would even like a six day week. Every member in here would like to have one day, other than Christmas day, when the phone does not ring. Members would like that, and their families would like it. They will never get it, but the one thing they will get is proper protection for their families, and this scheme does not—

The Hon. H. Allison interjecting:

Mr QUIRKE: The member for Gordon illustrates a key issue. He said that he was contacted on Christmas day. I must say to the member for Gordon that the last time I was telephoned on Christmas day (my constituents have kept that pretty sacrosanct) it was by a person who was in a serious state of distress. That person rang me up, and I went out and I saw her in my electorate office on Christmas morning. Some four or five months later, I got a Randall Ashbourne job done on me for using the Government car on that day. I had only one complaint about that. The lady herself came up to me at a football show and said, 'You were a naughty boy.' I asked, 'Where was I on Christmas day?' She asked, 'How would I know?' I said, 'I was in my office talking to someone who had a problem that was amounting to destitution of her and her family. Who do you think it was?' She went bright red. That illustrates my point pretty well. I thank the member for Gordon for his interjection. We all work pretty hard. We need to protect our families.

The one thing we can say through this scheme is that we have protected our families, and we ought not be ashamed of that. When the media sticks in front of you a microphone, a television camera or whatever means they are going to use to record your comments, just remember that our affairs are more exposed than those of anyone else in this community. What about some of the benefits some of these people have? We never read about that. Having made all these inflammatory remarks and having gone on for longer than I thought, I make quite clear to all my colleagues in this House that I fully support the benefits that they will hopefully live to enjoy, because we all know the story of poor old Gordon Bruce. We remember Gordon and what he wanted in his last few years: he wanted to have some sort of retirement. He spent a lot of money on a camper van in which he was going to go around the countryside. Unfortunately, that was not meant to be. I suspect that, if one lasts here long enough, there are quite a number of Gordon Bruces in this world. The Opposition supports this legislation, and I have been empowered by our Party room to make those comments in support of the legislation and to ensure that it will be passed in the other place, which presumably will be some time next week.

The Hon. S.J. BAKER (Treasurer): I thank the honourable member for his contribution to this debate. I did not expect members of Parliament to welcome the changes with open arms. I am sure that, in any period of change, when greater restrictions are placed on benefits, as this Bill certainly does, for those people who are effected there certainly would be some reluctance to accept it. I make the point, as has the member for Playford, that the Audit Commission went through the books and said that superannuation in South Australia was unaffordable. We had a $4 billion liability that had built up in the system, and conceivably we had little way of paying for that liability.

This Government has not taken away the benefits of the members of any former schemes, which was against the advice of the Audit Commission. We believed that there was capacity to meet those obligations, those contracts of the past, and that is exactly what we are doing. As a Government, we have said that we realise and understand the liabilities. We will pay for those liabilities to ensure that over a 30 year period those liabilities are met, and we do not have this problem of a lead hanging on the shoulders and bodies of future generations. So those matters are being satisfied within the budget. We did close the previous scheme in order to achieve that, but we did not take away any former benefits in the process. In the same way, in a contractual sense, this scheme does not take away benefits that previously prevailed, but it certainly brings some long needed changes to the parliamentary system.

We would all recognise that the issue of members being in this Parliament for a short time is of importance. We can recognise that a large number of individuals have given up their business and professional lives for a short period. They have tackled vigorously marginal seats in order to put forward their views to support their Party policies to make a difference, and I believe most members of Parliament start out with that idea. In the past, the great shame of the Parliament is that the only reward that person has is that they have lost momentum in their career and business, and they are rewarded by getting back their superannuation contributions, plus interest.

I do not believe, and I do not think anybody in this Parliament has believed, that that is satisfactory. Nobody in the community would suggest that that was satisfactory for the amount of sacrifice that is required by such people. We have allowed for a period of some payment—and it is not a long period, but it is certainly some compensation—to allow a person to continue getting a salary to the point where that person is able to get himself or herself alternative employment and make up for loss of income. Nobody could be critical of that. It is a change that has been long needed.

We have had off-sets against the total cost of that. It would have been unprincipled of anybody just to have added that on to the existing scheme. We have made savings in other areas so that the net benefit to the tax payers of South Australia is a 20 per cent reduction in the overall cost to the scheme which in future years will make the scheme more affordable.

The period of qualification for full higher duties has been doubled and is now more or less consistent with that imposed in other jurisdictions; and an income earning capacity has been brought into the calculation. We have attempted to address some grave anomalies in the existing scheme and, at the same time, make the scheme more affordable. I believe that we have achieved that. I do not expect any member of this Parliament to clap hands and say that it is a great result for parliamentarians. I appreciate the fact that we are making some reforms and that we are making this superannuation scheme more relevant to today's needs and people.

The member for Playford said that on only one day he did not get a phone call, and then he remembered that he did get one. The other day I remarked to someone that it was nice to have a Christmas without a phone call. At home I have a tied phone line: it operates 24 hours a day. I get phone calls at 1 o'clock and 2 o'clock in the morning. I have always operated that way as an MP. My door has always been open and my telephone has always been available, but sometimes it comes at a price. On a number of occasions there have been call-outs in the early hours of the morning. But that is my contribution, and I am happy with it. I am happy with my conditions and my commitment to this Parliament and to the people of South Australia, but my family does occasionally reflect on the amount of time and effort that is put into the job.

I believe that the changes that are being made to this scheme make it more appropriate for today's needs and importantly reduce the cost of the scheme to the taxpayer. The changes line up the scheme more effectively with other schemes which have been reviewed. As a result, I believe that

the total package is far more acceptable in today's terms. I thank the member for Playford for his support of the Bill.

Bill read a second time and taken through its remaining stages.

PETROLEUM (SAFETY NET) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 6 July. Page 2773.)

Mr QUIRKE (Playford): The Opposition supports the Bill. It seeks to give surety in a world where surety is a commodity that is rapidly running out. It seeks to ensure that a person, company or organisation who takes out an exploration licence on a pastoral lease, whatever happens in the future—a change of ownership or a successful land rights claim (the High Court having made a number of determinations with regard to this)—has the first crack at exploring and using that licence.

I have discussed this legislation with some of my colleagues, in particular with the Deputy Leader, who assures me that this Bill has the same provisions as the general Mining Act. As a consequence, the Opposition supports these changes and believes that it will allow companies, which at the end of the day have to report to their shareholders with regard to risky exploration capital, to be confident that all measures have been taken by the Government to give them some surety of a continuance of the exploration to the finished petroleum product stage, as is the case with the mining of precious stones and minerals in South Australia.

Obviously, we cannot legislate for what the High Court or the Federal Parliament may do in the future. We may even find that some of the courts of lesser jurisdiction in South Australia will make determinations about land tenure. What this Bill seeks to do in a very changing world is to secure as far as is possible the safety of those exploration licences. One would hope that this would lead to a far greater sense of confidence amongst the mining companies in South Australia and the petroleum companies which take out exploration licences and risk capital. The Opposition supports the Bill.

Bill read a second time.

The Hon. D.S. BAKER (Minister for Mines and Energy): I move:

That this Bill be now read a third time.

I thank the Opposition for its support of the Bill. As has been the case in all mines and energy and primary industries matters, shadow Ministers are given briefings to make sure that they fully understand the legislation and what we are trying to do for the benefit of South Australia. I thank the Opposition for its continued support.

Bill read a third time and passed.

ADJOURNMENT DEBATE

The Hon. D.S. BAKER (Minister for Mines and Energy): I move:

That the House do now adjourn.

Mr ROSSI (Lee): I will address today the storm and sea erosion along the Tennyson and Semaphore Park foreshore. Last April-May I walked along the foreshore at Tennyson and Semaphore Park and took photographs of the sea erosion. In the past four months I have observed the sand replenishment programs of the Port Adelaide and Woodville councils and the Coast Protection Board. Some 33 000 cubic metres of sand has been placed along the foreshore in the past four months.

A week prior to the high tide, on 13 July 1995, 21 000 cubic metres of sand had been reclaimed by the sea. I had the opportunity to look at the foreshore the night before the storm and the high tide of 3.85, and the day after the high tide another 9 000 cubic metres of sand had been reclaimed by the sea. Of a total of 33 000 cubic metres of sand some four months ago, approximately 31 000 has been reclaimed by the sea.

Mr Atkinson interjecting:

Mr ROSSI: These figures were given to me by Mr Brian Anderson, who owns a property on the foreshore, and Mr John McKibbin. Whilst I appreciate what the Minister for the Environment and Natural Resources and the Government are doing in taking on the sand replenishment program, it will be a waste of money if a rock wall is not built.

Mr Atkinson interjecting:

Mr ROSSI: The member for Spence continues to interject, but it was his Party, the Don Dunstan and the Bannon Party, which allowed homes to be built on the sand dunes of Semaphore Park and Tennyson. However, it has not learnt from its mistakes. Building is continuing south of the North Haven Yachting Club. We do not seem to learn from experience that we cannot fight nature. A film on television recently entitled, 'The shoreline does not stop here any more' described what was happening in Florida and Miami. It pointed out that rock walls sometimes cause erosion and loss of beaches. However, I feel that it is important that we have rock walls to protect homes from storms. Sand replenishment must also continue, to maintain the beaches along the foreshore.

The other issue that intrigues me is that rock walls have been established in respect of all the houses south of Grange Road where there is the likelihood of storm damage. Sand replenishment has also continued. However, two kilometres of foreshore in my electorate do not have rock walls and there has been continual debate with the Coast Protection Board, which states that rock walls are not needed and that sand replenishment should continue. The Government should take independent advice from interstate or overseas experts to see whether—

Mr Atkinson: What about South Australia and your own State?

The SPEAKER: Order! The member for Spence keeps interjecting. He seems to be making a grievance debate of his own. The honourable member is out of order.

Mr ROSSI: It annoys me that Opposition members interject and seem to think that they know better. However, in the 20-odd years when they were in government, they did nothing. They bungled everything they touched. The member for Spence should keep his mouth shut. I know that he can speak better than me, but I do not think his brains are synchronised with reality. The member for Spence is like most academics. In April I took photographs of the same area, and I am happy to show those photographs to anyone in authority who would like to know how sand replenishment has worked on the foreshore.

Residents along the foreshore have threatened to sue the Government for millions of dollars, even though some of the properties are worth only $250 000 to $500 000. They feel that, after taking into consideration the suffering, pain and discomfort arising from their worrying when their houses

would be claimed by the sea, they could claim $1 million and more from the Government per household.

I stood for Parliament because I was not very happy with the previous member for my constituency. I support my electors and I agree with them that they need protection, especially when the previous Labor Government encouraged them to buy houses in that area. It is not their fault. They took the advice of the experts like the member for Spence, and again they were proven wrong. It showed that you should never listen to a Labor politician or to Labor members of the Public Service who are hired by Labor politicians, because they say only the easy things. They know what is there tomorrow: they do not know what may be there next year or in the next 10 years.

Mr Atkinson: The Mayor of Woodville sold homes there.

Mr ROSSI: The Mayor of Woodville sold homes because he was the land agent for a company established under an Act of this Parliament, supervised by the member for Spence—

Mr Atkinson: Your Party voted for the same Bill.

The SPEAKER: Order! The member for Spence is totally out of order in his attempt to destroy the speech of the member for Lee, although he is doing that without success.

Mr ROSSI: The Opposition is in opposition. It has no power with regard to what public servants do. The member for Spence finds himself frustrated on the other side of the House as he cannot influence what happens on this side of the House. At the time to which I am referring, Labor did the supervising and it allowed the houses to be built. In the past five years of the previous Labor Government, nothing was done to protect those residents.

Mr Atkinson: What is being done now?

Mr ROSSI: A lot.

The SPEAKER: Order! The member for Spence has received enough cautions so far. I warn the honourable member.

Mr ROSSI: Since I have been a member of this House, more work has been done in my electorate than in the previous 14 years under the Labor member. The foreshore sand replenishment is being carried out and netting to protect vegetation has been established in the past 18 months. The revetment steps at West Lakes have been continued by the Government. Therefore, I am happy with the way in which the Government has been looking after my electors.

Mr Atkinson interjecting:

Mr ROSSI: With the amount of money that the member for Spence and his Government left us, the Government is doing exceptionally well. I represent my constituents and I believe that I am doing exceptionally well too. When I say something, I mean it. When I give a commitment, I carry it out, unlike the member for Spence. He says something one minute and the next minute he changes his mind. His actions never follow his thoughts.

Mrs GERAGHTY (Torrens): I want to refer to an issue relating to what occurred in this House a short time ago when the member for Wright raised the issue of another honourable member breaching protocol. I want to raise this matter because I was quite taken aback that there was such a form of protocol. I was unaware of it and I remain unaware of it. I am not sure whether it is some kind of unwritten law. We need some clarification about this. The member for Wright mentioned that members should not assist members of the public unless they come from that member's electorate.

Mr Ashenden: Is that members of this House?

Mrs GERAGHTY: Yes, members of this House.

The SPEAKER: Order! I call the attention of the member for Torrens to the fact that she is implying that there is an unwritten law with regard to the security of material submitted to committees. She is actually referring to a Standing Order of this House. There is no excuse for ignorance and less excuse for making a comment about an unwritten law. I must point out to the honourable member that the Standing Orders are quite specific. She can continue with the debate, but it is incumbent on the Chair to put the honourable member straight, at least with regard to Standing Orders.

Mrs GERAGHTY: Thank you, Mr Speaker, because I sought some clarification about the matter. Perhaps I have not explained myself properly. If you can give me advice as I continue, I would be more than happy to take it. It seemed to me that there was an inference that members of this House should not assist members of the public if they come from someone else's electorate. I take some issue with that. From time to time, members direct a constituent who may call their office to the member of Parliament who represents that person's constituency. I fail to understand the issue of protocol and what a member does if a member of the public rings a member's office. What happens if someone rings my office do I have to say, 'Look, I'm sorry, you are not in my electorate, you must approach your own member'? However, what happens if that person does not wish to approach the local member or if he does not wish to make another phone call or to travel somewhere? In that case, I believe that it is the duty of a member of Parliament to assist that person.

Mr Ashenden interjecting:

Mrs GERAGHTY: I take issue with that. I believe that, when they are asked, members of Parliament have a responsibility to assist the general public. I do not believe that we own our electorates, and we do not own our constituents. In fact, I think it is more the reverse: we as members of this place are here to serve all members of the community and not just those in a particular electorate.

The Hon. W.A. Matthew: Labor didn't do a very good job of that in the 11 years it was in power.

Mrs GERAGHTY: We are not here to serve our own ends. Having listened to the Minister opposite, I suggest that he be quiet.

Mr Ashenden: You're opening a Pandora's box. That's what you have to understand.

The DEPUTY SPEAKER: The member for Torrens has the floor.

Mrs GERAGHTY: We are here to serve the community: not our own ends. So perhaps the member for Wright ought to listen to what I have to say. Quite often issues fall across electorates and, that being the case, would the honourable member say, 'This is the boundary of my electorate here; the issue has arisen in part of my electorate as well as someone else's electorate, so that's the end of it; I can't deal with it'? You really cannot deal with an issue—

Mr Ashenden: That's different.

Mrs GERAGHTY: Listening to the comments of the member for Wright, I did gain that impression, and in that case nothing at all would be resolved. I am sure that all members would agree that at times it is a matter of putting politics aside and getting on with the business of resolving whatever issue is at hand for the benefit of a particular constituent or for the whole community. I am aware of an organisation which has business in both my electorate and the electorate of the member for Ross Smith. I have been assisting that organisation with a particular issue and the member for Ross Smith has never told me—

Members interjecting:

Mrs GERAGHTY: —that I am encroaching on his territory.

Mr Ashenden: No; because he's on your side.

Mrs GERAGHTY: That is simply not true.

Mr Ashenden interjecting:

Mrs GERAGHTY: The member for Wright says that this is only because we are in the same Party, but I have helped constituents in electorates of Liberal members and have not been told that I am encroaching. I have done that because those people have come to me and because they did not want to go any further as they were too distressed. However, I do advise members of that and I think that the member for Wright may have commented on that issue. In the course of our duties, we simply are bound to assist people when they come to us. I do not want to repeat myself, but I do follow through on those matters.

If constituents of any electorate specifically request my support I give it to them. However, I advise their member of Parliament of that assistance if it is appropriate, or if they ask who is their local member I give them the appropriate telephone number. If they do not want to go to their particular member for help, I assist them.

Members interjecting:

The DEPUTY SPEAKER: The honourable member was given the protection of the Chair.

Mrs GERAGHTY: That is exactly what the member for Taylor did.

Mr Ashenden interjecting:

Mrs GERAGHTY: She was specifically sought out for help and she gave it. I have heard the member for Taylor's comments and she refuted what the member for Wright had to say. I do not recall her denigrating the member for Wright in any way at all in her contribution yesterday. She did as she should; she gave help and assistance to a family that needed it, and I think that is most commendable and is quite proper. It strikes me as incredibly odd that an honourable member of this House complains and whinges when another honourable member does what all members in this Parliament commit themselves to doing on election: to serve the community. I would suggest that the member for Wright consider that. It is our job to help, primarily in our electorates but—

Mr Rossi: In your electorate: not somebody else's.

Mrs GERAGHTY: I have been stunned by the comments of the member for Lee quite often but particularly so this time. He is saying that we can help only those people who live in our electorates. I ask the member for Lee what would happen if a constituent came to an honourable member and said, 'I've tried my honourable member and I don't get along with him [or her]; they won't help me', or 'They don't like my issue.' Does that honourable member then say, 'Sorry, you don't live in my electorate, so you'll just have to wear it and put up with the problem'? They do not have to—

Members interjecting:

The DEPUTY SPEAKER: The member for Wright and the member for Lee are out of order.

Mrs GERAGHTY: —go to Legislative Councillors if they choose not to.

An honourable member interjecting:

Mrs GERAGHTY: Fortunately I do not believe that I do own my electorate. If I believed that I would probably become as complacent as the members opposite and would not serve the community as well as I should. I feel that I have made my point—

Mr Ashenden interjecting:

Mrs GERAGHTY: There is no battle about this. The member for Wright says that there is a battle—he wants to battle over constituents. I think that is incredibly trivial and demeaning to the community and to the public.

Mr Ashenden: You distort the truth.

Mrs GERAGHTY: I have not distorted any truth and I suggest that the member for Wright be a little more soul searching on this matter. He has made it a political issue when in fact it is an issue of a constituent in need who was provided with support and assistance. Unfortunately it was not provided by the local member of those constituents but by the member for Taylor, and she did it very well.

Mr Ashenden interjecting:

The DEPUTY SPEAKER: The honourable member's time has expired. The Chair would point out to the member for Torrens that the Chair was under the impression that the question in relation to the member for Wright was in fact the point of order that he raised on the committee material. However, the honourable member raised an entirely different matter and therefore the Chair's comments were irrelevant to her remarks, so the Chair apologises for interrupting.

Motion carried.

At 5.38 p.m. the House adjourned until Thursday 20 July at 10.30 a.m.