HOUSE OF ASSEMBLY

Tuesday 22 July 1997

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

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

ASER (Restructure),
Bank Merger (National/BNZ),
Bank Mergers (South Australia),
Electoral (Computer Vote Counting) Amendment,
Road Traffic (U-Turns at Traffic Lights) Amendment,
Stamp Duties (Rates of Duty) Amendment,
Statutes Amendment (Community Titles) Amendment.

SUMMARY OFFENCES (PROSTITUTION) AMENDMENT BILL

A petition signed by 52 residents of South Australia requesting that the House support the passage of the Summary Offences (Prostitution) Amendment Bill 1996 was presented by the Hon. G.A. Ingerson.

Petition received.

LICENSED CLUBS

A petition signed by 184 residents of South Australia requesting that the House urge the Government to allow licensed clubs to sell liquor to a club member for consumption off the premises was presented by the Hon. G.A. Ingerson.

Petition received.

TAXIS, WHEELCHAIR ACCESS

A petition signed by 12 851 residents of South Australia requesting that the House urge the Government to continue to support an independent corporation dedicated to providing a wheelchair accessible taxi service was presented by Mr Cummins.

Petition received.

QUESTIONS

The SPEAKER: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 98, 105, 107, 120, 122 and 124.

LIQUOR LICENSING BILL

The following recommendation of the conference was reported to the House:

That the House of Assembly do not further insist on its amendments Nos 2 and 3.

RETAIL SHOP LEASES AMENDMENT BILL

The following recommendation of the conference was reported to the House:

That the Legislative Council do not further insist on its disagreement to the House of Assembly's amendment.

PAPERS TABLED

The following papers were laid on the table:

By the Premier (Hon. J.W. Olsen)—

South Australian Constitutional Advisory Council—Final Report, December 1996

By the Minister for Police (Hon. G.A. Ingerson)—

Commissioner of Police Statistical Review—Erratum, 1995-96

By the Minister for Racing (Hon. G.A. Ingerson)—

Bookmakers Licensing Board—Report, 1995-96

By the Treasurer (Hon. S.J. Baker)—

Evidence Act—Report of the Attorney-General Relating to Suppression Orders, 1995-96
Regulations under the following Acts—
Cremation—Identification of Body
Taxation Administration—Disclosure of Information
Rules of Court—Supreme Court—Supreme Court Act—Per Centage Rate

By the Minister for Energy (Hon. S.J. Baker)—

Electricity Act—Regulations—Corrigendum

By the Minister for Aboriginal Affairs (Hon. Dean Brown)—

Royal Commission into Aboriginal Deaths in Custody—1995 Implementation Report—July 1997

By the Minister for Health (Hon. M.H. Armitage)—

Commissioners of Charitable Funds—Report, 1995-96
Royal Adelaide Hospital—Notice of Amendment to By-Laws

By the Minister for Local Government (Hon. E.S. Ashenden)—

Local Government Act—Regulations—Local Government Superannuation Board—Bonus Multiple

By the Minister for Employment, Training and Further Education (Hon. D.C. Kotz)—

Department for Employment, Training and Further Education—Report, 1996.

COMPUTER DISK, THEFT

The Hon. D.C. KOTZ (Minister for Employment, Training and Further Education): I seek leave to make a ministerial statement.

Leave granted.

The Hon. D.C. KOTZ: I wish to advise the House of action I initiated yesterday relating to the theft of property from my ministerial office at Wakefield House. It was brought to the attention of this House on 27 May by the Leader of the Opposition (Hon. Mike Rann) that he had in his possession an item of property which he claimed belonged to me. The item of property was shown to members of this House as a computer disk. A question was asked by the Leader relating to information allegedly sourced from the computer disk. It was difficult to ascertain at that time whether the claims by the Leader of the Opposition were correct or whether a single item had been photocopied and passed on to the Opposition by an unknown person or persons.

Following a further question by the member for Taylor on 8 July, again relating to information sourced from the computer disk, it became apparent that the Leader of the Opposition did have in his possession property which was

stolen from my office. This was established by checking computer records, which showed that the information provided to this Parliament by the Leader of the Opposition and the member for Taylor, allegedly sourced from the computer disk, had in fact been stolen from my office on or about the week of 20 January this year. I point out to the House that the property in possession of the Leader of the Opposition is original property. By that I mean that it is not a facsimile of property and it is not a photocopy of property leaked, as the Leader of the Opposition claims—it is original property owned by me and stolen by a person or persons unknown.

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. KOTZ: Therefore, the Leader of the Opposition is the receiver of stolen goods of which he openly admitted to the House that I am the owner, but to date the property has not been returned. Yesterday I reported the theft of this property to the South Australian Police, and it is now a matter of formal investigation. When it becomes acceptable to stoop to stealing property, we are talking of impropriety and breaking the law.

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. KOTZ: I will not be forced to be a participant in the illegal actions of others, nor will I be a party to encouraging anyone to steal, and I believe that the actions of the Leader of the Opposition in this matter do just that.

ECONOMIC AND FINANCE COMMITTEE

Mr BECKER (Peake): I bring up the twenty-first report of the committee on the management of grant funds by the South Australian Sports Promotion Cultural and Health Advancement Trust and move:

That the report be received.

Motion carried.

QUESTION TIME

ANDERSON INQUIRY

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Premier. Why did his Government make a public announcement that the full report of the Anderson inquiry would be made public?

The Hon. J.W. OLSEN: All these matters are canvassed in the ministerial statement.

ALICE SPRINGS TO DARWIN RAILWAY

The Hon. R.B. SUCH (Fisher): Will the Premier advise whether the Federal Government has indicated that it will provide financial input into the proposed Alice Springs to Darwin railway line? On 15 July the Opposition Leader received media coverage claiming that the Prime Minister was about to make an announcement on the railway, but he claimed that the Federal Government was making available only $200 million, which would not be enough for the project to proceed.

The Hon. J.W. OLSEN: I am happy to respond—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: The Opposition Leader longs for the old days when he was a reporter. He always likes to be first with the news at six. At the last count a number of media statements have been put out by the Leader of the Opposition in relation to the Adelaide-Darwin rail link, of course containing miscalculations, as is the norm. It is a shame that the Leader of the Opposition did not have the same zeal for this line when Labor was in Government federally and here in South Australia. Labor had a decade in which to do something about the rail link, but Johnny-come-lately as it is, it is getting on the bandwagon now because some real progress is starting to be made on this national infrastructure project, which is important for South Australia.

One of the statements issued by the Leader of the Opposition last August called on the Federal Government for a commitment on the line. The Leader said that the Alice Springs to Darwin rail link was now viable and that a $200 million commitment from the Federal Government would give the private sector the kick start needed for this giant project. That is what the Leader of the Opposition said last August. Members can contrast that with the ABC radio news of 15 July this year, which stated that Mike Rann said that the Federal Government had committed $200 million to the Alice Springs to Darwin rail link. If it has, that is news to me and everybody else, including the Prime Minister. But he says that is not enough. Mr Rann says he welcomes any funding but that at least $300 million must be committed, and it must be committed straight away. So, within the space of 11 months we go from $200 million to $300 million.

I do not know why there was that difference in that 11 month period. The truth is that it was a quiet Sunday and, as is the Leader's wont, he got this story out. One thing is for sure: the last thing we need at this critical stage of negotiations is fractured crystal ball gazing and cheap political posturing by the Opposition Leader, bereft of ideas. I suggest that he get out of the arena and let the Chief Minister and I negotiate to a final conclusion in the interests of South Australia.

ANDERSON INQUIRY

The Hon. M.D. RANN (Leader of the Opposition): Who told the Premier—

An honourable member interjecting:

The Hon. M.D. RANN: Have you had your say?

The SPEAKER: Order! The Leader will ask his question.

The Hon. M.D. RANN: Who told the Premier, and when, that witnesses to the Anderson inquiry into the former Finance Minister would not make themselves available for interview unless they were given an undertaking that their interview remained confidential, when Mr Anderson QC indicated to an Upper House select committee today that no witnesses had expressed concerns about the full report being made public? Who told you? Which witnesses?

The Hon. S.J. BAKER: I rise on a point of order, Sir. My understanding is that when there are select committees conducted in the Parliament—

Members interjecting:

The SPEAKER: Order! Standing Order 137 is the one that comes to the mind of the Chair. It is a select committee of another place, and reference to debates and activities in another place should not be referred to as it is an undesirable practice. Therefore, the Chair will allow the Premier to answer questions, but he cannot refer to any evidence given to a select committee of the Upper House.

The Hon. J.W. OLSEN: This matter has been dealt with, and dealt with decisively. It is the economy that matters in

South Australia—or perhaps the Leader of the Opposition had not noticed that fact.

YOUTH EMPLOYMENT

Mr VENNING (Custance): Will the Minister for Employment, Training and Further Education advise the House of the latest initiative of the Government to provide employment for young South Australians?

The Hon. D.C. KOTZ: I certainly am pleased to detail the latest Government youth training initiative, which will provide employment opportunities for some 500 young people from regional South Australia, and I know that is one of the reasons why the honourable member was very keen to ask the question. The State and Federal Governments have each committed $2.5 million to the scheme, which aims to stem the tide of young people leaving the country and also to revitalise the public sector in regional areas. In the past, young people in regional areas have not had the same employment and training opportunities as those from the city, and this is one very definite program that will help to overcome that imbalance.

The latest intake demonstrates that this Government is clearly playing its role in helping to address youth unemployment and adds to the 500 permanent full-time jobs announced by this Government in the State budget as well as the natural recruitment target for the year of some 500 further young people. In total, about 1 500 young people will gain employment in the public sector this year and, rest assured, we will not stop there. Indeed, the total number of traineeships offered since this Government came to power is 4 500, a figure 10 times greater than under the Labor Party in its paltry commitment to public sector traineeships during its last term in office. It seems that, while the Labor Party was happy to talk about jobs and holding job summits, it was not interested in making use of the available training funds to actually give a young person a job or a traineeship. This Government is not going to turn its back on young people and we will continue to seek employment opportunities for rural and city youth, while continuing to clean up the mess left to us by the Labor Party.

ANDERSON INQUIRY

Mr ATKINSON (Spence): I ask the Premier why Mr Anderson QC has not been allowed to retain his own copy of the report which he prepared. Mr Anderson has said that he returned to his office used during the inquiry to collect a copy of the report to find that his office had been completely cleared and that he does not have a copy of the report.

The Hon. J.W. OLSEN: So? I will refer the matter to the Crown Solicitor, who has responsibilities for these matters.

SOUTH AFRICAN LIVESTOCK

Mr MEIER (Goyder): Mr Speaker—

Members interjecting:

The SPEAKER: Order! The Leader has had more than a fair go. The member for Goyder.

Mr MEIER: Will the Premier explain why taxpayers have had to foot a bill incurred under the Labor Government to breed South African livestock? Last month the Asset Management Task Force delivered its exit report on assets sold to repay the massive debt that Labor mismanagement left us with.

The Hon. J.W. OLSEN: The exit report of the Asset Management Task Force is required reading for all students on how the former Labor Administration mismanaged the finances of South Australia. I refer to a decision of the former State Government Insurance Commission, which was controlled by the former Bannon Government.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: It was an agreement to contribute millions of dollars to the development of a livestock breeding program. This breeding program—wait for it—was for South African cattle and goats and it cost South Australia more than $6 million. That $6 million has been completely written off because of that little excursion. During part of that disastrous investment, many local South Australian farmers were hit by drought and were fighting to keep their own farm gates open, yet at the same time the then Labor Government was wasting $6 million on South African goats and cattle. Clearly, $6 million would have done a lot to upgrade infrastructure in South Australia or to put in place other measures such as jobs generation or economic rejuvenation. It is just another example of the financial mismanagement that the Liberal Party inherited: the Labor Party created the problems and we have had to fix them.

ANDERSON INQUIRY

Mr ATKINSON (Spence): Mr Speaker—

Mr Brokenshire interjecting:

The SPEAKER: I warn the member for Mawson.

Mr ATKINSON: Why did the Premier tell the House in a ministerial statement on 10 July 1997 regarding the Anderson report that he was not tabling the complete report because it mentioned the names of witnesses? On ABC radio this morning, Mr Anderson QC said:

> The part of the report that has been tabled includes my findings. Those findings are explained by reasons which really take up the balance of the report, so that it is not a question of witnesses' transcripts—they were always going to be confidential: it is the distinction between the findings which have been tabled in Parliament and the reasons for those findings.

Mr Anderson has subsequently confirmed that he told every witness that his report would be tabled in Parliament.

The Hon. J.W. OLSEN: And Mr Anderson also told all witnesses that transcripts of evidence would remain confidential; he also said that. The ministerial statement stands.

Members interjecting:

The SPEAKER: Order!

Mr Cummins interjecting:

The SPEAKER: Order! The member for Norwood. I call the member for Florey.

PARA HILLS POLICE STATION

Mr BASS (Florey): Will the Minister for Police advise this House on media reports that the Para Hills Police Station is about to close its doors?

The SPEAKER: Order! The question is out of order. The Minister cannot be expected to answer comments of the media. I suggest to the member for Florey that he rephrase the question and he will get the call later.

Mr BASS: I could do that now.

The SPEAKER: No. The honourable member is out of order. I call the member for Kaurna.

Mr Atkinson interjecting:

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

WATER SUPPLY, SOUTHERN SUBURBS

Mrs ROSENBERG (Kaurna): Will the Minister for Infrastructure advise the House on claims being circulated in the southern suburbs that water quality is being compromised as part of United Water's management of the State's water infrastructure?

The Hon. G.A. INGERSON: I thank the member for Kaurna for the question, because here is another of the Labor lies that are run around. The candidate for Kaurna, Mr John Hill, has put out a fairly scurrilous letter which has gone out into the electorate and in which he asks people to write to protest to the Government about the decision to privatise our water. It is a blatant misrepresentation, because he knows, as everyone else in this State knows, that the assets of SA Water are totally owned by the community of South Australia. Every single cent of the assets of SA Water is owned by the community. There has been no sale; there is absolutely no privatisation at all as far as SA Water is concerned.

I am fascinated that the candidate for Kaurna should throw in this issue. It seems to me that he is also saying that perhaps Mitsubishi should not be down south. I wonder who owns Mitsubishi and employs all the people? I thought Mitsubishi was a foreign owned company. How can you run out an issue about French ownership yet be happy for Mitsubishi to be owned off-shore? Privatisation is a totally misleading issue run, first, by the member for Hart and now by John Hill right through the south. The whole issue about water in the south was—

Mr Clarke interjecting:

The SPEAKER: Order! The Deputy Leader knows the consequences.

The Hon. G.A. INGERSON: A couple of weekends ago, some water with a low PH went out into the community. There is no question that United Water has made the comment—

Mr Foley: Under the contract it should not have happened.

The SPEAKER: Order!

The Hon. G.A. INGERSON: United Water has made the comment that there was a major issue as far as that area was concerned. However, when we check the situation, we find that about 15 constituents were involved and they were all contacted within half an hour and advised of the issue. In going back over this issue of water control over the past 10 years, we find that there were numerous occasions under the Labor Government when similar sorts of issues occurred and that the community was contacted and advised of a similar exercise. It is always interesting when it is different under Labor but it is a much bigger problem under a Liberal Government. It has nothing to do with the sale of water, and the member opposite knows that. It is all about a scare campaign being deliberately run by Labor to say that we do not have safe water.

Members interjecting:

The SPEAKER: Order!

The Hon. G.A. INGERSON: I can assure people in the south that there is no need for concern about safety in relation to the quality of the water. The Health Commission has checked this out and given a clearance. That is all we can do and what we ought to be doing to make sure that that occurs.

I am always fascinated when the Labor Party starts to talk about water and all those issues of which they were not in control. Do members recall the wealth tax that the Labor Party was going to impose on all consumers in respect of the price of water? That tax increased the price of water over two years by some 25 per cent. All these furphies were put out by the Labor Party. We have no intention of walking away from the water quality issue. Under its contract, United Water is expected to improve the water quality for all South Australians, and it has done that.

PUBLIC SECTOR EMPLOYMENT

Mr CLARKE (Deputy Leader of the Opposition): My question is directed to the Premier. In light of this morning's press headline 'Public Service job slashing is over: Olsen', has the Government now abandoned its budget plans to cut up to 800 more jobs from the public sector over the next two years at a cost of $40 million?

The Hon. J.W. OLSEN: The budget strategy speaks for itself.

PARA HILLS POLICE STATION

Mr BASS (Florey): My question is directed to the Minister for Police. Is it correct that the police station at Para Hills is about to close its doors? My office has been contacted by constituents questioning the accuracy of information being circulated in the north-eastern suburbs by the Opposition concerning the police station at Para Hills.

The Hon. G.A. INGERSON: Here is another one of the Labor lies. Here we go again. In this case, it was put out by a member who will probably be leaving this place soon. There will be no closure of the Para Hills police station. Neither will there be closure of any police station in this State, as was put forward in Focus 21 released some two to three weeks ago. As usual, there has been an attempt to totally mislead; to go out and lie; and, if you lie enough, sometimes people will believe it. I remember the shadow Attorney—

Members interjecting:

The SPEAKER: Order!

The Hon. G.A. INGERSON:—saying on 5AA, 'Of course Labor will lie during the campaign.' That is exactly what the shadow Attorney said. There will be no closure of any police station. We will put 180 new police officers out into the community so that we will have a better community police force than previously. That is what this Focus 21 plan is all about. Some two to three weeks ago the Police Commissioner said—

Members interjecting:

The SPEAKER: Order! One question at a time.

The Hon. G.A. INGERSON:—that there will be a whole new policing program, particularly as it relates to Para Hills.

Mr Atkinson interjecting:

The SPEAKER: I warn the member for Spence.

The Hon. G.A. INGERSON: One of the things the Labor Party never does is sit around for five minutes and wait until all the program is explained so that they can actually learn what is going on. The Government intends to build a new police station in the Tea Tree Gully-Para Hills area. Over the next two to three years, we will be consulting with the community to put a new central police station in that area which will deliver all the services to the Para Hills-Tea Tree Gully area. If members opposite waited until the Police Commissioner got around to their district, as he will go around to all districts in the metropolitan and country areas, and explained how this new program will give a better police

community service, far better than the Labor Party has ever delivered, they would actually learn something.

What he will do is make sure that the 100 new officers who will go through the academy over the next 12 months will be joined with those who will be relocated so that more police officers will be in cars on the road instead of sitting in offices, as we had historically with the Labor Party. As the Police Commissioner told me the other day, 'There's very little crime occurring in the offices. We ought to be getting these police officers out on the road.' That is what this is all about: getting a better police presence in all districts right across South Australia.

We had that other furphy the other day, where we had the Deputy Leader talking about the police station at Plympton being closed. That police station, as with all other police stations, will not be closed, and that has been indicated by the Police Commissioner. We will simply reorganise the number of police officers out in the community. I believe that that is really what the community is asking for. Over the past few weeks, the Deputy Leader has been complaining that we do not have enough patrols. That is exactly the matter with which Focus 21 is dealing. Plympton, Para Hills and Tea Tree Gully will not close, and we will see a much better police presence in the city over the next six months.

GARIBALDI TRIAL

Mr ATKINSON (Spence): I ask a question of the Minister representing the Attorney-General.

Mr Brindal interjecting:

The SPEAKER: I warn the member for Unley for interjecting. The member for Spence had better ask his question immediately.

Mr ATKINSON: If I may I amend that, I ask the Premier. Given public opposition by prominent criminal lawyers to the Attorney's decision to call tenders for the Garibaldi defence, does the Premier agree that questions of delay and cost to the community should have influenced the decision for dropping manslaughter charges against two defendants in the Garibaldi trial? Following a decision by the Supreme Court on 20 September 1996 to order a stay of proceedings on the basis that the accused had insufficient funds to obtain legal representation, the Attorney-General called tenders and offered up to $600 000 to lawyers to defend the accused. These tenders remain open and are not due to close until 1 August. In a letter to the Robinson family dated 10 July, the Director of Public Prosecutions told the family that his decision to withdraw manslaughter charges had taken into account 'considerations of the further delay and associated cost to the community'.

The Hon. S.J. BAKER: As the Minister representing the Attorney in this House, I indicate that the answer is quite simple. If the honourable member read the newspaper and understood what is being said, he would be aware that the Director of Public Prosecutions made a decision. That person is independent. It had nothing to do—

Mr Atkinson interjecting:

The SPEAKER: Order!

The Hon. S.J. BAKER: The member for Spence is saying, 'I don't want the DPP to be independent.' I wish the honourable member could decide where he stands on this matter. The DPP has said that he believes a particular offence can be sustained and he has—

Mr Atkinson interjecting:

The Hon. S.J. BAKER: It has nothing to do with cost—

Members interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition. The question has been asked and the Minister is now answering. No further interruptions will be tolerated.

The Hon. S.J. BAKER: A process was put in train for the payment of costs, so that was irrelevant to the DPP. The DPP made a decision.

CAPITAL CITY PROJECT

Mr CUMMINS (Norwood): Will the Treasurer inform the House of the progress being made by the Government in the area of planning for the Capital City project? I understand that planning matters have been referred to the new Major Developments Panel which was set up earlier this year for consideration, and I wish to know what processes are involved from this point.

The Hon. S.J. BAKER: Today the Major Developments Panel is releasing the guidelines to the developer and to the public to assist in the assessment of the environmental, social and economic impacts of the project. The Major Developments Panel has determined that a development report shall be produced containing significant amounts of information. The report is to be produced by David Jones Ltd. The panel finalised those guidelines and they will be available for all members of the public tomorrow.

The issues identified by the panel which have to be addressed by the developer include the economic benefits to the State, particularly in the area of tourism; the impact of the proposal on the mix of activities centred in and around Rundle Mall; the integration of the design into Rundle Mall and North Terrace precincts, including visual effects of the tower; the air safety requirements associated with the building height; access and parking requirements; and any specific impacts associated with demolition and subsequent construction activity. They are the guidelines which have been laid down by the Major Developments Panel for this development report. It is the first under the major developments section of the Development Act.

In terms of the time frames, the developer shall respond to the development report guidelines. Once that response has been completed, there will be a process for public comment and a period of assessment. We expect some decisions to be made towards the end of this year.

PRIMARY INDUSTRIES MINISTER

Mr CLARKE (Deputy Leader of the Opposition): Did the Minister for Primary Industries declare any conflict of interest, or potential conflict of interest, when seeking Cabinet's approval for new regulations under the Agricultural Chemicals Act which was signed by the Minister on 29 August 1996, and did the Minister withdraw from all Cabinet deliberations on this matter?

The Hon. R.G. KERIN: That is a good try by the Deputy Leader.

An honourable member interjecting:

The SPEAKER: Order!

The Hon. R.G. KERIN: I will give a considered reply, but I have nothing to hide.

INFORMATION TECHNOLOGY

The Hon. W.A. MATTHEW (Bright): Will the Minister for Information and Contract Services explain to the House

whether it is feasible for Federal and State Governments to significantly influence the development of an information technology industry in Australia, and whether the IT 2000 vision of the South Australian State Government has been successful in developing the industry for information technology in South Australia?

The Hon. DEAN BROWN: Certainly, it is feasible to establish and direct an industry development program for information technology if the Federal and State Governments have the right policies. In South Australia, our IT 2000 strategy and plan has been seen as a national guideline, which other States are following. It is interesting to see that Victoria and Queensland have followed South Australia, and today we have the announcement that even the Western Australian Government is establishing a separate Government agency to deal with information technology.

The Federal Government is currently looking at developing a policy. The big disappointment has been the lack of a policy by the Federal Government for many years, while the former Labor Government did absolutely nothing in terms of putting together a coherent plan to develop an information technology industry in this State. As a result, Australia is a net importer, by about $3 billion a year, of information technology and new technology equipment and services, when in fact this country should have been a major net exporter of that technology, particularly into the South-East Asian area.

In this State, we have achieved a growth in the past two years of 2 400 jobs in information technology. It now employs over 10 500 people in this State. It is the fastest growing State of any of the States in Australia in the area of information technology, and information technology is now the fastest growing industry sector in South Australia, in terms of jobs. So, it shows that the State Government, over the past three years, has had a significant impact through the IT 2000 vision in, first, achieving a clear direction for the development of information technology and, secondly, focusing on exports of the industry.

EDS, as part of its contract, is required to help our local companies enter the export market. A couple of months ago, it had a major trade mission involving five South Australian companies to Hong Kong, Indonesia, Malaysia and Singapore. Those companies reported back on the significant potential now existing for them to start exporting their products from this State into those countries. I envisage an opportunity for South Australia to be the main centre for software development in areas such as health. We are doing that with telemedicine, and we have already established links with both Indonesia and Malaysia in the health area. Regarding education, there is no doubt that Malaysia, which uses the SSABSA matriculation standard as its most common form of assessment, will want to use the curriculum material that has been developed in South Australia particularly in terms of their computer systems and computer training.

In addition, the Malaysian Government and other countries such as Cyprus are looking at using the Courts Administration software package, which was developed in South Australia. All this highlights South Australia's opportunity to be a regional leader. My plea to the Federal Government is for it to introduce tax incentives, to put more money into research and development of information technology, particularly in universities, to make sure that it drives a policy that will establish content in the area of social development through information technology, and to ensure that this country becomes a major exporter of information technology services and goods in the Asian area. The possibility exists; we now need some clear leadership from Canberra to maximise even further what South Australia has done over the past three years.

PRIMARY INDUSTRIES MINISTER

Mr CLARKE (Deputy Leader of the Opposition): My question is directed to the Premier. Given the reply by the Minister for Primary Industries to my earlier question regarding potential conflict of interest matters, will the Premier investigate whether the Minister for Primary Industries should have advised the Premier of a conflict of interest and withdrawn from all deliberations when submissions for the drafting and final approval of new regulations under the Agricultural Chemicals Act were considered by Cabinet? The Cabinet handbook requires Ministers to inform the Premier of any actual or potential conflict of interest and to withdraw from any deliberation on these matters.

On 29 August 1996, the Minister for Primary Industries signed new regulations under the Agricultural Chemicals Act which set requirements for labelling chemicals (including exemptions), which set levels of contamination for fodder and which fixed registration fees. Australian Security Commission records indicate that, on that date, the Minister was a major shareholder in Kerin Agencies Pty Ltd, which advertises agricultural chemicals for sale—

The SPEAKER: Order! The honourable member is now commenting. Leave to explain the question is withdrawn.

The Hon. J.W. OLSEN: As the Minister has advised the House, he will produce a report, and I am sure that he will do so expeditiously.

An honourable member interjecting:

The SPEAKER: Order!

INFORMATION TECHNOLOGY

Mr BRINDAL (Unley): My question is directed to the Minister—

Members interjecting:

The SPEAKER: Order! The member for Unley has the call.

Mr BRINDAL: My question is directed to the Minister for Employment, Training and Further Education, and it follows the answer given by the Minister for Information and Contract Services. How is the Government responding to training needs in the important area of information technology? With your leave, Sir, and the concurrence of the House, I seek leave to explain the question.

The SPEAKER: I thought the honourable member had already explained his question.

Mr BRINDAL: I seek leave to explain further then, Sir. In my electorate, Link Communications has, I believe—

Mr FOLEY: I rise on a point of order, Mr Speaker. I draw your attention to the comment in the honourable member's question.

The SPEAKER: Order! The member for Unley is aware of the Standing Order which permits questions to be explained briefly. In accordance with a ruling given by Speaker Trainer, comment is not permitted.

Mr BRINDAL: Thank you, Sir. In my electorate of Unley, I believe that Link Communications experienced some temporary difficulties in obtaining suitable employees, and I believe that Westpac has expanded so much that it needs further trainees in this area.

The Hon. D.C. KOTZ: Following on the comments of the previous Minister about information technology, I think we would all agree that this is one of our most rapidly expanding industries, one which will increasingly provide job opportunities in the future. If we are to take advantage of these opportunities and overcome the shortage of IT expertise in this State, we need to provide young people with the necessary training. I am pleased to announce that this Government is funding a pilot $276 000 Certificate in Computer Technology, which will help up to 90 young unemployed people from the northern suburbs to gain free training in this important field. I repeat: free training in this important field.

These young people will undertake information technology training at the Para Institute of TAFE, the University of South Australia, Salisbury High School, and NASTEC through a program managed by the Northern Adelaide Development Board. This course covers software design and development, technical and repair work, and networking and graphic design, and it is designed to make these young people job ready within six months. At least one major South Australian information technology company has already indicated that it will consider employing up to 50 course graduates.

This course is a perfect example of the Government's providing training opportunities for young people in an area of rapid job growth rather than simply providing training for training's sake which, of course, was a hallmark of the previous Government. If the former Labor Government had had the vision or the foresight to detect the future potential of the information technology sector a decade ago, perhaps it could have responded with relevant skills training for our young people so that we would not be facing the drastic skills shortage that we have today. This Government has taken over the job of rebuilding the State's skills base, and it will continue to do so even though this most drastic shortage was caused by the Labor Government.

Mr Atkinson interjecting:

The SPEAKER: Order! The member for Spence knows the consequences.

PRIMARY INDUSTRIES MINISTER

Mr CLARKE (Deputy Leader of the Opposition): My question is directed to the Premier. Did the Minister for Primary Industries seek, and was he granted, an exemption from the Cabinet rule that requires Ministers to divest themselves of shareholdings in any company in respect of which a conflict of interest exists as a result of their portfolio responsibilities? The Cabinet handbook states:

> Where the Minister is unable or unwilling to divest an interest, or in the case of hardship, or where it is otherwise considered to be in the best interests of Executive Government in the State, the Premier may grant an exemption.

The Hon. J.W. OLSEN: This question is a repeat of the question which was asked of the Minister and which has already been answered.

REGIONAL DEVELOPMENT

Mr ANDREW (Chaffey): Will the Minister Assisting for Regional Development and Small Business explain to the House details of the regional development package which the Premier and he announced recently and how this announcement is likely to help regional development boards and their programs in this State?

The Hon. R.G. KERIN: Now that I have an inkling of what the Deputy Leader is on about, I am sure that later I will get an opportunity to disappoint him and anyone else who wants to create mischief. Recently, the Premier and I announced a major boost for regional development in South Australia. This funding package will continue this Government's considerable commitment and will result in a substantial increase in funding for regional development during the coming financial year. It includes new funding of $2.8 million for three initiatives. First, there is the infrastructure development fund (worth $2 million), which will provide essential infrastructure to assist regional businesses where lack of infrastructure is an impediment to their development and their ability to create jobs.

Secondly, we will use existing information to put together regional investment briefs which will match opportunities in rural areas with the investment dollars that will enable these projects to happen. Again, this will lead to development and job and wealth creation.

Thirdly, a regional towns program will see an extension to the scope and funding of the successful main streets program. These three programs will bring more development and jobs to country areas and, in conjunction with addressing the annual funding of boards, will assist them greatly in achieving their ultimate outcome which, of course, is jobs. Recently we made a $40 000 one-off grant to each board, which was well received and led to innovative projects for the boards, all aimed at job creation. The Port Pirie board is giving out grants of $5 000 to businesses which can demonstrate that, by improving their infrastructure, they will be able to create one or more new jobs. The Government is serious about regional development and, as I have gone around the State and talked with the regional development boards, I have received extremely positive feedback about what is going on out there.

In conjunction with what we have announced, I give credit to the Minister for Employment, Training and Further Education for her announcement of a new trainee program for regional South Australia, which importantly will create jobs for young people in the region. It is certainly a pity that we hear almost automatic criticism whenever this is done. This morning on regional radio one of the automatic talking down people came on and criticised the fact that we are creating extra jobs, and at the same time they made extremely misinformed and ignorant comments about regional development—comments made with absolutely no knowledge of the true situation. It is absolutely farcical. That is not good and takes away the confidence of rural people. Whenever something positive comes up, those doing the bidding of those across the floor talk it down.

GLENTHORNE RESEARCH STATION

Ms HURLEY (Napier): My question is directed to the Minister for Housing and Urban Development. Regardless of the outcome of the current planning process being undertaken by Woods Bagot for the CSIRO and the Commonwealth Government, will the State Government give an unequivocal guarantee that it will use its planning powers to ensure that no residential, commercial or industrial development takes place on any part of Glenthorne Farm? Woods Bagot recently presented a paper to the CSIRO proposing that Glenthorne be subdivided, with 800 dwelling allotments of various sizes

and that the site also include a number of industrial and commercial areas.

The Hon. S.J. BAKER: It is about time we put the record straight. On Sunday a press conference was organised by the Leader of the Opposition, who had a secret leaked document that had suddenly appeared and who said that this development would cover the Hills.

An honourable member interjecting:

The Hon. S.J. BAKER: Everything is leaked, according to the Opposition.

Members interjecting:

The SPEAKER: Order!

The Hon. S.J. BAKER: I suggest that he spend more time in the toilet. The question is whether in fact a report was produced. Yes there was. It was produced by Woods Bagot for the CSIRO and, as clearly explained, CSIRO is the vendor—the owner of the property. The Federal Government wants to maximise the opportunity so that the CSIRO can use it for scientific research. The honourable member is well aware of that. That report was commissioned by the CSIRO and presented to the steering committee. It was not some secret report that the Leader of the Opposition and that sleazy Kris Hanna had something to do with.

Mr CLARKE: I rise on a point of order, Sir. I ask that the Minister withdraw his unparliamentary reference to a person—

The SPEAKER: Order!

Mr CLARKE: He is just an ordinary citizen who is having his reputation besmirched by this thug over here.

The SPEAKER: Order! I direct the Deputy Leader of the Opposition to immediately withdraw the comment or I will name him on the spot.

Mrs Rosenberg interjecting:

The SPEAKER: Order! I warn the honourable member who is interjecting. Before any further interjections are made, this week will be long and may be difficult, so I warn members that the Chair will have a short fuse.

Mr CLARKE: I withdraw the reference, and I trust that the Minister will do likewise.

The SPEAKER: I now request the Minister to withdraw the comment which, in the view of the Chair, is unparliamentary and unwise.

The Hon. S.J. BAKER: I withdraw, Sir.

The SPEAKER: I point out to all members that I do not want a repeat of these sorts of comments.

The Hon. S.J. BAKER: The question is the extent to which the Leader of the Opposition is running an agenda and using a report produced by the CSIRO. It went to the steering committee and the steering committee rejected it.

Members interjecting:

The Hon. S.J. BAKER: A committee has been appointed. If the honourable member has no confidence in that committee, she should say so. If she says that she does not trust the Federal Government, the local residents, the State Government or local government—if she does not trust any one of those—the Messenger Press would be delighted to know that the honourable member is saying that it is an incompetent committee, that it has no value or that its views are not reflective of the various important issues that have to be dealt with. When that committee reports, the State Government will have a responsibility to determine planning matters.

A motion has been passed in this place (of which the honourable member would be well aware) that was sanctioned by the members for Mitchell and Reynell and one or two other members. They clearly put down their stance on open space. I understand that that motion passed the Parliament.

Members interjecting:

The Hon. S.J. BAKER: The members for Mawson and Bright were also behind that motion. It was a motion of the Parliament. The steering committee has my vote of confidence. If the honourable member believes that the steering committee is no good, is rotten or will not do a proper job, she should say that. I am sure that everyone who is trying to do the right thing and come up with solutions for Glenthorne Farm would know exactly how the ALP stands in respect of its contribution to that committee.

GAMING MACHINES

Mr CONDOUS (Colton): Will the Treasurer provide details of the new taxation rates that will apply to gaming machines in hotels and clubs in South Australia? As part of changes to the legislation covering gaming machines last year, the hotels and clubs guaranteed that the Government would receive $146 million in revenue in the 1996-97 financial year. I understand that there has been a shortfall in this area and that the Treasurer has the ability to adjust the taxation rates accordingly.

The Hon. S.J. BAKER: Today I am announcing new taxation rates for pubs and clubs. It is correct that the guarantee or understanding was that some $146 million would be available through taxation revenue for the 1996-97 financial year. That was predicated on a net gaming revenue take of some 35 per cent for those clubs and hotels that were receiving annual net gaming revenue up to $900 000; and revenue of $900 000 and above was at $315 000 plus the marginal rate of some 40 per cent. The tax rates did not reach the level that was clearly understood should be reached. The amount of money raised was some $134.5 million—some $11.5 million short of the industry guarantee. We called upon the legislation, which made clear that it was the Government's responsibility. We have had discussions with industry and agreement has been reached not only on the new rates to apply but also on the surcharge in order to pick up the shortfall for 1996-97.

The revised tax structures for the annual NGRs are as follows: up to $399 000, 35.5 per cent, which includes a .5 per cent temporary surcharge until the shortfall for 1996-97 has been repaid; from $399 000 to $945 000, the marginal rate will be some 40.5 per cent of the excess; and, above $945 000, the marginal rate will be 45.5 per cent of the excess. The Government was left with a shortfall of revenue. The matters have been dispensed. I thank both the industry organisations for the discussions and for the level of contribution that they are making to this State of ours. Those rates will now apply.

CONSTRUCTION INDUSTRY TRAINING BOARD

Ms WHITE (Taylor): I direct my question to the Minister for Employment, Training and Further Education. What is the outcome of the review of the Construction Industry Training Board due for completion by February 1997, and does the Minister guarantee that she will not move to abolish or diminish the Construction Industry Training Fund?

The Hon. D.C. KOTZ: I thank the honourable member for her question. The CITB review is only just being under-

taken. In fact, it is only recently that Coopers and Lybrand has undertaken to conduct the review. As the review is under way, it is an attempt to look at the whole of the legislation and to make sure that any comments made through recommendations under that review will be taken into consideration. Therefore, at this stage I will make no guarantee that may pre-empt any of the recommendations of that review.

LOCAL GOVERNMENT, RATE CAPPING

Ms GREIG (Reynell): Is the Minister for Local Government aware that in its financial report the South Australian Constitutional Advisory Council has suggested that local councils in this State are unable to carry out their responsibilities properly because of the freeze on council rates?

The Hon. E.S. ASHENDEN: Yes, I am aware that that comment is contained in the report, and unfortunately all that does is reflect upon the writers of the report. I point out to the House that the basis of that statement was comments that came in from the City of Marion, the Town of Walkerville and the Local Government Association. In other words, from comments made by only two councils and the association, the report has come out in an extremely critical manner in relation to rate capping. Let us remind the House exactly why rate capping was introduced. It was introduced purely and simply to ensure that all ratepayers in South Australia were able to benefit from the local government reform program. It is also interesting to note that, of the 11 councils that have sought an exemption from rate capping, 10 have not amalgamated. Therefore, the proof of the pudding is well and truly in the eating. Those councils which have amalgamated and have been able to get the savings that are available are not seeking rate capping; very few councils are seeking this exemption.

I make quite clear that the Government had a direct and distinct reason for bringing in the rate capping provision, and I will repeat it. It was to ensure that the ratepayers of this State all benefited from the local government reform program. I fail to see any reason whatsoever why a ratepayer living in a council area that has not undertaken the reform program should be penalised simply because of that fact. I also make the point that not only are the vast majority of councils in this State living within the rate cap but many of them are striking rates which are lower than the level that the rate cap would have allowed. When we look at all the facts, we can see quite clearly that rate capping has been successful. It is there for a purpose; it is meeting that purpose; and it is unfortunate that in preparing its report the advisory council did not take the other 67 councils into account when putting forward its comments.

FAMILY AND COMMUNITY SERVICES, ALTERNATIVE CARE SERVICES

Ms STEVENS (Elizabeth): In awarding the tender for provision of alternative care services in the metropolitan area, did the Minister for Family and Community Services accept the recommendations of the selection panel, and was the contract let in accordance with the tender specifications? If not, why not?

The Hon. D.C. WOTTON: The answer to the second part of the question is 'Yes.' In regard to the first question, no, I did not make a final decision in line with the advice that came from the committee. The committee was to provide advice and nothing further. I had to make a very difficult decision, but I believe the appropriate decision was made.

CARDIAC SERVICES

Mr CAUDELL (Mitchell): Will the Minister for Health inform the House of what is being done to improve care for people with cardiac problems in Adelaide's southern suburbs?

The Hon. M.H. ARMITAGE: I thank the member for Mitchell for his very important question. Heart disease and other cardiac conditions are amongst the most common problems for people living in Adelaide's south, especially as the area steadily ages. Indeed, more than 25 per cent of people in the demographic south are aged over 65. At Flinders Medical Centre, cardio-vascular medicine has outgrown all other medical units and now represents 40 per cent of the hospital's medical—not medical and surgical—workload. To meet the clear need, the Government has embarked on a near $3 million plan to build a state of the art cardiac hub within the new Flinders private hospital. At present, the medical services in the cardiac area are dispersed throughout the hospital and are found in many different areas. (That may be a tautology.) Under this new plan, almost all cardiac services will be linked together in the one area, providing better care, improved services and, factually, because of the efficiencies, more treatments.

This is just one of the many exciting things that are happening at Flinders Medical Centre, as I know the member for Mitchell is aware. Some $60 million is being spent by the Ramsay Health Care Group on the new private facility, which will also provide $12.5 million in public facilities and 1 400 annual additional public operations, all at no cost to the State.

Members interjecting:

The Hon. M.H. ARMITAGE: Absolutely no cost to the State, as various Ministers and the member for Custance say. So, economically, this is a very important fact, because this new private hospital will create 450 new jobs during construction, with 150 permanent new jobs being provided in the new hospital once it is up and running late next year. At Flinders Medical Centre—

Members interjecting:

The Hon. M.H. ARMITAGE: Do you want me to go on? At Flinders Medical Centre we have also pumped $4.5 million into a range of other key initiatives. So, Flinders Medical Centre is a shining example of what the Government has achieved for the State, and it vindicates the decision of the overwhelming majority of South Australians at the last election who chose this Government to run services for South Australians.

PRIMARY INDUSTRIES MINISTER

The Hon. R.G. KERIN (Minister for Primary Industries): I seek leave to make a ministerial statement.

Leave granted.

The Hon. R.G. KERIN: It is a pity that the Deputy Leader might have achieved part of what he wanted to do, because most of the journalists have now left, so only part of the truth is on the record so far. Once again I will disappoint you. I am not scared to go into some of my background. My

background was largely in agri-business: as the Deputy Leader stated, the business in which I was involved sold agricultural chemicals as well as a whole range of other products. When requested by the then Premier to enter Cabinet, I was asked whether I would resign my directorships and cease any day-to-day involvement, which I did not have anyway since becoming a member of Parliament. I agreed to that, and that was required to enter Cabinet with this post. The Deputy Leader is quite welcome to look at the total register of my interests which has been lodged with absolutely nothing to hide.

The actual regulations to which the Deputy Leader refer show how strong this question really is. What the actual Cabinet submission was about was reintroducing old regulations that were going to sunset. There was absolutely no change of anything by which anyone at all could benefit.

Members interjecting:

The SPEAKER: Order!

The Hon. R.G. KERIN: It would have been pretty fallacious for someone to walk out of Cabinet on that ground. I reiterate: in regard to day-to-day running of any family businesses with which I have been involved, I have absolutely zero input—

Mr Venning interjecting:

The Hon. R.G. KERIN: —as the member for Custance says. I have younger brothers who are running those businesses, so you can count me right out on that. Also, nearly every other Minister for Primary Industries in Australia has farming land, which puts them in a far greater conflict of interest position, yet that is always acceptable.

Members interjecting:

The Hon. R.G. KERIN: They have returned—you beauty! As with all Cabinet Ministers, if there was something by which I was going to gain more than the general community, I would withdraw, as Cabinet Ministers often do. This question has been put up only to create mischief. The Deputy Leader and the Leader of the Opposition realised that they did not have much to go on. What I detest, and we have seen this with quite a few moves in Parliaments around Australia over the past few years, is that the Labor Party seems absolutely scared about letting any business people into Parliament and it goes to massive lengths to try to make it as difficult and as unattractive as possible, because the Labor Party knows it will never get people with business acumen or ability to sit on its side of the House. I ask the Labor Party to bear in mind that, if this rubs off at all on my family, I will not be too happy, as none of us would be. I ask the Opposition to respect members who are here.

GRIEVANCE DEBATE

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

Mr FOLEY (Hart): I want to raise a couple of important matters relating to my electorate. First, I refer briefly to the condition of the Port River. As we know, in recent times we have seen the death of a dolphin in the Port River.

The Hon. D.C. Wotton interjecting:

Mr FOLEY: I said 'in recent times'.

Members interjecting:

The SPEAKER: Order! There are too many interjections. That includes those members in the corner by the column. The member for Hart has the call.

Mr FOLEY: The condition of the Port River has been a disgrace for many years and it is time that Governments—Labor and Liberal—

An honourable member interjecting:

Mr FOLEY: About 50 years. I have said in this Parliament on a number of occasions that the condition of the Port River is unacceptable. The condition in which it was left by the former Government was unacceptable and the way this Government is failing to address the condition of the Port River is also unacceptable. We have seen much from this Minister and this Government relating to issues such as the Torrens and the Patawalonga, because they are more high profile waterways in Liberal-held electorates. Of course, the Port River is an industrial river which has been left by this Government as it has been left by previous Governments to simply sit as an industrial wasteland with a high level of pollution. We see the reluctance of this Government, notwithstanding significant capital expenditure, to take the Port Adelaide Sewage Treatment Plant outlet out of the Port River. It is being left in the Port River.

We see industries along the Port River putting unacceptable levels of pollution into the river. We see stormwater run-off being allowed to go into the river and, as the local member for this area for the past three years, I am saying it has been of great concern to me, on behalf of the people of the Port Adelaide area—the Le Fevre Peninsula—and it is time for the Government to put a significant effort into cleaning up the Port River.

The Hon. D.C. Wotton interjecting:

The SPEAKER: Order!

Mr FOLEY: As I said, this Government and this Minister have concentrated solely on the high profile waterways of the Patawalonga and the Torrens River, with no effort to make any inroads into the appalling condition of the Port River. I acknowledge it has been left for too long, but at some point someone has to stand up for the Port River; someone has to stand up and put pressure on the Government to pay attention to an important waterway.

An honourable member interjecting:

Mr FOLEY: The members for Ridley, Unley and the Minister in charge of employment can all scoff. I have to live in that area and people in my electorate have to live—

Mr BRINDAL: Mr Speaker, I rise on a point of order. The member for Hart was deliberately misrepresenting me and others on this side, saying we were scoffing when we were just sitting here doing nothing.

The SPEAKER: Order! There is no point of order.

Mr FOLEY: That is a ridiculous point of order. At the end of the day, if Liberal members of Parliament want to deride me for sticking up for my electorate, for going in to fight for my electorate, to have a clean waterway, I can take that stick. I want the Port River cleaned up and I will not rest until Governments make an effort to clean the Port River. The Minister for the Environment and Natural Resources can talk about swimming in the Patawalonga, but I invite the Minister to have a dip in the Port River. Whack your togs on and have a dip in the Port River. I bet you are not prepared to do that. I bet the Minister for the Environment and Natural Resources is not prepared to swim in the Port River—and I would not blame him. It is time, in a bipartisan and constructive manner, that we confronted the issue of the condition of the Port River.

The Port River is the forgotten river. It has been left by this Government as the distant third to the political importance of the Patawalonga and the Torrens. I say to this Liberal

Government: stop playing politics, put away the politics of the Patawalonga and the Torrens River and stick up for the working class suburbs of Adelaide and the Port River.

The Hon. D.C. WOTTON: Mr Speaker, I rise on a point of order. The member for Hart indicates that this Government is taking no action—

The SPEAKER: That is no point of order. The Minister is out of order.

Mr FOLEY: I will not be stopped or gagged by this Government or by the Minister for the Environment and Natural Resources, because I want the Port River cleaned up and I will not rest until it is.

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

Mrs PENFOLD (Flinders): Mr Speaker—

Mr Lewis interjecting:

The SPEAKER: The member for Ridley is out of order.

Mrs PENFOLD: I want to commend the innovative outlook that is nurtured in farming communities, in particular, those on Kangaroo Island and Eyre Peninsula. I cite yet another example from my electorate of Flinders on how innovation is applied in a practical way to enable a farming family to survive and to help to start a new industry for this State. The innovation in this instance is South Australia's first sheep milking, dairy and cheese factory, Island Pure. It was designed by the proprietors, Doug and Ros Johnson and Dr Susan Berlin, to follow closely the code of practice for dairy set out by the South Australian Dairy Authority. The products are pasteurised and tested regularly by Department of Agriculture health inspectors. The Island Pure milking flock is run on pasture in the fertile clean environment of Cygnet River, Kangaroo Island. The sheep are milked twice daily, seven days a week, with each sheep yielding about 1 litre of milk per day. The average lactation is 100 days. The dairy is designed to milk 48 sheep at a time but is presently equipped to milk about 24.

The vacuum pump, milking cups and calibrated pyrex milking bowls, imported from Germany, enable accurate recording of individual sheep production at every milking. Large flocks, a favourable environment, good husbandry skills and a mechanised dairy point the enterprise to becoming a very efficient sheep milking producer. Island Pure is intended as a pilot plant. If the undertaking lives up to its early promise, it could be the nucleus of a viable sheep milking and processing industry for the whole of South Australia. Kangaroo Island, with its reliable rainfall and temperate climate, permits the breeding of sheep throughout the year.

Because there were no recognised breeds of dairy sheep in Australia, as opposed to overseas countries where sheep have been selected for milking for centuries, the Island Pure proprietors developed their own dairy breed by experimenting with a breeding program based on production records. The original 850 sheep were individually selected from about 3 500 ewes. These sheep were then crossed with several different European breeds so that the progeny could be evaluated for milk production. As the results became known, the higher milk producers formed the nucleus of the dairy flock, while those ewes judged unsatisfactory were removed and used to raise prime lambs for the meat trade.

Ewe lambs from the selected sheep are now coming into production. It is hoped that the easing of quarantine restrictions for sheep reproductive material will accelerate the process of developing a dairy breed of sheep for Kangaroo Island. Sheep milking production is traditional in countries bordering the Mediterranean Sea. It is now limited due to seasonal conditions, the difficulty of producing higher quality sheep milk, and the sometimes primitive conditions under which milk is harvested, often by hand, from flocks shepherded in the mountains in the milking season. Sheep milk production in these countries is declining as young people are no longer content to follow the traditional lifestyles of their forebears.

Island Pure proprietors believe that this places Kangaroo Island and South Australia in a good position to access markets. Initially, these markets are to be found in South Australia where our many citizens of European descent provide immediate market acceptance of this fresh, pure product. Sheep milk is known throughout the world for its low allergenic potential and, unlike goat's milk, has no unpleasant odours or taints. Island Pure produces natural sheep milk yoghurt made from 100 per cent pure sheep's milk with no preservatives, additives or thickeners. It is highly nutritious as it contains protein, calcium, iron and B group vitamins. For those preferring a sweeter taste, Kangaroo Island honey is now added to form Island Pure honey yoghurt.

Sheep milk cheeses, made by cheesemaker Dr Susan Berlin, Bachelor of Veterinary Science, are making their mark in leading hotels and restaurants because of their consistent high quality. These are marketed as gourmet feta, kefalotiri, haloumi, manchego and ricotta cheese. Most imported feta contains blends of sheep's milk, goat's milk and/or cow's milk but Island Pure gourmet feta is made from 100 per cent sheep's milk. The ricotta cheese is low fat-high protein, but because it contains no salt or preservatives must be used within 14 days of manufacture.

This agricultural project started in late 1991 but now Island Pure has opened its doors to tourism. From September to May they conduct daily tours and tastings, thus adding another dimension to this burgeoning industry and another tourism attraction to the already unique tourism products found on Kangaroo Island. Primary industry has its difficulties, but the people involved are particularly resilient—

The ACTING SPEAKER (Mr Bass): Order! The honourable member's time has expired.

Mr ATKINSON: Sir, for my clarification and that of the House, I assume you are in the Chair as Acting Speaker on a casual basis by the Speaker's delegation—

The ACTING SPEAKER: There is no point of order.

Mr ATKINSON:—rather than any official decision of the House.

The ACTING SPEAKER: There is no point of order.

Mr Atkinson: That is why I am asking. Could you help us?

The ACTING SPEAKER: There is no point of order. The member for Elizabeth.

Ms STEVENS (Elizabeth): Last week in this place I asked the Minister for Health a question about conditions at Hillcrest Campus for Services for the Elderly. My question related to the fact that a defective heating system is operating there, and that elderly patients are subjected to very low temperatures—6° or thereabouts—and are suffering considerably because of this. The Minister answered in his usual arrogant fashion and said that, of course, I had it wrong even though I was quoting directly from a letter received from a patient's family. The Minister said:

As part of the minor capital works program which occurs at this stage every year during the budget cycle, I am informed that a report will come to me next week and that this project is high on the list and is one of those likely to be funded. In the meantime, I have requested that appropriate action be taken and I am informed that it will be so that low temperatures at night will no longer affect the people concerned.

I contacted the family and sent a copy of that answer, and they again contacted me, first, to thank me for raising the matter and, secondly, to enclose a letter written to the Minister by the daughter (Dr Inta Rudajs) of the person concerned. I would like to put that letter on the record, as follows:

Dear Dr Armitage,

I thank you for your correspondence in response to my concerns about the elderly complex at the former Hillcrest Hospital. While I am relieved that some action has been taken by the Government at last and albeit some six weeks after my first letter with regard to this issue, specifically the lack of heating, it is my understanding, on speaking with my mother last night [and this letter is dated 18 July], that no temporary heating has been made available to the residents at MAKK House. As the temperature for Adelaide was predicted a chilling 3°C last night, I demand to know why MAKK House has not been included for the temporary heating arrangements. By the time the quotes on the tenders for the installation of air-conditioning are received and the work done, winter will no doubt be over and the residents of MAKK House will have had to endure arctic conditions for months. Why?

Further, as to your remarks about the blankets, and I quote, 'Blankets used are standard hospital issue which are lightweight but have good thermal ratings', might I point out to you that most, if not all, hospitals that I know of are air-conditioned and no doubt these lightweight blankets are adequate in those situations, but it does not take a rocket scientist to realise that in arctic conditions these blankets are worse than useless.

Can I ask you if you have ever actually set foot in the elderly complex and seen it with your own eyes, or do you rely on information from others? I challenge you to go and see for yourself and perhaps spend a night there with the standard hospital issue blanket and no heating and then tell me it is adequate. Would these spartan conditions be acceptable for your parents? May I also ask you how many times a week you take a shower? Is it every day like the majority of people and, if so, why do you take a shower every day? Apart from the obvious aspect of hygiene, could it be that it actually feels good, too, and that in the winter it warms you up?

Why do you think that a shower or bath twice a week is sufficient for the elderly then, some of whom are incontinent and frequently soil themselves? And I do not accept that the elderly prefer this. How do you determine this from the elderly, especially those who suffer from dementia and who are unable to express themselves? My mother visits this facility at least twice weekly and keeps me regularly informed about what is going on, and we will not let the matter rest until immediate action is taken—not in six weeks or two months or longer but now, today.

As I said, the letter is signed by Dr Inta Rudajs, the daughter of the person concerned (her father) in Hillcrest Campus, Services to the Elderly.

I would like to put that letter on the record, because the Minister for Health was very arrogant, as usual, in answering that question. In fact, no action has been taken as a result of this person's complaint about the difficult and atrocious conditions in which her father and other patients find themselves, particularly those residents of MAKK House. I assure the House that I will not let the matter rest, either, because I think it is absolutely disgraceful and something—

Members interjecting:

Ms STEVENS: —I certainly do—and something that no-one with any moral fibre could allow to occur.

Mr ROSSI (Lee): I would like to report on results of surveys I have done in the electorate of Lee—unlike the member for Spence, who conducts surveys but never tells the House of the results—

Mr Atkinson interjecting:

Mr ROSSI:—and I know that the Leader of the Opposition has done that in my electorate. I will detail the results of the surveys I have continually undertaken in the electorate of Lee. As to the question: should councils have two bins—green for kitchen waste and yellow for recycling? 69 per cent said 'Yes', 27 per cent 'No', 4 per cent 'Do not know'. As to the question: should speed zones in residential streets be reduced to 40 km/h? 53 per cent indicated that they should; 50 km/h was indicated by 15 per cent; stay the same, 27 per cent; and do not know, 5 per cent. As to the question: do you feel that the council elections have become political? 20 per cent said 'Yes', 40 per cent 'No', and 40 per cent 'Do not know'.

As to the question: if 'Yes', should the politics in council be formalised?, 0 per cent 'Yes', 38 per cent 'No' and 62 per cent 'Do not know'. As to the question: do you believe that there should be further council amalgamations? 27 per cent indicated 'Yes', 60 per cent 'No' and 13 per cent 'Do not know'. As to the question: are you satisfied with your council planning and building zone identification and enforcement? 61 per cent indicated 'Yes', 0 per cent 'No' and 39 per cent 'Do not know'. As to the question: are you happy with council services in your street? 92 per cent indicated 'Yes', 8 per cent 'No' and 0 per cent 'Do not know'. As to the question: are there any problems in your street? footpaths were indicated by 17 per cent, lighting 11 per cent, graffiti 22 per cent, trees 4 per cent, kerbing 0 per cent, illegal parking 7 per cent, cars speeding 23 per cent and other problems 16 per cent.

In answer to the question: are you in favour of a policy which requires minimum work for unemployment benefits? 82 per cent said 'Yes', 9 per cent 'No', 9 per cent 'Do not know'. In answer to the question: should there be a citizens initiated referendum? 58 per cent said 'Yes', 5 per cent 'No', and 37 per cent 'Do not know'. As to the question: are you in support of the direction of the health initiatives that the South Australian Liberal Government has achieved in new equipment and technology for the Queen Elizabeth Hospital? 55 per cent said 'Yes', 20 per cent 'No', and 25 per cent 'Do not know'.

As to the question: are you in support of extended shopping hours? 39 per cent said 'Yes', 52 per cent 'No', and 9 per cent 'Do not know'. As to the question: should the Government restrict child endowment to a set number of children per family? 32 per cent said 'one to two children', 35 per cent 'two to four children', 5 per cent 'four to six children', and 28 per cent agreed with 'no limit'. My reason for asking that was to find out really how much child endowment taxpayers were prepared to give to families.

In answer to the question: it has been suggested that $70 000 per year in wages be paid to the mayors of councils; should councils be abolished? 22 per cent said 'Yes', 56 per cent 'No', and 22 per cent 'Do not know'. As to the question: should the State Government ban all waste transfer stations from within 300 metres of all residential homes and food shops? 67 per cent said 'Yes', 7 per cent 'No', and 26 per cent 'Do not know'. In answer to the next question: should councils clearly identify enforced zones for general industry, light industry and residential? 73 per cent said 'Yes', 3 per cent 'No', and 24 per cent 'Do not know'.

I am trying to do my very best to ascertain the opinions of the electorate so that I can represent my constituents better, not like members opposite who refuse to divulge their surveys, and who are refused the right to cross the floor on

any issue. As a matter of fact, I would say that members opposite do not believe in true democracy in this place. They do not believe in representing their electors to the best of their ability. I feel I am doing a better job than any member opposite could do. I particularly refer to my opponent at the next election who has been described as the 'I've been everywhere, man!' He has been to Kadina, Woodcroft, and now Glenelg East.

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

Ms HURLEY (Napier): I wanted to follow up on my question today about Glenthorne Farm. This is a very important issue for residents in the southern suburbs. Some 2 000 people signed a petition which was sent to the Commonwealth Parliament asking that it be retained as open space. Yet, the Minister's response was to make a personal attack on the ALP candidate for Mitchell, Kris Hanna, who has every right to campaign and has campaigned hard on this issue in support of the people he would like to represent, obviously getting under the skin of the Minister for Housing and Urban Development in doing so. It is obviously annoying the Minister that someone, the ALP candidate, is prepared to take up the fight to him and fight hard on this issue. He called Kris Hanna sleazy, and one wonders what the member for Mitchell has done to escape such censure from the Minister for Housing and Urban Development. The answer is probably that the member for Mitchell has not been running hard enough on this issue. He has not been getting under the skin of the Minister for Housing and Urban Development demanding—

The Hon. S.J. Baker interjecting:

The ACTING SPEAKER: Order!

Ms HURLEY: —that this area be maintained as open space. So, the Minister resorts to a personal attack on the Labor candidate for Mitchell. He referred to the steering committee, which I understand from Kris Hanna, the said candidate, is a Liberal dominated committee, and asked if I have confidence in that committee to act on behalf of the community. The community has spoken fairly clearly already of what they want that committee to do, and that is to retain Glenthorne Farm as open space. So, my confidence in the steering committee is restricted to the extent that it is working towards that end and completely rejecting any other alternatives.

The other alternatives have included not only residential but commercial and industrial use. That open space area is extremely valuable to the people in the southern suburbs. They do not want it covered with housing, shops and small factories, as are many other areas in the vicinity. I have no problem with commercial or industrial areas, but it is obvious that the people in this State want a lot more open space buffer around the city than this Government appears prepared to provide for them. Glenthorne Farm is a ready-made buffer and one that is very much appreciated by the southern suburbs residents.

The steering committee's job in my view is to manage that process whereby Glenthorne Farm is transferred to the community to be developed sensitively as open space in a way the community can use and enjoy it and in a way that preserves and protects the environment. That is why I was seeking an unequivocal assurance from the Minister that he would use the State planning powers to ensure that that happens.

The Hon. S.J. Baker interjecting:

The ACTING SPEAKER: Order! The Treasurer is out of order.

Ms HURLEY: If the steering committee's response to the Commonwealth report is 'Yes, we should go ahead and have commercial and industrial areas', I expect the Minister to reject that steering committee report, because it will not have the support of the community in that area. I have confidence in the steering committee only if it does provide—

The Hon. S.J. Baker interjecting:

The ACTING SPEAKER: Order!

Ms HURLEY:—a broad representation of the members of the local community.

The Hon. S.J. Baker interjecting:

The ACTING SPEAKER: Order! The Treasurer is out of order and I ask him to refrain. The member for Napier.

Ms HURLEY: The Minister asked me to come clean on my attitude to the steering committee, and I am trying to make the point but, partly because the Minister keeps interrupting me, I am struggling with this. Let me say very clearly that the views of many people to whom I have spoken are that the steering committee is a Liberal dominated committee and is inclined to do whatever the Government feels is necessary. This is why I call on the Minister to state unequivocally that he will not accept anything from the steering committee other than open space.

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

Mr MEIER (Goyder): I want to compliment the Government on its initiatives and the work it is doing in respect of the rural sector. I had the opportunity recently of being able to present a one-off $40 000 grant to the Yorke Regional Development Board which was greatly appreciated. I know that other members also had that opportunity in their respective regions. Today in Question Time we heard the Minister identify one of the more recent funding boosts for regional development initiatives, namely, a $2.8 million funding boost to provide assistance for an infrastructure development fund, regional investment briefs and a regional towns program. I welcome this new commitment by the Government. Certainly it can only assist the rural and regional sectors.

Yesterday we had the announcement by both the Premier and the Minister for Employment, Training and Further Education indicating that some 500 young people from regional South Australia would be given a career start in the public sector under a new $5 million State and Federal Government traineeship program. It is magnificent to see that program oriented particularly towards the rural sector. In the past, as you and others would appreciate, Mr Acting Speaker, young people in regional areas have not had the same employment and training opportunities as those from the city, and I feel certain that this program will help overcome that imbalance.

It was a little disappointing, when reading today's paper and listening to the radio this morning, to find people criticising the program and saying that more traineeships should be provided. Good grief, this Government is doing more than the previous Government ever thought of doing. In fact, the Minister said today during Question Time that, since this Government took over, the total number of traineeships offered has been 4 500 which, according to the Minister, is 10 times greater than the Labor Party's commitment to public sector traineeships during its last term in office. So, I would say to those who are critical: beware of

your criticism and be thankful for what the Government is seeking to do and for the results that are starting to occur.

Probably one of the most heartening things was to see in the *Sunday Mail* a large double page article headed 'New industry to reel in millions'. It was set in its entirety in the new Goyder electorate, the current electorate of Goyder and the current electorate of Frome. It highlighted some of the work that is being done by Dr Michael Deering in a host of areas of aquaculture. In particular, we are seeing rapid growth in the aquaculture industry in the areas of oyster, abalone, snapper and goldfish farming, many of them established only in the past few months. There are also plans for crab farming and seaweed ventures.

I would like to compliment Dr Deering on the work that he is doing. It is magnificent to have him in the regional areas. I have been told of his expertise. I have not had the opportunity to meet him personally, but I look forward to that. I would also like to compliment Terry Inglis, the Chief Executive Officer of the Yorke Regional Development Board, who is working hand in glove with Dr Deering and many of the other people who are seeking to give the regional areas of the State a real boost.

The Hon. Dean Brown: It is this Government which realised the potential of aquaculture.

Mr MEIER: Indeed, it is this Government which realised the potential, and I want to compliment this Government very strongly for what it has done and for the results that are now starting to show through. It was great to see another area highlighted—the common goldfish. A gentleman whom I have met, a Mr Darren Ness, has done a lot of work in that area. It is a real pleasure to talk with Darren and to see his keenness and enthusiasm in setting up this new venture. It is fascinating to hear that about 90 per cent of ornamental fish sold in Australia have been imported. It is hoped that we in South Australia will be able to provide a lot of that 90 per cent and so again cut our imports and, in turn, we will eventually export interstate. So, I compliment all the people involved in regional development. A lot of work has been done. The results are starting to pay off now, and it is very clear that this Government has made major strides in the area of regional development in South Australia.

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

Mr ATKINSON: I rise on a point of order, Mr Acting Speaker. My point of order is to ascertain whether your presence in the Chair is under Standing Order 18 or Standing Order 20. Standing Order 18 provides:

> If the House is informed by the Clerk at the table of the likelihood of the continued absence of the Speaker or of the Chairman of Committees, the House may appoint another member to act. . .

Standing Order 20 provides:

> . . . the Speaker may request any member present to take the Chair. . .

I do not recall the House electing you to any position, Sir, regarding the speakership.

The ACTING SPEAKER: It would have been appropriate to make that point of order when I took the Chair, but I understand that it is under Standing Order 20.

NATIONAL WINE CENTRE BILL

Returned from the Legislative Council with an amendment.

SUPERANNUATION (MISCELLANEOUS) AMENDMENT BILL

Returned from the Legislative Council without amendment.

CONSTRUCTION INDUSTRY LONG SERVICE LEAVE (TRANSITIONAL PROVISIONS) AMENDMENT BILL

Returned from the Legislative Council without amendment.

IRRIGATION (TRANSFER OF SURPLUS WATER) AMENDMENT BILL

The Hon. G.A. INGERSON (Minister for Infrastructure) obtained leave and introduced a Bill for an Act to amend the Irrigation Act 1994. Read a first time.

The Hon. G.A. INGERSON: I move:

That this Bill be now read a second time.

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

Leave granted.

On 1 July 1997 the eight government highland irrigation districts were converted to self-managing private trusts. This is a significant milestone in the increasing development of the irrigation sector in the Riverland.

Since the new Irrigation Act 1994 has come into effect, the impacts of restructuring the irrigation industry brought about by that Act, have been evidenced by the increasing economic activity in the Riverland. Rehabilitation of infrastructure, improved irrigation methods and the efficient reallocation of water through trading in the water market have significantly contributed to this.

There are currently several development proposals requiring irrigation water along the River Murray. The private water market is unable to meet demand at the moment and the developers are experiencing difficulty sourcing sufficient water at the required security level. Interstate water trade is most unlikely to provide an immediate solution as it will only generate small quantities of water for the first few years.

Significant development opportunities can be progressed if unused water from the newly converted irrigation districts can be released. The impediment to this is the inability of the new trusts to lease water on behalf of the district as whole. The temporary transfer or leasing of water was not envisaged at the time the original Act was drafted but has since become an important trend in the market.

A number of irrigators have water allocations that are not fully utilised from year to year. Significant buyers of water seek large parcels of water for longer terms than individual growers will offer. It is difficult to trade small amounts of water and individual irrigators are usually not in a position to deal with their unused allocation. Further, in many cases irrigators whilst not prepared to transfer their allocations (or portions) permanently, are willing to transfer portions of them on a temporary basis.

There is a market for the temporary transfer (or the leasing) of water on various bases. The only way for this to successfully operate is for the irrigation trusts to co-ordinate the aggregation of prospective unused water allocations and manage the leasing process.

The Bill regulates the way in which this can be done. It requires 21 days notice of the resolution of the trust by which the decision is made to transfer part of the trust's water. It also requires the proceeds to be divided between the members of the trust.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Insertion of s. 46A

Clause 3 inserts new section 46A into the principal Act. The new section regulates the way in which a trust may transfer surplus water. Twenty-one days notice must be given of the resolution by which the trust decides to transfer the allocation for surplus water. Subsection (1)*(c)* sets out the way in which proceeds of the transfer must be divided between the owners of the irrigated properties. Paragraph *(b)* ensures that excess water is transferred before unused water. Subsection (2) provides definitions for terms used in the section.

Mr ATKINSON secured the adjournment of the debate.

MOTOR VEHICLES (FARM IMPLEMENTS AND MACHINES) AMENDMENT BILL

Second reading.

Mr ATKINSON: I rise on a point of order, Mr Acting Speaker. Standing Order 20 provides:

The Acting Deputy Speaker immediately vacates the chair on the return of the Speaker. . .

I notice that the Speaker is in the Chamber. Could he take the Chair, now that we are on the next item of business?

The ACTING SPEAKER: That is correct. When the Speaker entered the Chamber we were halfway through dealing with a Bill. If the Speaker wishes to approach me and take the position, I am sure he will.

The Hon. DEAN BROWN (Minister for Industrial Affairs): I move:

That this Bill be now read a second time.

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

Leave granted.

The primary purpose of this Bill is to exempt from registration walking speed self-propelled farm machines on those rare occasions when they are driven on a road. The machines concerned include cherry pickers and hydraulic lift platforms. Although these machines are capable of self-propulsion, they are generally only driven within a worksite for re-positioning, crossing the carriageway of a road, or for unloading. The machines are usually towed or carried to and from a worksite, rather than driven.

As a result of an amendment moved in another place, it will now be necessary for an owner to make formal application to the Registrar of Motor Vehicles for an exemption from registration. The exemption will be dependent on the owner paying the appropriate compulsory third party premium. The owner will have the option of paying the premium for any period from 3 to 36 months, but will need to re-apply for an exemption on each occasion that the insurance is due to expire.

The amendment moved in another place is unacceptable to the Government.

The amendment will require the Registrar of Motor Vehicles to introduce an administrative process by which an owner may obtain only compulsory third party cover. No such administrative process currently exists. The cost of establishing and maintaining the new administrative arrangements, which are only expected to cater for some 400 walking speed farm machines, will need to be passed on to owners through an administration fee for each application for exemption.

The approach favoured by the Government is to exempt walking speed farm machines from both registration and insurance on those rare occasions when they are driven on a road.

Alternatively, owners would be better off by registering their machines under the existing conditional registration provisions. This allows vehicles to be registered without the payment of a registration charge, but provides a convenient means by which compulsory third party insurance cover can be obtained, with renewal notices forwarded when the insurance is due for renewal.

The Bill also provides for the compulsory third party insurance cover of the towing vehicle to be extended to include a walking speed farm machine when it is being towed. This will ensure that the compulsory third party insurance cover is in place for the high risk period when the machine is on a road travelling to and from a worksite.

Some confusion has occurred in interpreting the meaning of the term 'farm implement' which was introduced in conjunction with the requirement to register farm tractors and self-propelled farm implements. Registration of a farm tractor or self-propelled farm implement allows the tractor or implement to tow an unregistered farm vehicle that is not capable of self-propulsion. The Bill proposes to limit the use of the term 'farm implement' to those farm vehicles that are not self-propelled and introduce the term 'farm machine' for self-propelled farm vehicles.

The opportunity is being taken to rename the 'responsible operator' concept, proposed under the National Road Transport Commission (NRTC) business rules for a national registration scheme, and introduced in South Australia by the *Motor Vehicles (Miscellaneous No. 2) Amendment Act 1996*, to 'registered operator'.

The *Road Transport Reform (Heavy Vehicles Registration) Act 1997* was enacted by Federal Parliament in March 1997 and provides for all vehicles to be registered in the name of the individual or organisation accountable for their use.

Due to the need to resolve issues associated with the transfer of ownership and the collection of stamp duty on the change of ownership, South Australia previously legislated to partially introduce the concept at this time by only requiring existing joint registered owners to nominate a 'responsible operator'.

The national consultation process undertaken by the NRTC prior to the enactment of the *Road Transport Reform (Heavy Vehicles Registration) Act 1997* has lead to the term 'registered operator' being substituted for responsible operator', a simple change of name.

The passage of this amendment will position South Australia to effectively implement the principles embodied in the *Road Transport Reform (Heavy Vehicles Registration) Act 1997* 'registered operator' provisions at a later date. In order to meet South Australia's current requirements, while moving toward the national legislation, the existing provisions for 'joint registered ownership' of a motor vehicle will be retained and a person in the joint ownership will be nominated as the 'registered operator' for the service of notices and acceptance of responsibility for the day-to-day operation of the vehicle.

This provision will also assist the public to understand that the register of motor vehicles does not record 'title' or 'legal ownership', but provides a very necessary means to manage the use of vehicles on our road network.

The opportunity is also being taken to rectify the omission in the *Motor Vehicles (Miscellaneous No. 2) Amendment Act 1996* to provide a penalty for an offence against section 47(1) of the Motor Vehicles Act.

I commend the Bill to the House.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for commencement of the measure on a day to be fixed by proclamation. Under the *Acts Interpretation Act 1915*, different provisions may be brought to operation on different days.

Clause 3: Amendment of s. 5—Interpretation

This clause substitutes a new definition of 'farm implement' and inserts a definition of 'farm machine'. The difference is that a farm implement is a *vehicle without its own automotive power* whereas a farm machine is a *machine with its own automotive power*. Both are *built to perform agricultural tasks* and thus the clause inserts definitions of 'agriculture' and 'agricultural' and makes a consequential amendment to the definition of 'primary producer'.

Clause 4: Amendment of s.12—Exemption for certain trailers, farm implements and farm machines

This clause will enable—

- an unregistered tractor, farm implement or prescribed farm machine to be towed on a road by a conditionally registered tractor or farm machine;
- an unregistered farm implement or farm machine to be towed on a road by a registered motor vehicle owned by a primary producer;
- a prescribed farm machine to be exempted from registration subject to the condition that it is driven without registration on the carriageway of a road only for the following purposes:
- to move the machine across the carriageway by the shortest possible route;
- to move the machine from a point of unloading to a worksite by the shortest possible route;
- to enable the machine to perform on the carriageway a special function that the machine is designed to perform.

An exemption from registration may also be subject to conditions imposed by the Registrar. 'Prescribed farm machine' is defined to mean a farm machine that is designed mainly for use outside public road systems and that, when driven by its own automotive power, is capable of a speed not exceeding 7 kilometres per hour.

Clause 5: Amendment of s. 20—Application for registration

This clause amends section 20 of the principal Act to replace the expression 'responsible operator' with 'registered operator'.

Clause 6: Amendment of s. 47—Duty to carry number plates

This clause rectifies the omission by the *Motor Vehicles (Miscellaneous No. 2) Amendment Act 1996* to provide a penalty for an offence against section 47(1) of the principal Act.

Clause 7: Amendment of s. 99—Interpretation

This clause makes a minor consequential amendment.

Clause 8: Amendment of Road Traffic Act 1961

Section 141 of the Road Traffic Act prohibits a vehicle that is more than 2.5 metres wide from being driven or towed on a road but exempts certain unregistered farm vehicles if driven or towed between sunrise and sunset. The amendments made by this clause are necessary to make the categories of vehicles exempted under section 141 match the categories of vehicles exempted from registration under section 12 of the Motor Vehicles Act as amended by this measure. As a result, the exemption in section 141 of the Road Traffic Act will apply to—

- a tractor or farm machine driven as a conditionally registered vehicle;
- a tractor, farm implement or farm machine towed by a conditionally registered tractor or farm machine;
- a prescribed farm machine driven under section 12 of the Motor Vehicles Act without registration.

Mr ATKINSON secured the adjournment of the debate.

ROAD TRAFFIC (EXPRESSWAYS) AMENDMENT BILL

Second reading.

The Hon. DEAN BROWN (Minister for Industrial Affairs): I move:

That this Bill be now read a second time.

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

Leave granted.

The purpose of this Bill is to amend the Road Traffic Act 1961 so as to provide for the safe and efficient operation of the Southern Expressway.

NEED FOR THE ROAD

The problems faced by commuters in the south of Adelaide are well known. The current road capacity is not adequate to cope with the morning and evening peak traffic. A full freeway-type road to the south has been planned and promised for decades.

Only now, since the election of a Liberal Government in November 1993, has there been the vision and will to commence this project—and already work is well advanced.

The capacity issues are being addressed in a novel fashion—by building a fully reversible roadway. There will be one carriage only constructed at this time. All traffic will travel north towards the City on weekday mornings, and back south in the evening. On weekends or in the case of special events, the flow of the traffic can be directed according to needs.

Traffic travelling in the opposite direction to the operation of the Expressway at any given time will use the Main South Road.

Adjacent to the main Expressway, the Government is also constructing South Australia's first high-speed commuter track or veloway for cyclists—plus a shared facility for pedestrians, recreational cyclists and similar vehicles.

This approach not only allows the Expressway to benefit southern commuters, businesses in the area and the tourism industry on the Fleurieu Peninsula and Kangaroo Island—but it fulfils all these objectives (at $112m in 1994-95 dollars)—just over half the cost of the original proposal.

It also avoids investing public funds in a road whose full capacity is not required at this time. Provision has been made however, for building the remainder of the planned road at some point in the future, when the need justifies the investment.

OPERATION OF THE ROAD

Stage One of the Southern Expressway from Darlington to Reynella will open in December 1997. Stage 2, a continuation of the Expressway to the Onkaparinga River, will open in December 1999.

To cater for the different road configurations the Department of Transport (DoT) has engaged Phillips Traffic and Engineering Services to design a computerised traffic management system. Amendments to the Road Traffic Act and Regulations are required to implement this system.

PROVISIONS IN THE BILL

As noted above, the Expressway is a reversible road. It will normally change direction every 12 hours, but this may alter to cater for special occasions when traffic flow is anticipated to vary from normal patterns. The direction of traffic flow will be regulated by means of traffic devices such as lights and signs. As a matter of practice, warning signs, media announcements and advertisements will be used to advise the public of changes in the normal hours of operation of the Expressway.

The Traffic Management System for the Southern Expressway will consist of a number of subsystems, including surveillance, incident detection and management, communications and driver information. The intended traffic control devices and their use will be in accordance with Australian Standards and will not contravene the draft Australian Road Rules, currently planned for implementation in September 1998.

In addition the design of the Southern Expressway provides emergency stopping lanes. There will be a need to deal with vehicles that have been left in these lanes. Section 86 of the Road Traffic Act currently provides a power for police and council officers to arrange the towing away of unattended vehicles causing obstruction or danger. In the case of the Expressway, the Bill extends this power to any unattended vehicle and authorises persons approved by the Minister to exercise the power in addition to the police and council officers.

There is a risk that a driver may leave a vehicle and not return to it for some time, not realising that the direction of the traffic flow has changed in the interim. This risk is higher for interstate drivers and others not familiar with the conditions of operation of the Expressway. Even if the driver recognises that the traffic has changed direction, he or she will only be able to rejoin the traffic by performing a prohibited U-turn against two lanes of traffic moving at 100 kilometres per hour.

The safety risks of leaving unattended vehicles in the emergency stopping lane are obvious. The Bill provides a regulation-making power to permit the Minister to prescribe means of minimising this risk.

Other legal provisions required for the operation of the road will be contained in regulations which are currently being drafted. They will cover such matters as the need to make special provision for emergency vehicles and the prohibition of U-turns.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for commencement of the measure 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 of "expressway". It defines an expressway to mean a road or part of a road specified by regulation or indicated by a traffic control device to be an expressway.

Clause 4: Amendment of s. 86—Removal of vehicles causing obstruction or danger

This clause amends section 86 of the principal Act. Section 86 empowers the police and council officers to remove vehicles that have been left unattended on bridges or culverts, or that have been left unattended on roads so as to obstruct access to adjacent land or so as to be likely to obstruct traffic or cause injury or damage on the road. The section sets out how those vehicles are to be dealt with and (eventually) disposed of.

This amendment expands these powers where the road concerned is an expressway. It provides that police and council officers can remove any unattended vehicle from an expressway, whether or not the vehicle obstructs access to adjacent land or is likely to obstruct traffic or cause damage or injury on the road. The amendment also empowers persons approved by the Minister to exercise these same powers (*ie* the same powers as the police and council officers) in relation to unattended vehicles on an expressway.

Clause 5: Amendment of s. 175—Evidence

This clause amends section 175 of the principal Act, an evidentiary provision. The amendment provides that in proceedings for an offence against the principal Act, an allegation in a complaint that a road was an expressway, or that vehicles were permitted to travel in a particular direction at a particular time on an expressway, is proof of those matters in the absence of proof to the contrary.

Clause 6: Amendment of s. 176—Regulations

This clause amends section 176(1) of the principal Act, a regulation-making power. It makes it clear that the power to regulate the use of footpaths, bicycle lanes, bikeways and shared zones extends to any use and not just to use by drivers and pedestrians (new paragraph *(caab)*, which replaces old paragraph *(caaa)*).

The amendment also inserts new paragraph *(caaa)*, which confers power to make regulations regulating and prohibiting the use of expressways, including making provision for measures to be taken by persons approved by the Minister for the safety of expressway users in relation to vehicles left standing or unattended on an expressway.

Mr ATKINSON secured the adjournment of the debate.

RETAIL SHOP LEASES AMENDMENT BILL

Consideration in Committee of the recommendation of the conference.

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

That the recommendation of the conference be agreed to.

In so doing, I believe it is important to put one or two facts on the record.

An honourable member interjecting:

The Hon. S.J. BAKER: I always do put the facts on the record, and I will continue to do so. I refer to the issue of retail leasing changes that have taken place in this State over the past three years. I believe that, if we reflect on the amount of effort the Attorney has undertaken to get greater balance into the leasing arrangements for small shopkeepers, everyone should applaud him. Despite the fact that the Labor Government was in power for 11 years, no attempt whatsoever was made to assist small business in this State. In a whole range of areas, on coming to power the Liberal Government has made every attempt to give small business a fair go. The issue before the conference was whether there should be retrospectivity or retroactivity, whatever grabs the member for Spence.

Mr Atkinson interjecting:

The Hon. S.J. BAKER: I do understand the distinction, but I am not sure whether the member for Spence does. He will have the opportunity to respond during the debate. The issue was whether some retrospectivity should be applied to the Bill that was before the House which would cancel out agreements and contracts that had previously been put in place. That was the issue that was before the conference. The conference deemed it appropriate that, if leasing arrangements had been contracted, they should stand the test and be honoured. That view was not shared by the ALP or the Democrats, who believed that new leasing arrangements should be put in place almost immediately. The fact that that would have caused considerable difficulty for everyone concerned, including holders of a lease as well as those who issued a lease, seemed to be irrelevant to the Labor Opposition and the Australian Democrats.

Providing a better balance in the leasing arrangements to give everyone a fair go has been a matter of considerable debate over a number of years. It was the Liberal Government that did something about it. At the end of the day, the only difference between the Government and the Democrats and the ALP involved the issue of whether a contract should be broken. The Democrats and the ALP believed that contracts should be broken and that the law should apply immediately so that before the next release renewal the upgraded provisions of the Bill would prevail. Whilst it might give everyone a warm inner glow to do something like that, putting aside the rights of landlords or people who invest in property, the Attorney and the Liberal Government took a different opinion.

This matter was thrashed out by a committee which involved all the major representative groups prior to the Bill being brought to Parliament. The Attorney made it quite clear that if those principles had not been put in place the Bill would not have come before the Parliament. The Bill came before the Parliament in that form to provide for better or more even arrangements, and they were to apply at the end of the contract term. The conference debated the issue. I will not reflect on the various contributions, as that would be inappropriate, but it would be fair to say that the conference finally agreed—

Mr Atkinson interjecting:

The Hon. S.J. BAKER: Again, the member for Spence is completely out of order. He should know that, if the Chairman of Committees enters the Chamber and intends to stay in the Chamber, that is the issue.

Mr Atkinson interjecting:

The ACTING CHAIRMAN (Mr Bass): Order!

The Hon. S.J. BAKER: No. The member for Spence may need to consult with the Clerks. Let us get it right. If the Speaker or the Deputy Speaker intends to remain in the Chamber, obviously the honourable member has a point of order.

The ACTING CHAIRMAN: The debate is not about Standing Orders. It is about the Retail Shop Leases Amendment Bill. I ask the Treasurer to return to the matter which is the subject of discussion.

The Hon. S.J. BAKER: I will return to the matter at hand which is far more important. The conference deemed that it was appropriate to continue to honour the agreement that had been reached by all the disparate parties involved. That included the Small Retailers Association and the Retail Traders Association. A large number of people were involved, and it was only when that matter had been thrashed out completely that the Attorney brought this Bill before Parliament.

If the ALP had tried to get that position, I am sure it would have failed miserably. It made no attempt during its 11 years in office or the period before that to make any changes to the retail industry in this State. I congratulate the Attorney. I believe that the conference reached a wise decision, even though certain people might have experienced a degree of conflict—

Mr Atkinson interjecting:

The Hon. S.J. BAKER: The honourable member says that he will be letterboxing. He should letterbox his own electorate because I hear that his constituents are not very happy with him. The issue is whether contracts and agreements should be honoured. The Bill that will now pass both Houses of Parliament will achieve that end. I believe that it is absolutely vital that when we start to negotiate we can reach agreement and not have those negotiations undermined by either of one or two Parties whispering in the ear of the Opposition or the Democrats. If this is the way in which the Parliament operates, it is doomed to failure. The advances that we will see by way of this Bill and the great assistance that it will give to evening out the playing field would have been lost had an agreement not been reached. It is totally

inappropriate under these circumstances for the Opposition to ramp up the ante and say it can do better.

Mr Atkinson interjecting:

The Hon. S.J. BAKER: I am sure the member for Spence clearly understands the issues. He wants to ramp up the ante, or push up the ante, or whatever he likes, but this Parliament has a clear responsibility, and that responsibility has been dispensed by the conference.

Mr ATKINSON: The Liberal Party has done everything it can to frustrate the proposal for retailers in shopping centres to have a first right of refusal upon the expiration of their lease. Small retailers in this State know that if they do not have a first right of refusal upon the expiration of their lease—like the right that exists in the UK—they will be exploited mercilessly by more powerful landlords such as Westfield Trust. They know that at the expiration of their lease the landlord will extort from them an increase in rent vastly ahead of the consumer price index and in many cases more than what they can afford.

There are many examples of this method of extortion. The small retailers have cried out loudly during the past few years for this vice to be dealt with by Parliament. The Attorney-General, who is a landlord's man, right down to his shoe laces, has fought a magnificent rearguard action against members of the parliamentary Liberal Party who have sought to get this first right of refusal for retail tenants in shopping centres. Here we are on the eve of a general election and the small retailers still do not have that right, because this Bill provides that a first right of refusal will come in only upon the expiration of a lease written after the commencement of the Act.

What does that mean? These leases must be for periods of five years, 10 years or 15 years. In fact, there is a trend for Westfield to require a 15-year lease of a new tenant. What that means is that small retailers will only enjoy the benefit of this provision, if it be a benefit, in more than five years, 10 years or 15 years. As far as the parliamentary Labor Party is concerned, this provision should have come into effect immediately. Small retailers should have been able to have the benefit of this provision by Christmas. That is what the Labor Party is offering.

If we are elected to office this year, small retailers will have that right within months of a Labor Government's coming to power. But if the Liberal Party is returned, they will have to wait a minimum of five years to exercise the first right of refusal, which they so dearly wish to have. Having said that that is a major difference between the Parliamentary Labor Party and the Government, I point out that there is a second difference, namely, that this first right of refusal is so hedged about, so verbose in its expression, that it means little. It is not the simple first right of refusal for which retail tenants have been crying out.

So, there are two grounds of difference between the Opposition and the Government: first, the timing of the provision; and, secondly, the substance of the provision. It is my duty over the next few weeks, particularly from the week beginning 24 July, to go around the shopping centres, to go to Tea Tree Plaza and the Modbury Triangle Shopping Centre, and tell people how members voted when the division occurred on this Bill. I am sure that it will be most enlightening for the electors of the State District of Florey, and of other State districts, to see who stood by the principle of first right of refusal when it was before this Parliament for the last time before the general election.

Motion carried.

LIQUOR LICENSING BILL

Consideration in Committee of the recommendation of the conference.

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

That the recommendation of the conference be agreed to.

There were two issues canvassed by the conference, the first relating to those people working in terms of selling, supplying or serving liquor within an establishment. The first provision attempted to allow traineeships to operate under very controlled circumstances. The second issue debated by the conference was in relation to an industrial matter, which was seen by members of the conference as providing, mainly for women, some protection from a requirement to serve or supply liquor with less than normal clothes on—in a state of undress. These two issues were genuinely debated by the conference. On both matters, the view of the other place prevailed.

Regarding the first issue, I was very disappointed by the attitude of the other place. I understand from the interjection across the floor by the member for Spence during debate on this matter that there was a general impression that the very tight condition that would be applied for 16-year-olds and above, to serve under very controlled conditions within hotel or club premises, was seen to be acceptable. However, that was not the view that prevailed in the conference. A strong view was put by the Australian Labor Party and the Australian Democrats that no 16-year-olds should get any training in pubs until they are 18 years of age. That is exactly the substance of the deliberations, or at least in the contributions from the ALP and the Democrats.

Mr Atkinson interjecting:

The Hon. S.J. BAKER: There was some belief that there would be—

Mr ATKINSON: On a point of order, Sir, my understanding of the arrangements for a joint conference of managers of the Houses is that there is without prejudice negotiation, and the details of the conference are not retailed to the Committee of the whole House. It appears that the Treasurer is breaching that understanding by retailing his interpretation of those provisions to the Committee of the whole House.

The CHAIRMAN: On advice, I understand that the Treasurer is quite in order in what he is doing. He is responsible for what he is saying. There is no point of order.

The Hon. S.J. BAKER: What I am not doing is giving everyone word by word detail of the contributions made at the conference. For the edification of the member for Spence, I am simply reiterating that the stance taken in the debate in another place, part of which was replicated here, was the view put forward to the conference. If the member for Spence wants me to quote him and every other member, I will not do that as it would be a breach, as the member for Spence would recognise. I have not breached any convention in the process. I am saying that the viewpoint put by the Australian Labor Party and the Australian Democrats in that conference, consistent with their contributions during the debate and in Committee on the Bill, was that those who were 16 years of age could not serve, supply or carry liquor, even if they were under a traineeship and under strict supervision. That was the issue debated. That matter was rejected by the two Parties.

I am sorry that kids cannot get a fair go under strict supervision. The Bill was tight enough to ensure that some of the unwanted consequences of having younger people

involved would not eventuate in any loss of amenity or some diminution of those persons' rights to the extent that they were forced to drink liquor when they did not want to or were forced to do things that they did not want to do. The issue was that, for a prescribed course and if deemed to be appropriate, a person should get some practice at doing the things that come naturally in a hotel and club, namely, the service of the people.

If the Opposition is completely consistent, no child of any delicatessen owner can serve in the delicatessen because we know that there is an age limit on the consumption and supply of cigarettes, in particular the supply thereof. Will the honourable member tell every shop keeper who has members of the family involved in the family business that they cannot have their child who is under the age of 18 years serve at the counter because that person might be asked for a packet of cigarettes?

Mr Atkinson: A very bad example.

The Hon. S.J. BAKER: Is that what the member for Spence is suggesting? Or, if a person has an employee who is under the age of 18, that person also—

Mr Atkinson interjecting:

The Hon. S.J. BAKER: Right. I thought I would go down the line before we finished the debate: a person under the age of 18 could not serve in a delicatessen, because there may be some tobacco products that that person would not be able to sell to a customer. The issue is not whether people are being placed at risk, because we have said quite clearly that they would be under strict supervision and an approved course of training. So, it was quite clear that the youngsters involved would not be put at risk, therefore the Government saw no sustainable reason for the Opposition to reject that amendment. However, that has gone and I ask members to reflect on that decision.

The second issue was far deeper and more complex. All members of the committee believed that there should be some adequate means by which (mainly female) employees, who in their employment in a hotel or club were being forced to walk around in an unclothed state, could have some protection. The issue was the extent of voluntary engagement. Different points of view were expressed in the committee about whether we should have topless waitresses, but I think we were all totally of the view that no person's employment should be dependent on their talking off their clothes. One set of amendments was put forward but did not survive the test. The Attorney has undertaken to go back to the industry to get a far more workable set of amendments that will do what the committee and Parliament want, which is to ensure that nobody should be forced to take off their clothes in order to get a job serving in a hotel or club. It is quite clear; there should be no debate on that matter.

We reverted to the original provision in the existing Act. That is an anomaly in the Act in that it brings an industrial element into legislation which is technical in nature and which manages the industry. We believe that the intercession of industrial matters was inappropriate, and most people would recognise that. However, given that the committee was left with no choice on the matter and that we did not come up with a suitable amendment, the Attorney-General did not believe that it was appropriate to lose the Bill on either issue after all the hard work that had been done.

So, the outcome of the conference is that the House of Assembly will not insist upon its amendments. We are sorry to lose the first, but we are not too fussed about the second, simply because the Attorney will have the ability to go back to the industry and get a workable amendment which quite clearly outlaws compulsion and pressure being placed on employees. That was the outcome of the conference. I feel that young people deserve a better go than the Opposition is giving them.

Mr ATKINSON: The Opposition is happy with the outcome. We are opposed to 16 and 17-year-olds being employed to serve alcohol in pubs and clubs, because we do not believe it is fair to 16 or 17-year-olds to be required by law to judge whether to serve alcohol to an intoxicated person or a person who might be a minor. We think that it is inappropriate for 16 and 17-year-olds to be serving alcohol when they cannot themselves partake of alcohol. So, we are pleased that this move by the Government has failed. I would not want anyone to be under a misapprehension about why the Government introduced this proposal. The Government wants to cut the wages of workers in hotels; it is a simple as that. The Government knows that 18-year-olds receive adult wages—quite properly—under the awards to which the liquor trades union is a respondent, and its way of introducing a junior rate is to change the law so that 16 and 17-year-olds can serve liquor in hotels and clubs. This attempt to cut wages has failed and the Parliamentary Labor Party is pleased that it has failed.

If the Government had succeeded in its attempt to have 16 and 17-year-olds serving liquor in hotels, we would have reached the labour market position where there was great demand from fast food outlets and hotels for 16 and 17-year-olds but, when they turned 18 and were entitled to a higher rate of pay, they would have had their hours cut almost to zero in these establishments. The Labor Party does not want the labour market situation to develop where 18-year-olds are no longer employable or as attractive as employees on their eighteenth birthday. We think it appropriate that the serving of alcohol in hotels and clubs be restricted to people aged 18 and above, and I think the great majority of the voting public would agree with us on that matter.

We are quite happy for 16 and 17-year-olds to work in hotels in the many areas of hotels that do not relate to the serving of liquor. For instance, 16 and 17-year-olds can work as cooks, kitchen hands and cleaners, and they can serve food or non-alcoholic beverages. But the one thing we do not want them to be required to do is to serve alcohol. There are many vocations within hotels in which 16 and 17-year-olds can serve. What we do not support is the inconsistency of requiring 16 and 17-year-olds to serve alcohol. We do not approve of the potential criminal penalties to which they are exposed if they do not judge aright whether a customer is of age or intoxicated. We think the outcome on this point is a good one. There are many jobs that 16 and 17-year-olds can do in the trade without serving alcohol.

The Government tried to jolly up the Opposition and the Democrats by saying, 'We offer to you that any 16 or 17-year-old serving alcohol will do so only under supervision in a prescribed training course.' We asked the Government, 'How will these training courses be prescribed?' The Government said to us, 'Don't worry: they will be by regulation and you can disallow the regulations in another place.'

Mr Lewis interjecting:

Mr ATKINSON: As the member for Ridley said, we did not feel jollied up in the least, because on every occasion when the Opposition and Democrats have disallowed a regulation in the other place, the Government has reintroduced that regulation as soon as possible and gazetted it.

Mr Brindal interjecting:

Mr ATKINSON: The member for Unley uses unparliamentary language as soon as he arrives back in the House today from his long absence and asks how many times the Government has reintroduced regulations after they have been disallowed in another place. The answer is, 'Often—more times than we can remember.' Upon Parliament's exercising its right to disallow regulations, where that disallowance has been a matter of disagreement between the Government and the Opposition, the Government has invariably reintroduced those regulations immediately to evade parliamentary scrutiny and control of subordinate legislation.

Indeed, the biggest offender is the Minister for Primary Industries, who often does it on the same day, issuing a special edition of the *Gazette* to overcome the democratic right of the other place to disallow Government regulations. That is the kind of abuse of Parliament's traditions that the member for Unley is happy to support in his role as an uncomplaining member of the current Government. Let that be an answer to his question.

Mr Brindal interjecting:

The ACTING CHAIRMAN (Mr Bass): The member for Unley is out of order. The member for Spence has the call.

Mr ATKINSON: You are most generous, Sir. The Opposition, for the reasons which the member for Ridley makes plain, will not be gulled into accepting the Government's offer on prescribed training courses, because we well know that what the Government will do is allow every hotel and club in South Australia, if it wishes, to have a prescribed course for training 16-year-olds and 17-year-olds in the service of liquor; they would be under no meaningful supervision whatsoever and, if Parliament sought to intervene to disallow a particular course of training because it was not genuine, the Government would ensure that that course of training was regazetted as soon as possible and our parliamentary objections overcome. That particular offer will not be accepted by the Opposition and the Democrats in the future, and the Government will not try to pull that swifty over us again. The member for Ridley is right when he makes the point that the Opposition ought not be trusting the Government on prescribed training courses, and I thank him for his interjection and his contribution to the debate by way of interjection.

The Treasurer sought to draw a comparison between the Opposition's insistence on 16 and 17-year-olds not serving liquor in hotels and the situation in a family business, to wit, a delicatessen in which the children aged 16 and 17 years of the proprietor of the deli can currently sell cigarettes to customers. He queried, if the Parliamentary Labor Party was willing to agree to this and to allow it to continue, namely, 16 and 17-year-old sons and daughters of the proprietor of a deli selling smokes to customers, why was the Opposition objecting to 16 and 17-year-olds serving, in hotels, another restricted substance, to wit, alcohol, that was not permitted to be sold to people under 18.

The answer to that question is that the Opposition agreed with the Government that, where the child of a licensee of a hotel was 16 or 17, it was permissible for that 16 or 17-year-old under parental supervision to serve liquor in hotels. The Opposition had no difficulty with that and agreed to it. Therefore, the Opposition is in no way inconsistent in the way the Treasurer seeks to establish.

I turn now to the question of whether breaches of the industrial award applying to hotels, clubs and retail liquor merchants could be a ground for the Licensing Commissioner to place conditions on a licence or to suspend a licence. The Government seeks to get rid of this provision because of its ideological blind rage against trade unions. Because the trade union representing liquor industry employees might avail itself of this provision to call to order a licensee who was persistently breaching the award, the Government wants to banish it from the legislation for ever. We told the Government that we were willing to agree to that, provided the Government addressed our concerns about a particular breach of liquor industry awards. The concern we had was topless waitressing.

Mr Brindal: And bottomless.

Mr ATKINSON: And bottomless, if the member for Unley insists. Within the Parliamentary Labor Party we have one difference of opinion about this matter: some members of the Parliamentary Labor Party would argue, as the Treasurer argues, that there is nothing wrong with hotels putting on erotic displays in order to promote the sale of alcohol and other products in the hotel.

Mr Lewis interjecting:

Mr ATKINSON: Indeed, and some members would not permit hotels to do that. Be that as it may, one thing on which we on this side are all agreed is that cooking food, serving drinks or serving food in a hotel or cleaning a hotel does not require employees to work in such a way that, if they are women, they must expose their breasts or, as the member for Unley says, work bottomless.

Mr Brindal interjecting:

Mr ATKINSON: There is nothing inherent in those vocations that makes it relevant for those employees to expose themselves.

Mr Brindal interjecting:

The ACTING CHAIRMAN: Order! The member for Unley has the opportunity to speak on this matter and I suggest that he no longer interject. The member for Spence.

Mr ATKINSON: Thank you, Sir; you are such a kind protector of the Opposition and I am most grateful for your intervention. The Parliamentary Labor Party took the view that working in these kinds of vocations—especially waitressing—should not lead to an employer asking an employee to work topless, if she is a woman. We think that this development in the hotel trade is most undesirable and one of the methods the labour movement used to try to restrict this undesirable practice was intervention before the Liquor Licensing Commissioner under the clause the Government seeks to abolish. We said to the Government, 'You can have your way on this clause—you can abolish it—if you work with us to introduce a clause elsewhere in the Liquor Licensing Act that does not allow publicans to require of waitresses or any other employee that they work topless.'

I would have thought that that was a reasonable request, but it seems that, although we were able to provide on the day all the relevant information to draft such a clause, the Attorney was not willing to give that undertaking and said he would get back to us later on the question whether such a clause would be reintroduced elsewhere in the Act. I have to say that I doubt whether the Attorney will get back. We will see, and I will be following up that matter but, in the situation where many members of the Parliamentary Liberal Party want total deregulation of the liquor industry and when those members, including the Treasurer, support the idea of topless waitressing and along with members of the Parliamentary Labor Party support the idea of erotic displays at hotels for the purpose of increasing the consumption of liquor, I am not

in the least optimistic that the Attorney-General will be getting back to us on this.

Mr Brindal interjecting:

Mr ATKINSON: I really do not know what the interjection from the member for Unley means—that I cannot find my own bike—in this context. The bottom line is that the Opposition is quite happy with the outcome of the conference between the Houses, with this one exception: that we would have liked to emerge from that conference the feeling of the great majority of members of this House that waitresses should not be required to work topless. We are disappointed that that is not an immediate outcome of the conference but, with that qualification, we support the outcome.

Mr BRINDAL: The member for Spence entirely draws his own conclusions from a conference that he attended. It is amazing that he can sit in the same room with other members of this House yet come to such remarkable conclusions.

Mr Atkinson interjecting:

Mr BRINDAL: The member for Spence says that I made no contribution. I contributed very little but I did, in fact, listen. I think I developed some understanding of what transpired, unlike the member for Spence, who flapped his gums *ad nauseam*, seemed to say something one minute, change his mind five minutes later and put the conference into confusion—and nearly put the whole Act in jeopardy.

I know that the Government, rather than lose the Bill, has accepted the Opposition's position but, having attended the conference, I want to put down at least a position on this matter. I find it intellectually a nonsense, in fact stupid, that the Opposition can clearly say that 16-year-old to 18-year-old sons and daughters of publicans can have the privilege of working in hotels, but no other 16-year-old to 18-year-old can. In other words, I believe that the Opposition and the Democrats yesterday successfully discriminated against young people entering legitimate training and getting jobs.

In this State, where jobs are so important to young people, what possible reason do the Opposition and the Democrats have for arguing that a 16-year-old to 17-year-old doing a prescribed course at a TAFE college or Regency Park College of Food and Catering, or a similar institution, as part of the training should not go into a hotel situation and be supervised?

Mr Atkinson interjecting:

Mr BRINDAL: The member for Spence asks: does that differ from a hotel? Yes, because there are hotel situations in places such as Crazy Horse—he was the one who brought up 'topless' and 'erotic'—

Mr Atkinson interjecting:

Mr BRINDAL: The member for Spence is so clever. I wish I had his intellectual capacity, but we will just have to plod along with what we have. The fact is that 16-year-olds and 17-year-olds deserve the right to train. They deserve the right to go into approved courses and, when they turn 18, to be able to take their place trained in the work force.

Mr Atkinson interjecting:

Mr BRINDAL: The member for Spence and other members of the Opposition who opposed this measure have deprived those people of that right. I would not mind—and this is only a personal opinion—if they were consistent and said 'no 16-year-olds or 17-year-olds' but, when they say that 16-year-old or 17-year-old sons and daughters of publicans can do this but no-one else's 16-year-old or 17-year-old can, I find it discriminatory, offensive and intellectually nonsequential.

The member for Spence clearly says that he does not trust the Government not to disallow regulations. The member for Spence, coming from a Government as disreputable as his Government was, has every right generically to say that he distrusts Government, but I cannot see that a prescribed course of study would be something with which the Government would toy. To actually develop a course of study takes quite a while. It must be thought through: curricula, lecturers and other things must be put in place, and it is not the sort of thing that can be brought into place today and disallowed by regulation tomorrow. I find that argument also spurious.

The last matter was the breach of the industrial position. In my opinion, the member for Spence comes very close to misrepresenting that which was said in the conference, namely, that the Government would rather not have supported the current provision in the Act and the Attorney should ask the parliamentary draftspersons to look at an alternative. The member for Spence is quite right: they came up with an alternative to which the Attorney-General said, quite rightly and prudently, 'I do not mind this alternative. I and all members of the Government in this conference are equally against the sorts of practices that the member for Spence is talking about.'

Having said that, he then said, 'I think it would be wrong, on the run, in this joint conference of managers to settle for an amendment that has not been looked at by the union, the hotel and hospitality industry, and other interested groups.' The Attorney-General undertook, therefore, to leave in the provision—which, frankly, this Government was not in favour of—while he consults with the industry on a viable alternative which will fulfil the aim set down by members of the Opposition and some members of the Government.

We can bring it into the next session and do that properly with due consideration and without rushing in. But, no, the member for Spence criticises the Attorney because he was not prepared to be railroaded with a five-minute drafting job. I remind the member for Spence of the number of times we have debated legislation in this Chamber. All Governments since I have been here—and the member for Spence has been here for seven years—bring legislation into this House and debate it; it goes upstairs, and very often it comes back amended because the same draftspersons who drafted the original Bill, somehow between the legislation and the contributions to the debate in question, find initial errors and have to change it. Not only do we change it between the two Houses: even more often we pass a piece of legislation which appears on the Notice Paper during the next session because, what we passed in good faith one session, the draftspersons or the department suddenly find does not work—and that is with considered process.

The member for Spence is arguing that somehow the Attorney, the Minister at the table and other members of this Government are culpable for accepting, after all, what was their amendment and not going for their second choice on the run in a conference of managers. If that is the way that the member for Spence believes that Governments should operate, I would commend careful study of this matter to the people of South Australia. If that is a measure of a future Attorney-General of South Australia, I can only say, 'God help the people of South Australia.'

The Hon. W.A. MATTHEW: It is not very often that I have publicly disagreed with the Treasurer. In fact, I think he has done a fine job for the people of this State. I have rarely disagreed with him. It is also rarely that I have crossed the

floor of this Parliament to vote with the Labor Party against the Liberal Party, but I did so in relation to the provisions of this Bill whereby it was being proposed that 16-year-olds and 17-year-olds have the opportunity to undertake training in licensed premises.

I did so for very good reason. Frankly, I find repugnant the idea of 16-year-old and 17-year-old youths—and that is what they are; they are not adults—serving in licensed premises; serving in premises where poker machines (by another vote of this Parliament) are also included; serving often unruly patrons; and having to enforce the law which is becoming more complex for people in that particular occupation. Whether or not they are in training, they will be required to enforce the law and to determine whether a person has consumed alcohol to an extent that it is no longer advisable that they continue to serve them. Frankly, I do not believe that they are decisions that a 16-year-old or 17-year-old ought have to make, and I do not believe it appropriate that youths of that age undertake their training in licensed premises.

I crossed the floor on that occasion to vote with the Opposition in opposing that clause. I am particularly pleased with the outcome of the conference of managers. I strongly support their recommendation that the offending clause be removed from this Bill. I believe that, far from denying 16-year-olds and 17-year-olds legitimate training opportunities, it actually protects youths of that age, as indeed I believe that as members of Parliament we have an obligation to ensure that youths of that age are protected, but they cannot be protected if they are placed in a bar situation.

I would encourage those members of Parliament who have argued the opposite, who believe that 16 and 17-year-old youths ought to be able to undertake their training in a bar, to go to the front bar of some of their local hotels—perhaps they have not done it for some time—and witness the behaviour that occurs in some of those premises from time to time, and witness the very difficult task that bar staff often have in discouraging the unwelcome behaviour by patrons and, on occasions, advising patrons they will no longer be served with alcohol and on other occasions advising those patrons that they ought leave the premises. While that final move would not be a requirement for a 16 or 17-year-old in training, the fact is that they may still be the first line of staff having to face that unwelcome patron and that unwelcome behaviour. That is certainly not a situation in which to place any 16 or 17-year-old.

I am disappointed that some members have entered this debate almost with some venom against the decision of the conference of managers in recommending that the clause be removed from the legislation. I think it is a sound recommendation by the committee of managers, and I look forward to being able to support the Bill with the offending clause removed. I think it is a sensible resolution of this Chamber to move in that direction and ensure that the Liquor Licensing Bill passes with that protection provided to 16 and 17-year-old youths as it is, in the main, a good Bill.

Motion carried.

SECOND-HAND VEHICLE DEALERS (COMPENSATION FUND) AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. S.J. BAKER (Treasurer): I move:

That this Bill be now read a second time.

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

Leave granted.

This Bill is designed to clarify who can make a claim against the Second-Hand Vehicles Compensation Fund.

The Full Supreme Court has recently ruled that customers of the collapsed auction business Kearns Brothers (Auctions) Pty. Ltd., can make claims against the Second-hand Vehicles Compensation Fund.

The Commissioner for Consumer Affairs was represented at the hearing of the matter and argument was presented to the effect that it was never intended that the customers of auctioneers would have the benefit of a claim against the Fund.

It was argued that auctioneers should not be considered to be "dealers" for the purposes of making claims against the Fund. In the event, the Full Court of the Supreme Court held that an auctioneer is to be characterised as a "dealer" within the meaning of Schedule 3 of the Act.

Auctioneers whose activities are restricted to selling the vehicles of others do not contribute to the Fund (and have never been required to do so) and essentially act as agents for those private individuals and businesses who choose to sell their own vehicles in this manner. Some auctioneers, who sell more than 4 vehicles a year from their own stock, do hold a licence and therefore contribute into the Fund. It is not disputed that the ultimate purchasers of vehicles forming the vehicle stock of any licensed dealer (who sells that stock by way of auction or ordinary sale) should have the protection of the Fund. Contention arises in the situation where the auctioneer is acting as agent for a private individual or business who is not a licensed dealer.

The provisions in the current Act reflect those which have been in place since the enactment of the previous legislation in 1983. The issue in respect of which the court ruled had, somewhat surprisingly, not previously arisen.

It has always been the view of the Government that auctions represent the classic *caveat emptor* situation in which buyers of vehicles need to assure themselves of matters such as title to the vehicle, whether finance is owing on the vehicle and take upon themselves the responsibility of ensuring the mechanical soundness of the vehicle (as no warranty applies to a vehicle auctioned on behalf of a person who is not a dealer). This situation is also recognised by the Consumer Transactions Act which recognises that the purchaser at auction has no right to the range of implied warranties such as fitness for purpose, merchantable quality, good title , quiet enjoyment and others provided for in the Act.

Where a second-hand vehicle is sold by auction on behalf of a person who is not a licensed dealer, the purchaser should in all respects be in the same position as if the vendor sold the vehicle by negotiated private sale, that is, there is no duty to repair and there should not be any claim against the Second-hand Vehicles Compensation Fund.

The purpose of this amendment is to limit claims against the Fund arising from the sale of vehicles by auction, in circumstances where the auctioneer sells vehicles on behalf of persons who are not licensed dealers. Where the person on whose behalf the vehicle is auctioned is a licensed dealer then the usual rules relating to claims from the Fund will apply, and as at present the purchasers of such vehicles will have rights to warranty.

By an amendment in the other place, this amendment operates retrospectively and will limit the rights of those who have claims on the fund arising from the collapse of Kearns to pursue those claims.

Explanation of Clauses

The provisions of the Bill are as follows:

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

The effect of this clause will be to deem that this measure came into operation on 30 November 1995 (ie the date of commencement of the *Second-hand Vehicle Dealers Act 1995*. The clause amends clause 2 of Schedule 3 which deals with the *Second-hand Vehicles Compensation Fund* and the claims that may be made against that Fund. It strikes out subclauses (1) and (2) and substitutes a new subclause to set out those claims that may be made against the Fund and those claims that may not:

- Claims arising out of or in connection with the sale of a second-hand vehicle or a transaction with a dealer,whether the sale or transaction occurred before or after the commencement of the *Second-hand Vehicle Dealers Act 1995* may be made against the Fund.

- Claims arising out of or in connection with the sale of a second-hand vehicle by auction or the sale of a second-hand vehicle negotiated immediately after an auction for the sale of the vehicle was conducted may not be made against the Fund if the auctioneer was selling the vehicle on behalf of a person who was not a licensed dealer.

In addition, the clause amends subclause (3) so that it will now deal with the matters that were dealt with by subclauses (2) and (3) together.

Mr ATKINSON secured the adjournment of the debate.

EQUAL OPPORTUNITY (SEXUAL HARASSMENT) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 9 July. Page 1847.)

Ms STEVENS (Elizabeth): In my contribution to the second reading debate I note that the Bill as received from the other place incorporates amendments moved by the Opposition in that place. As stated by my Upper House colleague the Hon. Carolyn Pickles, the Opposition agrees with the broad aims of the Attorney-General's original Bill in that it seeks to extend the provisions of the Equal Opportunity Act relating to sexual harassment to cover members of Parliament, judicial officers and members of councils. We believe that this is quite correct.

However, we believe very strongly that the Attorney's Bill did not go far enough in acknowledging that sexual harassment can occur between members of Parliament and between council members, and we believe that this also needs to be included in the Bill. Further, and most importantly, we believe that the process of resolving a complaint of sexual harassment as put forward by the Attorney is seriously flawed. The Bill before us now incorporating our amendments moved in the other place reflects this view.

Last year the Hon. Carolyn Pickles introduced a Bill in the other place which encompassed the amendments put forward by the Opposition in the other place, but that Bill is only just being debated in the Lower House. It has been a long time coming. Apparently the Attorney's Bill was introduced subsequently, and what has been attempted in his Bill could have been included as part of the initial Bill.

The amendment obviously relates to the principal Act, the Equal Opportunity Act 1984. It was in this Act that sexual harassment first became part of the statutes. The original principal Act defines sexual harassment. It placed sexual harassment as part of the civil law and not part of the criminal law. It provided for conciliation as an option in resolving complaints about sexual harassment. Conciliation continues to have an important role aimed at changing behaviours and changing attitudes in the community in relation to sexual harassment.

The principal Act also places obligations on employers, education authorities or a person providing goods and services to take reasonable steps to prevent sexual harassment occurring between individuals under their supervision. As a result of this obligation, workplaces and educational institutions throughout the community have put in place sexual harassment policies and grievance procedures, and they have an obligation to ensure that people involved in these workplaces or educational institutions are aware and informed about the nature of sexual harassment, about the devastating effect that sexual harassment can have on those who experience it, and about their obligations in relation to it.

I am very well aware of this, because during that time I worked in schools where this was observed. It is still being observed, very comprehensively, so that every school has its own sexual harassment policy and grievance procedures. There is awareness-raising for all staff and students, and there are very clear grievance procedures in place to which everybody has access.

In 1984, Brian Martin QC carried out a review of the Equal Opportunity Act. I note that the Attorney, in his second reading explanation, made reference to Mr Martin's report. One of the recommendations in the report was an expansion of the provisions relating to sexual harassment, and the Attorney referred to six categories covered by this expansion. I would be interested to know what happened to the rest of the categories. The Bill before us picks up on MPs and judicial officers, but what about the rest of those categories? I would also be interested to know what has happened in relation to all of Brian Martin's recommendations arising out of his review of the Act—which was completed some years ago.

I also refer to the Joint Committee on Women in Parliament, of which I was a member. One of the recommendations of that committee states:

> The committee feels that elected representatives at all levels of Government should be offered the same protection and have the same obligations as other members of the community, and recommends that the Attorney-General seeks advice to clarify this matter.

As a member of that committee, I remember very clearly some of the submissions provided by women who were members of local councils, as well as female members of Parliament, who made that point very clear.

The position of the Opposition is as follows. The overarching principle that we adhere to is that all citizens in our State should be subjected to the same laws and have the same obligations. There should be no special deals and no special arrangements for certain sections of our community. Citizens who believe that they have been a victim of unlawful behaviour of MPs, judicial officers or members of a council also need to be confident that they will get fair treatment, and the same treatment as if the perpetrator was any other citizen. Members of these groups—that is, MPs, judicial officers and members of local councils—by virtue of their positions have considerable status and power. This is all the more reason—and particularly with respect to sexual harassment, which is about the misuse of power—that the same processes are followed for them in resolution of these matters as for ordinary citizens.

The issue of parliamentary privilege and where it exists is important. Privilege for members of Parliament exists in the Chambers of the Houses and in parliamentary committee hearings. But it does not exist when members of Parliament are involved with other aspects of their job— for example, on conferences, or in their electorate offices. The Opposition believes that the Equal Opportunity Commissioner, after seeking advice from the Speaker or President, should decide whether a complaint could impinge on parliamentary privilege. This is, of course, the issue of contention between the Opposition and the Government. The Government leaves this decision to the Speaker or the President. We believe that this compromises the process and destroys the integrity of that provision of the Bill.

The Opposition accepts that sexual harassment claims against judges should be excluded if they arise out of the exercise of their judiciary duties in court. Other than this,

judges, too, should be subject to the same processes as other people through the Equal Opportunities Commissioner.

As I mentioned earlier, the Equal Opportunity Act puts obligations on employers in workplaces to take reasonable steps to prevent sexual harassment occurring in those workplaces. I would be interested to hear from the Treasurer what effect he sees this obligation having in relation to people who work in this place—that is, the staff of Parliament House and MPs—once these provisions have been passed. Will there be, for instance, an obligation to have an open and public policy with a set of grievance procedures? Will there be an obligation for all people who work within this building to be made fully aware of the nature of sexual harassment and their obligations and responsibilities in relation to it and this Bill? As I mentioned before, that is what has happened in the outside world.

We absolutely agree that MPs, judicial officers and local council members must be covered under this Act. We also believe that we need to take into consideration that sexual harassment can occur between members of those groups, and our amendments reflect that. As I have just described, we also believe that the process of resolution of complaints is very critical, and we believe that that process needs to be done fairly and objectively and needs to be done via, in the first instance, the Equal Opportunities Commissioner.

We all know that the public perception of politicians is less than favourable. Issues about perks and rorts and special favours and deals and cover-ups seem to be fairly constantly in the media. Equally, when issues that fall into these sorts of categories are not able to be resolved clearly, we have rumour, misinformation, casting of aspersions on individuals and on all of us simply because there is no method for them to be resolved.

We would all be aware of the recent allegations that have been made in the media by a person going by the name of 'Cassandra'. I would like to put on the record a letter that was faxed to me today from that person, because I believe that it illustrates the point I am making about the importance of having clear processes and procedures to deal with matters such as this. The letter states:

> As you may be aware, I have lodged a complaint with the Speaker of the House of Assembly and have asked that he formally investigate my complaint of sexual assault by a member of the House of Assembly towards myself and the manner or process in which my complaint was handled by senior officers of the House after I reported it to a supervisor.
>
> I personally have had no response from the Parliament to my complaint and to my knowledge neither has my union, the PSA. The complaint has been with the Speaker for about six weeks.
>
> Could you ask for me please in the House if the Speaker has (1) received the complaint (2) read the complaint (3) responded to either the PSA or myself (4) how and when the Speaker plans to investigate and/or resolve the complaint?
>
> As you would understand, this whole incident and process has taken its toll on me physically, financially and emotionally, and I genuinely wish for the process to be streamlined and the complaint resolved as early as possible, which is why I have taken the liberty of sending you this request. If you are able to assist me in asking the above questions, I would appreciate it.

This incident illustrates graphically that we need processes to deal with these sorts of matters. Obviously, this is not the first case and it will not be the last, but the important thing is that these matters be dealt with and moved on for further resolution or dispensed with. The problem that exists now is that, without these processes in place, matters are left unresolved and surrounded by innuendo and odium that is damaging to the individuals concerned, other members of Parliament and the Parliament itself.

We believe that we must ensure that the situation is changed. In doing so, we should also ensure that a process is put in place that will have the confidence of those to whom it applies as well as the wider community. We believe that the amendments that were made to this Bill by the Opposition in another place leave us with the best of both those aspects.

Ms HURLEY (Napier): I support the member for Elizabeth's comments, particularly regarding the process for the making of harassment allegations. It is commonly recognised that most instances of sexual harassment are not reported or that, if they are, they are not proceeded with. One of the reasons for that is that women in particular—or men if it applies to them—feel very uncomfortable in going over these incidents and taking them to the correct authorities, because they are not happy with the way in which these matters are dealt with and they are not confident that their case will be heard fairly and properly. It is important that we have in place very publicly the correct procedures and methods for dealing with these incidents. As the member for Elizabeth has said, that will protect everyone concerned.

It is important that harassment be dealt with properly, because it is very unfair that victims of harassment are often shunted sideways, their career path is interrupted and they suffer emotionally, financially and in career terms because they are the innocent victim of someone else's action. The easier we make resolution of these sorts of incidents, the better it will be.

Mr BRINDAL: Mr Deputy Speaker, I support many of the measures proposed in this Bill, and I certainly do not condone sexual harassment. However, I draw your attention to the remarks made by the last two members and ask whether you will refer this matter to the Speaker, because I believe that those members have raised matters that touch on the privilege of this House. In my opinion, they have raised matters which are the rightful province of the Chair of this House and that in making their comments they have cast a slur on this House and its members. That is a matter of privilege that concerns us all.

Members interjecting:

Mr BRINDAL: If members opposite want to argue about it, that is fine, because there are many matters in this place that can be argued. If some of the dirty linen must be aired in Parliament, it can all be aired in Parliament—every single bit.

The DEPUTY SPEAKER: Was the honourable member raising a point of order?

Mr BRINDAL: Yes, Mr Deputy Speaker. I ask whether you will refer that matter.

The DEPUTY SPEAKER: My immediate response is that the matters under discussion were being debated in the normal way in which a Bill before this House is debated. I, personally, would find it difficult to associate those remarks with a breach of privilege. I will refer the matter to the Speaker, but I cannot promise the honourable member anything more. My own feeling is that it is a perfectly normal item to introduce during the course of a debate.

Mr BRINDAL: Thank you for your ruling, Sir. I think that when you read *Hansard* it will be perfectly clear.

The Hon. S.J. BAKER (Treasurer): I thank members for their contribution to the debate. Whilst I think all members of the House have agreed on the principles, there is a difference of opinion about the practice. That matter will be debated in Committee when the Government will move amendments. Clearly, regarding sexual harassment, no person

should be able to indulge in that pastime in the belief that they are free from any penalty. One of the difficulties in the past was that there have been in place no rules and procedures to deal with these matters. This topic was the subject of a recommendation by Brian Martin QC regarding how it should be dealt with. He also drew a distinction between what the honourable member has been talking about and what we believe it is appropriate to put in the Bill.

If the honourable member believes that the Martin report has substance—and I am sure most people would agree that it has—she will see that Brian Martin drew a distinction between who should deal with these matters and how they should be dealt with particularly when it involves peers, whether they be amongst the judiciary or in the parliamentary sphere. So, there is some difference of opinion as to how these matters should be adequately dealt with. We all agree they must be dealt with but it is a matter of how.

I thank members for their contribution. There will be debate in Committee. I signify the Government's intention to continue with the arrangements under the original Bill before it was amended in the other place, and I am sure that members opposite will attempt to sustain their position in respect of the Bill as it comes before the Committee.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3.

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

Page 2, line 11—Leave out paragraph (b).

Paragraph (b) deals with another member of Parliament. It is a matter of importance that a distinction be made between members. Even though we believe that we are all equal, privileges pertain to the parliamentary position. There are standards where the Parliament is responsible for making the laws of the land. We are given a very privileged position, for which we are all thankful. We are also subject to rules of behaviour that should be sorted out within the Parliament itself. The issue of member to member is a matter of privilege and not a matter that should be investigated by the Commissioner for Equal Opportunity.

My understanding is that the Martin report made a distinction for the judiciary and members of Parliament. He drew the distinction as to how you can maintain that level of balance where you make the Parliament responsible for the laws of the land and have some other body outside it controlling its destiny. We live with the anomalies that that creates, but we have to put in place procedures to accommodate that. If there is a problem between members of this House, that matter should be sorted out between those members. If they cannot sort it out between themselves, the matter should be relayed to either the Speaker or the President to adjudicate, or a privileges committee should be formed.

Ms STEVENS: The Opposition disagrees with that proposition. We acknowledge that our position is different from the recommendation of Brian Martin QC. However, the principle behind our position and the reason for paragraph (b) in the Bill is that MPs should, as far as is achievable given the special role we play, be in the same position as other workers. It goes back to the overarching principle that I outlined before. When someone is sexually harassed by a colleague in the average workplace, they will have recourse to the Equal Opportunity Commission and Tribunal. Our position is that the same ought to apply for members of Parliament. Hence we disagree with the amendment.

Amendment carried.

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

Page 2, lines 18 and 19—Leave out 'another member of the council or'.

The next two amendments will do much the same as the amendment we have just dealt with. The amendment means that the council has to sort itself out and not have another body sorting it out, and for much the same reason: they are elected positions to do a certain job. The body itself is appropriate to sort itself out within its own ranks.

Ms STEVENS: For the same reasons as I outlined in opposing the previous amendment, we oppose this amendment also.

Amendment carried; clause as amended passed.

Clause 4.

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

Page 2, line 24—Before 'a member of Parliament' insert 'a judicial officer or'.

The reasons for this amendment are self explanatory.

Ms STEVENS: Again we disagree with the amendment, our reason being that clause 3(6)(b) does not apply in relation to anything said or done by a judicial officer in court or chambers. What the Government is suggesting is unnecessary as that clause covers the situation with respect to judges according to the principle that I outlined earlier and, regarding what happens in the exercise of judicial powers in a court, judges also should be subjected, as are other people, to the general approach through the Equal Opportunity Commissioner. We oppose the amendment.

Amendment carried.

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

Page 2, lines 27 to 36 and page 3, lines 1 to 22—Leave out paragraphs (a) to (g) and insert new paragraphs as follows:

(a) the Commissioner must refer the complaint to the appropriate authority;

(b) if the appropriate authority is of the opinion that dealing with the complaint under this Act could impinge on judicial independence or parliamentary privilege, as the case may be, the appropriate authority will investigate and may deal with the matter in such manner as the appropriate authority thinks fit;

(c) on the appropriate authority giving the Commissioner written notice that a complaint is to be dealt with under paragraph (b)—

  (i) no further action can be taken under any other provision of this Act on the complaint; and

  (ii) the Commissioner must notify the complainant and the respondent that the complaint will be dealt with by the appropriate authority;

(d) on the appropriate authority giving the Commissioner written notice that a complaint will not be dealt with under paragraph (b), the Commissioner may proceed to deal with the complaint under this Act;

(e) a notice must be given under paragraph (c) or (d) by the appropriate authority no later than one month after the referral of a complaint to the appropriate authority;

(f) the Commissioner may at the request of the appropriate authority—

  (i) assist the authority in investigating a complaint that is to be dealt with under paragraph (b); or

  (ii) attempt to resolve the subject matter of such a complaint by conciliation;

(g) if the Commissioner is to act under paragraph (f), the appropriate authority must notify the complainant and the respondent accordingly;

(h) if the Commissioner attempts to resolve the subject matter of a complaint by conciliation but is not successful in that attempt, the Commissioner may make recommendations to the appropriate authority regarding resolution of the matter;

(i) the appropriate authority must notify the complainant and the Commissioner of the manner in which the appropriate authority has dealt with a complaint under paragraph (b).

There is the matter of how these issues are dealt with. The Government is clearly of the view that a process needs to be developed. In response to the contribution of the member for Elizabeth during the second reading debate, obviously if the President and the Speaker have power and passage in this area, procedures will have to be developed accordingly. Procedures must be developed to deal with these issues, just as there are in normal workplaces for dealing with matters of sexual harassment.

Because of the position of the courts and the Parliament, there must be a means of dealing with the issues within the powers that prevail within those two jurisdictions. Consistently we say that the authorities themselves should be responsible and it should not be an outside authority. There is a level of disagreement between us on this matter. I suspect that it will not be resolved during debate, but the Government has a clear viewpoint on this matter.

Ms STEVENS: As the Treasurer has said, there is a clear difference of opinion and it will not be resolved in this debate. This is a very important clause in the view of the Opposition and it is important that it remains as it is now in the Bill. The better and fairer process to follow is the one that we have placed in the Bill. There is no point in going any further as the matter will have to be resolved later at a conference.

Mr BRINDAL: In terms of this amendment, I have been following the debate upstairs. Am I right in saying that Parliament is a sovereign body? One of its most ancient privileges is its power to constitute itself as the High Court of Parliament. That is an ancient privilege of the Parliament that is retained to this day, as is its sovereign right and power to regulate its capacity to function and the conduct of its members.

From my reading of all that parliamentary democracy is about, that sovereign power to regulate, the power to function and control over the members, is absolutely essential to the democratic process. Similarly, it can be argued that, under the doctrine of the separation of powers, the judicial system is itself sovereign and separate. I ask the Treasurer about this in the context of this Bill. I do not believe that for a minute the Government is arguing that there should be any standard of civic conduct for members of Parliament and members of the judiciary other than that which would be applied in the general community. We are no more exempt from principles regarding harassment of other individuals than any individual in this society, and we must live by the same standards.

But, as I understand them, these amendments reinforce this Parliament's power to make its own determinations on this matter. I know the member for Elizabeth referred to a matter earlier, but it is within the province of the Speaker and this House to bring in motions to point out things to the public of South Australia which will be very quickly recorded and held up as an example. The Parliament has certain ancient privileges which it should not give away lightly; so have the courts. I would ask the Treasurer whether his amendment is in line with keeping the privileges of Parliament as they should be kept and allowing the institution to continue to function in a way that reflects the needs of contemporary society and enables us the maximum freedoms to go on and do that which might be necessary in the future.

The Hon. S.J. BAKER: I congratulate the member for Unley on an articulate explanation of exactly the point I was making and on getting it absolutely right. It is that special power and privilege for which we take responsibility and which as elected members we—

Mr Foley interjecting:

The Hon. S.J. BAKER: The member for Hart comes in—and I am not sure that he is in his right seat, but he is probably close enough—

The CHAIRMAN: The member for Hart is interjecting improperly.

The Hon. S.J. BAKER: I say to the member for Hart that the issue is that a void has existed previously, and this Bill makes it explicit.

Members interjecting:

The Hon. S.J. BAKER: Well, I simply say that the Bill makes the responsibility explicit, whereas previously there has been a suggestion that either sexual harassment does not happen here or no-one takes responsibility for it. One of the arguments that has been put is that there is no capacity to achieve redress or justice if something goes wrong within the precincts of this Parliament. It has been suggested that the law does not prevail here. The law should and will prevail here, because that is the way it will be enforced, but the Parliament itself must be responsible for its own actions. Historically, a distinction has been made in the special privileges endowed on the Parliament and the way these matters can be handled. We cannot just take powers away from one area and dump them in another and let someone else look after them for us.

Mr LEWIS: I know that I will probably read about this tomorrow on the front page of the *Advertiser*, but in relation to clause 4 I do not think we are taking a step in the right direction by changing the law as it stands at the present time. The responsibility to deal with misconduct on the part of members of Parliament resides in each of the Houses of Parliament, and sexual harassment is clearly one of those matters. For us to hand over that responsibility to any other forum and to make it justiciable in any sense is an abrogation of our responsibilities to deal with our own, here in this institution. It is the highest court in the land. Frankly, given the way in which I was treated by some, indeed most, of my colleagues over the question of whether Steven Wright had defamed me, I do not have any faith in making such matters justiciable. The law lords found that their honours—the Supreme Court judges who sat in judgment about whether parliamentary privilege existed—got it dead wrong.

In this case I was not using parliamentary privilege as a sword at all. I simply sought to protect the identities of the people who had provided me with the information that Steven Wright had, as it were, coerced public servants with threats into doing what he wanted to do to the property he bought at Paracombe. I asked the Minister how it was that he could do it whereas the family that owned it before him could not, even though they had tried for years to do so, at the request of the father of that family, who asked that it be divided among his children. Steven Wright succeeded in doing it in less than a year—three or four months—yet they tried for years to comply with their father's will. In that context, Steven Wright defamed me in the letter he wrote to the *Advertiser*. I took an action against him and, when he demanded to know who my informants were, I said, 'No, that is privileged.' I did not even mention it here in the Parliament.

I thank the honourable member for giving me the assurance he gave. I understand that that is the philosophical position from which he came, but other members in this place did not and, in consequence, that took away some of the strength of parliamentary privilege as it stood. When on our behalf the Speaker refers to the undoubted privileges of Parliament, what a bunch of wimps! We did not go much on

that. So, in this instance, I think the Hon. Anne Levy has it dead wrong. In plenty of instances it will give great delight to some people who might be able to give credence to their claims that they were harassed by a member of Parliament, vexatiously, maliciously and for political reasons to damage the reputation of a member of Parliament. That applies equally to a judge. They could claim that the judge—her honour—made advances to them.

Members interjecting:

Mr LEWIS: Yes; do not laugh about it, it happens. Women make advances on men and women, and they are unwelcome advances; and men make unwelcome advances on men and women. To my mind, for us to be placing such conduct outside the control of this Chamber and this Parliament simply says to the outside world that we are not really competent to do the job that the institution was established to do, and that we are not competent to manage our own affairs; we believe that somebody else will make a better job of it, even though we have plenty of evidence that they have made an absolute botch of it in recent times.

An honourable member interjecting:

Mr LEWIS: I have just told you who did: the three Supreme Court judges handling the matter in which I was involved. I have no confidence in their ability to act independently at all, after that hoo-ha fuss in the Labor Party State Council in which Don Dunstan browbeat the majority into believing that parliamentary privilege was a bad thing. I am not here saying that clause 4 as a whole is a good way to go—it is not—but it is a damned sight better than the proposition being put by the Hon. Anne Levy, who is grandstanding on this question anyway.

Mr Foley interjecting:

Mr LEWIS: I do not know. Maybe she has something to hide; you had better ask her that.

Mr Foley: What's she got to hide?

Mr Atkinson: What goes on down there? Tell us.

Mr LEWIS: It is more about what comes off that we ought to be interested in.

Mr Foley: Like what?

Mr LEWIS: Maybe you would know; maybe you have seen more than I.

The CHAIRMAN: Order! Dialogue across the floor is inappropriate.

Mr LEWIS: Members opposite, and the member for Hart in particular, seek to trivialise the matter. I have never been more serious, because I see this measure as giving a mole's charter to anybody who wishes to take a malicious action against a judge or a member of Parliament. They can do serious damage to the reputation of the judge or the honourable member by making the allegation and having it ventilated in a forum that is entirely inappropriate to judge those questions, because the questions will indeed centre upon parliamentary privilege in some measure; there is no question about that. They will also not exclude whether or not the action or allegation was made vexatiously, and someone who is a person of no substance—of straw—whom you cannot pursue for making such false and vindictive allegations out of spite—

Mr Foley interjecting:

Mr LEWIS:—yes—will get away with it.

Mr Foley interjecting:

Mr LEWIS: I do not know what will happen to her. What I am saying to the member for Hart is that she will lose her seat when the allegation is made by the person who says out of malice that she molested him or her. I do not think that is a good scenario at all. We are better placed to deal with it ourselves, albeit on the floor of this House, and we have provisions in Standing Orders to enable us to do it now. It is an indication of the fact that we are gutless that we seek to codify the law in the way sought by the Hon. Anne Levy and we have at least on this side, with the Treasurer's amendments, attempted to make a better job of it than she did. I repeat: she is grandstanding.

Ms STEVENS: Having just listened to what the member for Ridley said, I am convinced that it is ample evidence that we definitely need some procedures and policies and we definitely need to spend a bit of time learning about the nature of sexual harassment, its effects and some of the issues, evidence and data collected about how and why it occurs so that members generally in this place will have a clearer idea of exactly what it is and what it means. The member for Ridley's contribution proves emphatically that that is needed. However, in returning to these clauses, the issue again is that the Government's position is that, when the Equal Opportunity Commissioner receives a complaint about sexual harassment involving a member of Parliament, the Commissioner must immediately refer that complaint to the Speaker or President, as appropriate.

Our position is that the Commissioner must seek their advice but the Commissioner then decides whether or not it is a matter of parliamentary privilege. I have heard the arguments put forward about the authority and superiority of Parliament. However, let me put another side, that is, the reality of the situation. I am not casting any aspersions on individuals holding these positions, but let us face it, both the Speaker and President in our Parliament still attend their Party meetings and are still involved in the political process outside their role in the respective Houses. They are human beings and the possibility exists that it will be difficult for them to make that decision and perhaps easier for political reasons to be tempted to sweep something under the carpet. That is the other side of the coin.

Our position is that we need to set up a fair process that balances these things. We believe that what we are suggesting is fair and will mean that, if something occurs under parliamentary privilege, it will be dealt with in the end by the Speaker and the President, but we believe that our method of arriving at that is much better and takes that initial decision away from those two persons who, even though they hold the position of Speaker and President, are still subject to the political pressures that we are all subject to.

Amendment carried.

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

Page 3, after line 36—Insert new paragraph as follows:

(aa) in relation to a complaint against a judicial officer—

(i) the Chief Justice; or

(ii) if the Chief Justice is the respondent or considers it inappropriate that he or she should deal with the matter—the most senior puisne judge of the Supreme Court who is not the respondent, is available to deal with the matter and does not consider it inappropriate that he or she should deal with the matter;

The amendment relates to the judiciary and does the same as we have just done.

The CHAIRMAN: I understand that the member for Elizabeth will not be moving her amendment on file.

Ms STEVENS: Yes, Sir. My amendment has been overtaken by this amendment. We oppose this amendment for the same reason that we opposed the earlier amendment. The issue in relation to judges and judicial officers is covered in section 3(6)(b).

Amendment carried; clause as amended passed.
Remaining clauses (5 and 6) and title passed.
Bill read a third time and passed.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL

Adjourned debate on second reading.
(Continued from 9 July. Page 1832.)

Mr ATKINSON (Spence): The Opposition has studied the Bill and thought about each change to the various Acts effected by it. We think the Sheriff should be permitted to break into premises to execute a warrant for contempt of the Magistrates Court civil jurisdiction and we therefore support clause 5.

We also support clause 4 of the Bill that amends the Criminal Law (Sentencing) Act to permit a court to order part payment of a pecuniary sum. I notice that the Treasurer referred to the need to 'eliminate litigation on this issue', and I am wondering what litigation there has been or what is pending about this matter.

The Opposition thinks it is sensible to create under the Evidence Act a point at which the identity of a person accused of a sexual offence may be published if the matter is dealt with summarily. I support the principle of open courts whereby suppression of names and evidence is the exception to the rule. However, I agree that a person accused of a sexual offence should not be publicly identified until he has a case to answer.

Turning to the Law of Property Act, it is long overdue that we removed any uncertainty about the civil jurisdiction of the District Court and the Magistrates Court handling matters arising under the Act within the usual monetary limits. They should be able to do it. We also think it is sensible to rid the law of property of the expression 'mental defective' and of the heading 'Infants, married women and mental defectives'.

The Opposition does not have strong views on whether the Chief Justice or the Chief Magistrate should decide whether a stipendiary magistrate should perform special duties. We shall acquiesce in the Minister's suggestion that it be the latter and, accordingly, we shall not oppose clause 14 of the Bill.

We support the Bill's move to bring the Fisheries Act and the Travel Agents Act within the embrace of the common expiation scheme. We also support the move to allow the Commissioner of Police to license people to use body armour provided that the licensing is gazetted. We understand the amendment is in accordance with national uniform proposals.

The part of the Bill that led to some discussion in the parliamentary Labor Party is clause 7, which amends the Fences Act—an Act well-known to all members of Parliament. The clause tries to remedy an injustice to farmers in areas where farmland meets suburbia or a township, and farmers might have had cast on them the duty of meeting half the cost of a suburban-style fence, such as a Colorbond fence, along a broad section of their farms. Under the clause to which I am referring, a farmer will be liable for only half the cost of building and maintaining a fence fit for farming purposes. The Opposition agrees with this provision and the second reading of the Bill.

The Hon. S.J. BAKER (Treasurer): I thank the member for Spence for his acquiescence on several occasions and his support on other occasions in his second reading contribution. A question was raised by the member for Spence in relation to criminal law sentencing. In answer to his question, no litigation is pending. However, the Chief Justice has asked for the situation to be clarified so that it is beyond doubt. In answer to the member for Spence's question, the changes are unexceptional in their nature, they do update the law, they provide a more practical application of the law than we have seen and, I guess, law is an evolving instrument in any event. I believe that the Attorney-General has done another useful job in terms of making these changes. They will help the administration of the law and I do thank the member for Spence.

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

JURIES (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 9 July. Page 1833.)

Mr ATKINSON (Spence): The Opposition has read the Bill with interest. Although the police have long told the Sheriff about the criminal records of people on the House of Assembly electoral roll for the purpose of the Sheriff's compiling lists of potential jurors, this Bill formalises the process. I am sure very few, if any, of us would want people with criminal records sitting on juries. The information privacy principles that were adopted by Cabinet in the 1980s might have hampered the police in their traditional duty to the Sheriff. This provision will remove all doubt.

Under the Bill, the Sheriff will be able to release a juror from duty after the juror has been sworn in, and the Sheriff will be able to negotiate for the juror to serve during another month. Only a judge may do this now. The Opposition welcomes the flexibility. Another feature of the Bill is that it permits the selection of jurors from the House of Assembly roll randomly by computer. Now that we have privatised prisons in South Australia, we have prison warders who are not public servants but employees of the company Group 4. Under the jury law, prison warders were not eligible to be drafted for jury service. I think this was a most sensible provision. For one thing prison warders might know if the accused had a criminal record because they may have guarded him in prison. Jurors must not know whether an accused has a criminal record because it might affect their judgment of the facts of the case.

In the past, the law has rightly assumed that all prison warders are employees of the Crown, but now that we have this new creature—the private sector prison warder or prison employee—there is the possibility that Group Four employees might find themselves drafted for jury duty. The Bill before us quite properly eliminates that possibility. The Opposition supports the second reading of the Bill.

The Hon. S.J. BAKER (Treasurer): I thank the member for Spence who accurately outlined the intent of the Bill, and I thank him for his support.

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

PARTNERSHIP (LIMITED PARTNERSHIPS) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 9 July. Page 1830.)

Mr ATKINSON (Spence): The parliamentary Labor Party has enjoyed a lively debate on this Bill. The Bill introduces to our law the idea of a limited partnership whereby some partners are active and others merely supply capital. The passive investor's liability is limited to his subscribed capital. The Government's argument is that South Australia is disadvantaged economically by not having a limited partnership provision in the partnership law. We were told most other States have this provision. I suppose the labour movement is suspicious of overseas investors and directors and of absentee landlords, so the idea of limited partnership does not appeal to us. We were worried that managing partners might be men of straw and the investors the men of substance and that, when the partnership failed, only the men of straw would be liable. We also suspected that limited partnership is principally a tax avoidance device. The Opposition's fears about the Bill have been allayed by the Government, especially by the provisions requiring that notice be given of the limited liability to people dealing with a partnership. With those remarks the Opposition supports the second reading of the Bill.

The Hon. S.J. BAKER (Treasurer): I thank the member for Spence for his contribution. When the matter was first raised, I had not looked at the laws interstate and I had made a similar assumption to that of the member for Spence. On reflection, and given the information provided by the Attorney-General, I was somewhat more relaxed about the relationship that would be established by recognising limited partnerships. There are provisions for safeguards, and I thank the member for his support.

Bill read a second time.

In Committee.

Clauses 1 to 8 passed.

Clause 9.

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

Page 5, lines 20 to 30—Leave out subclauses (1), (2) and (3) and substitute—

55(1) If any change occurs such that particulars contained in the Register in relation to a limited partnership are no longer accurate or complete, the partnership must, within 28 days of the change, give the Commission notice of the change in accordance with this section.

(2) If a partnership fails to comply with subsection (1) each of the partners required to sign the notice in accordance with subsection (3) is guilty of an offence.

Maximum penalty: $1 250.

Expiation fee: $160.

(3) A notice under this section must—

(a) be in writing in the form approved by the Commission; and

(b) contain such particulars as are necessary to correct or supply the deficiency in the Register; and

(c) be signed—

(i) by all the general partners or, if the regulations so provide, by such of the general partners as may be prescribed; and

(ii) if the change relates to the admission of a limited partner or a change in the liability of a limited partner to contribute—by the limited partner.

Page 6, lines 1 to 4—Leave out subclause (5).

Page 7, lines 14, 15 and 16—Leave out 'no longer extends to any debt or obligation of the limited partnership that arose before the partner became a general partner' and substitute 'does not extend to any debt or obligation of the limited partnership arising after the partner becomes a general partner'.

Page 10, after line 4—Insert:

(c) ceases to be a limited partnership,.

The first amendment replaces section 55 with a new section 55 which is similar except that it will allow the regulations to prescribe that certain notices which are required under this section will not need the signature of all general partners. The effect will be that, where the notice contains only minor matters, the problem of obtaining the signatures of all general partners will be avoided. In other words, with the diversity of partners in a business, the original provisions would have required all signatories, even for the most minor of matters. There will now be an ability to get even the most minor of matters out of the way without having a piece of paper to be sent to the various partners concerned, who may be interstate or overseas. The changes we have incorporated simply make the legislation more workable, and I commend them to the Committee.

Amendments carried; clause as amended passed.

Remaining clauses (10 and 11), schedule and title passed.

Bill read a third time and passed.

The Hon. S.J. BAKER (Treasurer): I move:

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

Motion carried.

COOPERATIVES BILL

Adjourned debate on second reading.

(Continued from 9 July. Page 1848.)

Mr ATKINSON (Spence): The Opposition has studied the Bill and sought comment on it from stakeholders. We have been unable to elicit much response, so the Opposition assumes that the Bill is not controversial. We understand that the Bill is modelled on the Victorian equivalent and will be part of national uniform legislation. Our current Act is blind to the interstate activities of local cooperatives and it is overdue that this be overcome by amendment, as it is by the Bill. We see no reason why the legislation should impede interstate trading by cooperatives. The Bill also creates an offence of trading insolvent, which mirrors the useful provision in the Corporations Law. The Opposition supports the second reading of the Bill.

The Hon. S.J. BAKER (Treasurer): I thank the member for Spence for his support. His analysis of the Bill was accurate. It improves the arrangement for cooperatives, and there is a money clause to be inserted in Committee.

Bill read a second time.

In Committee.

Clauses 1 to 447 passed.

Clause 448.

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

Page 164, after line 2—Insert clause 448 as follows:

Exemption from stamp duty

448. No stamp duty is payable in respect of any of the following instruments:

(a) the certificate of registration of a cooperative;

(b) a share certificate or any other instrument issued or executed in connection with the capital of a cooperative, other than a transfer of shares.

Clause inserted.

Remaining clauses (449 to 456), schedules and title passed.

Bill read a third time and passed.

RETAIL SHOP LEASES AMENDMENT BILL

The Legislative Council intimated that it had agreed to the recommendations of the conference.

LIQUOR LICENSING BILL

The Legislative Council intimated that it had agreed to the recommendation of the conference.

ADJOURNMENT DEBATE

The Hon. S.J. BAKER (Treasurer): I move:
That the House do now adjourn.

Mr LEWIS (Ridley): I say at the outset that I am astonished at the unwillingness of people in positions where commonsense is supposed to be exercised to exercise that commonsense. In this context, I refer to what one might call the senior statesmen or tribal elders—or whatever else one might like to call them—of the rural lobbies—the South Australian Farmers Federation and the Local Government Association of South Australia—in coming to an acceptance or an understanding of their responsibilities to share reasonably in the cost of ensuring that the settled areas of South Australia, both urban and rural, are free of the risk of dingo attack.

Not just mice, poultry and lambs are the subject of dingoes when they seek food: we already have documented in history some unfortunate incidents in which human beings have been attacked. Indeed, Lindy Chamberlain lost a daughter at Ayers Rock in consequence of that. So, there is no question that we are well advised to keep people, their livestock and pets separate from the wild dog, which was brought here as a feral animal just a few thousand years ago by the last migrants who came here prior to European settlement about 10 000 or 12 000 years ago.

These dogs are voracious feeders, more cunning than foxes and more damaging in their attacks on livestock, in particular, than foxes ever could or would be. I represent an area that has within it large national parks, one of which is Ngarkat, the largest national park in the settled areas of South Australia. In Ngarkat there is a large population of dingo which frequently attack. I must say by way of explanation that that population varies from time to time. If attempts are made to eradicate or reduce that population to the point of extinction, it is fed from populations across the border in Jeff Kennett country in the sunset national parks of the Little Desert and the Big Desert.

These dingoes cause problems to the landholders whom I represent, and they also cause problems to me, no more or no less. Indeed, I believe that, in truth, they are probably greater problems than the dingoes of the Far North outside the dingo fence. That brings me to the point of my grievance. To illustrate my grievance, I seek leave to insert in *Hansard* a small table of the local government bodies of South Australia which illustrates the number of ratepayers and the number of properties greater than 10 square kilometres in each of those local government areas. I assure you, Sir, that this table is purely statistical. Leave granted.

LGA Name	No. Ratepayers in LGA	Number Properties Levied >10km^2	Rateable Rural Area (hectares)	Sheep Numbers 5 Year Average	Distance from Dog Fence (kms)	Dog Fence Levy Amount ($)
Streaky Bay (DC)	656	182	490 027	228 491	80	9 987
Tatiara (DC)	2 341	112	524 048	1 002 378	545	5 544
Lower Eyre Peninsula (DC)	1 244	88	337 602	467 194	290	4 206
Le Hunte (DC)	512	166	427 968	214 539	145	9 426
Elliston (DC)	428	133	503 994	279 490	190	7 937
Mount Remarkable (DC)	1 059	81	289 973	309 791	215	3 420
Cleve (DC)	686	141	357 252	322 324	245	7 500
Tumby Bay (DC)	899	45	234 212	311 765	285	1 800
Naracoorte (DC)	638	24	181 883	614 580	622	600
Lacepede (DC)	811	82	277 681	570 531	585	4 398
Lucindale (DC)	467	58	281 616	603 774	630	2 403
Kimba (DC)	461	134	323 164	194 477	205	7 878
Hallett (DC)	226	54	226 287	188 193	220	2 197
Burra Burra (DC)	742	51	198 327	224 644	265	2 020
Peterborough (DC)	102	86	279 660	139 112	175	4 196
Jamestown (DC)	764	13	101 168	177 653	225	240
Coonalpyn Downs (DC)	516	105	315 063	385 793	500	5 487
Rocky River (DC)	808	8	110 391	169 988	250	180
Karoonda-East Murray (DC)	434	148	361 886	261 730	400	7 200
Carrieton (DC)	65	53	209 508	88 733	153	1 219
Orroroo (DC)	315	66	131 971	106 920	190	3 176
Beachport (DC)	565	22	111 111	376 978	670	900
Central Yorke Peninsula (DC)	1 762	19	251 830	215 037	390	300
Peake (DC)	266	55	188 271	233 215	450	2 410
Blyth-Snowtown (DC)	669	28	152 944	157 669	305	480
Saddleworth and Auburn (DC)	761	13	70 970	155 024	310	120
Franklin Harbor (DC)	425	80	269 508	135 334	280	4 531

LGA Name	No. Ratepayers in LGA	Number Properties Levied >10km^2	Rateable Rural Area (hectares)	Sheep Numbers 5 Year Average	Distance from Dog Fence (kms)	Dog Fence Levy Amount ($)
Ridley-Truro (DC)	1 005	59	234 995	170 528	360	2 700
Hawker (DC)	155	63	187 947	61 754	135	3 052
Wakefield Plains (DC)	1 611	21	165 190	150 030	335	720
Penola (DC)	1 209	19	107 119	288 493	670	720
Kanyaka-Quorn (DC)	455	40	170 004	72 425	170	2 713
Clare (DC)	1 350	8	63 047	120 528	290	120
Meningie (DC)	1 305	44	197 934	185 877	490	2 100
Lameroo (DC)	469	59	188 346	170 571	450	2 700
Robe (DC)	444	33	87 645	241 255	645	1 260
Spalding (DC)	170	22	45 707	90 189	260	180
Robertstown (DC)	259	33	124 066	95 733	295	1 144
Mount Pleasant (DC)	750	9	52 461	117 923	384	180
Strathalbyn (DC)	2 221	7	86 549	134 528	445	120
Kapunda (DC)	1 128	2	55 518	97 948	335	90
Crystal Brook-Redhill (DC)	710	12	82 022	77 839	280	540
Yorketown (DC)	1 058	7	75 426	122 573	445	60
Pinnaroo (DC)	415	43	165 982	121 737	450	1 981
Yankalilla (DC)	1 188	5	54 192	127 306	485	60
Minlaton (DC)	870	41	90 130	109 187	425	1 825
Bute (DC)	348	7	107 746	82 980	325	240
Murray Bridge (RC)	5 557	28	121 924	104 714	425	1 020
Eudunda (DC)	468	17	77 071	77 920	320	240
Riverton (DC)	551	4	41 764	79 394	330	0
Millicent (DC)	2 679	4	48 517	166 001	695	60
Loxton (DC)	2 332	108	257 933	82 243	345	5 100
Warooka (DC)	345	9	113 042	101 002	425	180
Waikerie (DC)	1 586	69	277 579	71 809	325	3 420
Pirie (DC)	453	6	67 049	51 683	265	60
Port MacDonnell (DC)	831	5	59 462	137 190	730	120
Mount Gambier (DC)	1 466	7	57 692	120 868	720	180
Browns Well (DC)	102	86	159 698	61 389	382	4 824
Morgan (DC)	443	55	132 791	47 127	300	3 121
Mallala (DC)	1 864	9	69 769	52 730	365	180
Mount Barker (DC)	5 824	5	39 528	56 735	420	0
Northern Yorke Peninsula (DC)	2 771	4	66 025	46 808	348	120
Port Broughton (DC)	512	13	51 280	39 419	300	300
Light (DC)	1 600	2	53 815	45 175	358	90
Barossa (DC)	1 455	5	20 724	39 108	372	0
Mannum (DC)	1 191	13	54 024	37 672	390	300
Angaston (DC)	2 433	3	18 075	34 554	360	60
Victor Harbor (DC)	2 783	1	32 146	39 648	475	160
Gumeracha (DC)	1 882	3	17 406	29 741	390	0
Port Elliot and Goolwa (DC)	2 578	5	29 430	30 368	465	0
TOTALS	77 448	3 042	11 417 080	12 328 059	25 999	141 793

Mr LEWIS: It will be seen from this table that, at present, the law as we know it, which was adopted by this Parliament in consequence of a proposition put to the Parliament through the Minister from the South Australian Farmers Federation, is a very unjust law. It simply says that a levy must be paid by anyone who owns more than 1 000 hectares (10 square kilometres) regardless of what that land is used for. There are large vineyards in the Coonawarra which at present pay the dog fence levy, and I am quite sure that the owners of those vineyards would not regard themselves as being at risk in any way of losing their livelihood if dingoes were allowed to roam freely through their vineyards.

There may be other attendant risks to themselves, their families and their pets, to which everyone is subject, but I do not see it as just that they should have to pay simply because they own more than 10 square kilometres. It is also a fact that the productivity of the land across this fair State of ours varies enormously accordingly to rainfall and that, whereas in the South-East in the area which you, Mr Deputy Speaker, represent, the carrying capacity of livestock is very high on those fertile soils, elsewhere, as you would appreciate, the land has a very limited carrying capacity and in some instances farmers have already decided that they will run no livestock whatever. Yet, they own upwards of 5 000 hectares,

in some instances, and have to pay a levy to keep the dingoes in the north of the State beyond the fence. In your electorate, Sir, where the properties are of less than 10 square kilometres (1 000 hectares) no levy is paid.

I have told the House before of the inequity and injustice for some people in the communities that I represent, because they own large tracts of infertile land still covered by native vegetation from which they can derive no income, yet they are still liable to pay the tax. Many of these families—I am talking about a few score families—have had an income of less than the dole (on average, less than $3 000 a year) over the past several years, yet they must pay this levy.

It represents a substantial part of the disposable income they have for food and clothing, as members would appreciate. They have not paid it in protest and because it has been beyond their means. It has mounted up and now they have been sued for it. It is an iniquitous tax and unjust in its application. The table I have incorporated in *Hansard* clearly illustrates that, for instance, the number of properties in some of the local government areas presently paying the levy means that the numbers of sheep, household pets, and so on, within that area being protected, presumably by the contribution that comes from that levy, places a disproportionately high burden on people in those councils.

One only has to look at district councils like Karoonda East Murray and Coonalpyn Downs and compare them with Mount Barker. The amount of the dog fence levy in Mount Barker is zero, yet there is something of a five-year average—56 000-odd sheep—in Mount Barker, and the ratable rural area of Mount Barker is 39 500 hectares. I do not see why the people who live in Mount Barker and have all that livestock, which is more than in some of the rural councils where quite substantial funds are collected under this levy, should get away with it. It is inequitable.

The House and the Government ought to be addressing this whole problem for the urgent attention, and for the immediate resolution of the injustices involved, of the Local Government Association and the South Australian Farmers Federation. It was wrong of them, in the unholy alliance between pastoralists in the north and their cousins and brothers and even the same families owning land in the South-East, to get together to push through a vote at their national conference to make the area from which they collected the levy greater than 1 000 hectares against the interests of the people in the poorer producing agricultural areas of the State that need more than 1 000 hectares just to make a living. That is the reason for my complaint.

Mr QUIRKE (Playford): Some people actually give politicians a bad name. When I look through the newspaper from time to time I see a lot of humbug and hypocrisy and occasionally I see it from some of my fellow colleagues. A recent example of this was a document circulated in the Hanson electorate. I am very disappointed in the present member for Hanson, because he did not answer it properly and appropriately at a public meeting. This document was circulated by a Mr Trainer.

Mr Atkinson: The Hon. J.P. Trainer.

Mr QUIRKE: The member for Spence says 'the Hon. J.P. Trainer'. The member for Spence and Mr Trainer have had a number of things in common over the years and I will outline one story in a moment. To get back to the document, the former Speaker of this place was circulating a document saying how terrible it is that politicians travel. He was making all sorts of suggestions and assertions, one of which is that politicians should not empty the bank in their last year. I do not disagree with that, but I know that Mr Trainer sinned on this one. He went to Greece and every other place he could think of and he told me that he was emptying the bank, so I guess that he is an expert on this.

The question I ask Mr Trainer—and I ask the member for Hanson why he did not bring it up publicly—is which superannuation option he took. I did some quick calculations on this. He could have had a pension of $62 000 per year indexed for life or he could have taken more than half a million dollars. So, the document he was circulating, which said at the bottom, 'Paid for by my funds', is rather interesting. I am not sure whether it was paid out of the $62 000 he is entitled to every year or the half a million bucks he stowed away in some fund or other.

I am told that this man wants to come back and be Speaker again. I am told also that every glass company in Adelaide is happy with that. I came down here on a couple of occasions and I remember that he was the only fellow who could go from 10 to 110 decibels in five seconds flat, with a rather high pitched non-testicular screech, which would hardly make him a desirable object to be Speaker in this place in the future. I guess it is because he wants to top up the $62 000 and get it close to $80 000, if he can do that.

I do not mind someone having a go at MPs' perks, but when it is somebody who has worn out every one of them and does not want to talk about the biggest one of the lot, namely, the superannuation he has, it is a different matter. At least we in here did, with some humility, change that scheme. The Treasurer, myself and others got together to bring in a much more moderate one. This fellow does not mention anything about that. It was said a moment ago by the member for Spence that it was the 'Hon. J.P. Trainer'. I was not in Mr Trainer's good books. When I came in here I was put in cobweb corner, and there I stayed for some three years.

A sin I committed some years before that was that I had had enough of Mr Trainer and dumped him off a factional executive. He is putting out all this stuff that he is non-factional. I have to confess that I made him non-factional. I tipped him out of the executive and there was no more use for it, so he did not hang around. The member for Spence was one of a couple of members here who thought that the Hon. John Trainer was badly treated when he lost the Speakership. There was—

The Hon. S.J. Baker: He must have been the only one.

Mr QUIRKE: He was not the only one: there were two of them. There was some mirth around here when that accident happened. I understood from Martyn Evans and the then soon to be Speaker, the member for Semaphore, that Mr Trainer telephoned them and said that they could do something else instead of taking these jobs and that he naturally should sit in the Chair in which you, Mr Speaker, now sit. That was not to be. The Bannon Government decided by an overwhelming majority that he would not survive what happened in 1989.

The other thing about that decision was that it was decided that he would become the Whip. That was a rather interesting experience. The hysterical way in which the Whip's duties were carried out in my first Parliament here is something I will remember for a long time. I hope that if he becomes Speaker in future he does not become Whip in the meantime. Three weeks into his parliamentary career in here, the member for Spence raised the ire of our Whip, Mr Trainer. He went out one day to do something and he got back and there could have been a vote. There was not and there was

never any suggestion that there would be, but there could have been a vote. He was dragged in like a school boy and shortly thereafter I was taken in because Mr Trainer thought that I would have some influence on the member for Spence. What a foolish attitude that was! He laid out the case and how terrible was the sin, and I said, 'You know, John, it really is a shame: he is the only bloke around here who wanted to vote you into the ministry and you are dumping on him from a great height.' He immediately said, 'How can I mend it with him?' This is a man of principle; this is a man who will sort out the Parliament from one end to the other. That is humbug and hypocrisy at its worst.

I do remember that after the election the former honourable member came to see me and told me that he had to come back and that he wanted my support. I said, 'That's a rather strange thing to do after the relationship you and I have been through over the years, and in fact (with a few others) I did get you the preselection over Colin McKee for the seat of Hanson.' He said, 'Well, I was the best candidate.' I said, 'I know that.' Some years before that, we had had a blue about who would be the best candidate for the State Secretary position, and Mr Trainer told me, 'I'm going to vote for Colin McKee, because then I can be friendly with both sides on the question.' Of course, when he wanted Hanson, accidentally he was running against Colin McKee and I said, 'I think I'll vote for Colin McKee even though I know you're a better candidate, because then I can be friendly with both of you.' There was silence for a while. Then I said, 'No, some people around here must show some responsibility: I am going to vote for you,' and so I did.

I could go on (and I will if there is another volume to this) about how competently that 1993 election campaign was conducted, but it is sufficient for me to say now that when he came to see me after the election he told me, 'Politics is in my blood; I have to come back.' I said, 'What you ought to do on your pension is send me a postcard from Rome, Paris, London, Spitzbergen—wherever you want to go. On $62 000 a year, why would you want to come back here and pay 11.5 per cent of salary into super and 6 per cent parliamentary levy (on our side)? Everyone else has their hand out. You're getting $62 000 straight up.' He obviously thinks he is coming back in Hanson. I can honestly say that if he does I will be very happy not to be here to see it. On the way in here tonight, I heard a lot of people say, 'Please do this; we don't want him back.' I have not yet heard anybody say that these remarks should not be put on the record. Certainly, the superannuation—

Mr Lewis interjecting:

Mr QUIRKE: No; I am sure he would be very pleased to note that his great ally over there, the member for Ridley, is not happy about these remarks.

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

Motion carried.

At 6.35 p.m. the House adjourned until Wednesday 23 July at 2 p.m.