HOUSE OF ASSEMBLY

Thursday 5 August 1999

The SPEAKER (Hon. J.K.G. Oswald) took the Chair at 10.30 a.m. and read prayers.

MOUNT BARKER FOUNDRY

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.H. ARMITAGE: Yesterday, I told the House that it was my understanding that no incentive was offered to the Mount Barker foundry to change the nature of its manufacturing business, and I undertook to the House to seek further details on the issue. I have done so and I provide the following information.

I have now been advised that the Department of Industry and Trade, through the Centre of Manufacturing Foundry Program, has provided assistance to Mount Barker Products to assist in the relocation and expansion of its foundry in response to the awarding of a major contract with Schlumberger for the production of water meters. While this matter is in the domain of another Minister, I am advised that the grant was made under delegated authority. I remind the House that 'delegated authority' can only be exercised for assistance grants of less than $200 000.

YEAR 2000 COMPLIANCE

The Hon. W.A. MATTHEW (Minister for Year 2000 Compliance): As Minister for Year 2000 Compliance and in accordance with statute, I lay on the table the first report of progress of State agencies in the detection, prevention and remedy of problems relating to the Year 2000 processing.

RESIDENTIAL TENANCIES (CARAVAN AND TRANSPORTABLE HOME PARKS) AMENDMENT BILL

Ms WHITE (Taylor) obtained leave and introduced a Bill for an Act to amend the Residential Tenancies Act 1995. Read a first time.

Ms WHITE: I move:

That this Bill be now read a second time.

My purpose in introducing this Bill today is to generate debate on a very important matter affecting many of my constituents. It is my intention to reintroduce this Bill immediately when we return from the parliamentary break, incorporating any further useful amendments that are generated from its broader public discussion.

Members may not be aware that a significant proportion of long-term residents in caravan parks and transportable home parks, sometimes called mobile homes or residential villages, fall outside the coverage of our present laws when it comes to tenancy protections. Likewise, the owners or landlords of these premises also lack the protections that are afforded under the Residential Tenancies Act 1995 or the Retirement Villages Act 1997. The group of residents to whom I refer is different from the group of tenants who are covered under the Residential Tenancies Act because, unlike those tenants, they generally own their residence and rent only the site on which their home is situated, and they rent the use of certain common areas.

Under current South Australian law, this group of residents has neither the security of tenure of a private home owner nor the consumer protections of recourse to the Residential Tenancies Tribunal that regular rental tenants have. These residents, who usually own their home or pay a mortgage on that investment, which can be worth around $90 000 in the case of transportable homes, have fewer rights under our law than a tenant who does not have the added burden of protecting such significant investment. Like the home owner, these residents are responsible for the maintenance of their dwelling, but unlike the regular home owner they can and sometimes are threatened with eviction from a residential park with as little as seven days' notice. These residents are mostly retired people who have chosen such a lifestyle for reasons of being part of a community and avoiding the insecurity of later years of facing possible eviction from rental accommodation.

Unlike tenants of residential properties, long-term residents of caravan parks and transportable home parks cannot turn to the Residential Tenancies Tribunal to adjudicate when they are in dispute with their landlord, nor does the landlord have recourse to the tribunal to deal with bad tenants. Indeed, the balance of power between tenant and landlord in this situation is nowhere near what most South Australians would call fair. Transportable homes can cost of the order of $10 000 to dismantle and move. This changes significantly the bargaining power of a resident. Once such a home has been placed on a rented site, the expense of moving acts as an enormous incentive for these residents to yield to those unfair demands from landlords that another, less constrained rental tenant would refuse.

Many rental tenants are moved several times but the group of residents to whom I am referring in this Bill is somewhat of a captive audience because of the difficulty in moving and the size of the investment they make when they move onto such a park. My Bill seeks to afford to this group the same general protections as apply to tenants and landlords under the Residential Tenancies Act. These include the ability for tenants and/or landlords to have claims or disputes heard by the Residential Tenancies Tribunal; the requirement for a tenancy agreement between the parties; protections surrounding the charging of rent and security bonds and the obligation on tenants to pay it; mutual rights and obligations of landlord and tenant; the conditions and procedures for termination of a lease; the rights of a tenant to possession and the quiet enjoyment of the premises; the obligation of a landlord to maintain certain facilities; the tenant's obligations in regard to their conduct and the condition of certain facilities; and the treatment of any goods abandoned by the tenant.

My Bill also includes some additional measures that relate to the specific nature of these types of tenancies, which I will now outline. In my view, it is only reasonable that long-term residents of caravan parks or transportable home parks are told by landlords what are the conditions of their tenancy before they make such a significant decision of permanent or semi-permanent residency. To ensure that this happens, my Bill includes clauses that specify some of the terms that must be included in a written tenancy agreement. It might surprise members of this House to learn that, despite the significant size of their investment, some residents of transportable home parks are not party to any written agreement at all. These are people who often intend to retire to these sites for the rest of their life, and some of them do so without any written

agreement whatsoever. Of the written agreements that I have sighted, most attempt to bind tenants to an imposed set of park rules which can change without notice, make no mention of amounts of fees or charges payable by the tenant (nor even of the amount of rent that can be charged) and do not refer at all to the obligations of the landlord. From tenants I have heard of cases where, without prior warning, a new tenant is faced with an increase in rent the week after they have moved in.

The SPEAKER: Order! There are too many audible conversations in the Chamber. Members can either talk quietly or go into the lobbies.

Ms WHITE: I have heard evidence of random fees being imposed without consultation. I have heard of attempts by landlords to slug a single resident with the total cost of subdivision in order to provide additional sites. I have heard of dubious allocations of debt arising from combined utility bills. I have heard of landlords disallowing a relative permission to stay with a tenant or charging unreasonable rent for additional people without explaining that there was any restriction at all on tenancy at the time the tenant agreed to move in.

My Bill will ensure that a written agreement is signed by both parties in the case of a transportable home park and that the terms of the agreement are clearly spelt out. This must include: the period of the agreement; the terms of any right to renew; the rent payable; any fees and charges payable; any costs payable to the landlord for establishment of utilities to the site; any ongoing utility charges and the method for determining the amount to be paid to the landlord; any restrictions on tenancy (for example, the maximum number of residents allowed to live on a site); and any charges that apply to additional residents.

As is the case for regular tenants, should there be dispute about a rental increase being excessive or a tenant feels that downgrading of their amenity warrants a decrease in rent, then, under my Bill, that tenant has recourse to the Residential Tenancies Tribunal in the same way as all other tenants have. Similarly, a landlord can appeal to the tribunal to determine a dispute about unpaid rent, damage to property and the like, and the tribunal can make orders that are enforceable on the tenant to the point of eviction, if necessary.

It does seem to me that, currently, because there is no accessible independent arbiter covering this group of tenancies, there is potential for a great deal of distrust and resentment between park managers and residents. While some residents' groups at some parks discuss changes to park rules and the like, because the power balance between the parties is so skewed and the landlord currently is under no legal obligation to consult with these bodies, even if such a body does exist, the potential for discord is amplified because residents can feel that they waste their time and invite the wrath of the landlord if a meeting decides against a plan proposed by the landlord. The potential for unchecked victimisation is keenly felt by many such residents.

Similarly, a busy landlord or manager of such a property can become exasperated if such bodies continually refuse to acknowledge the business realities of managing increased park costs and the landlord has no formal mechanism of instituting reasonable rent increases and the like without a divisive battle. One of the advantages of having an independent arbiter for such disputes is that, over time, acceptable standards will develop in the sector following rulings of the tribunal. Tenants and landlords alike will get to know what is acceptable in relation to these matters.

In my research for this Bill, it has become very evident that standards of operation vary markedly from one park to the next. I add, for the benefit of members, that thousands of South Australians live in long-term residency in such transportable home parks or in caravan parks in that way. I also point out that, for the purposes of differentiating between a holiday-maker and a long-term resident in a caravan park, the requirement of at least 60 days' residence kicks in.

It is not my intention with this Bill to be overly prescriptive. I wish to protect tenants and landlords by setting out in legislation just enough prescription to establish a fair position for each and to afford them access to a comparably inexpensive mechanism for dispute resolution. My Bill includes the framework for the voluntary establishment of one representative residents' body per park. The Bill does not say that the landlord needs the permission of this body to implement change, only that the landlord must consult and have regard to that body's views on matters that affect the use and enjoyment of the common areas of the park. The fact that the tribunal will recognise this body and its views is, I believe, enough to encourage more resolution at a local level. In any case, the tribunal does have the power to employ mediation and conferencing.

Another special clause in this Bill applies to transportable home parks. Because transportable homes in these parks often have semipermanent structures attached and take some effort and additional expense to move, my Bill allows a 28 day removal period, rather than the usual seven days that applies under the Residential Tenancies Act once the date for averting lease termination has passed.

This Bill introduces legislation that is a long time coming in South Australia. It has been at least a decade in discussion. South Australia lags behind the Eastern States where legislation is and has been in place for as long as a decade to protect residents in transportable parks as well as long-term caravan park residents. This Bill picks up many of the features of the New South Wales legislation which was passed last year and which began operating on 1 March this year. Currently, the Queensland Government is reviewing its legislation; it currently has a separate Mobile Homes Act 1989. It is the intention of that Government, I believe, to bring that piece of legislation into line with its equivalent of our Residential Tenancies Act.

The Victorian Government has had a Caravan Park Immoveable Dwelling Act since 1988. That Act was repealed in July last year and replaced as a result of amendments to its residential tenancies legislation. I hope members will agree that this legislation is needed to protect the rights and obligations of tenants and landlords in these long-term residential situations in caravan parks and transportable home parks. I intend to reintroduce the Bill in the next session, and I urge all members to vote to protect the rights of a very overlooked group of residents in South Australia.

Mr MEIER secured the adjournment of the debate.

SELECT COMMITTEE ON A HEROIN REHABILITATION TRIAL

Mr HAMILTON-SMITH (Waite): I move:

That the select committee have leave to continue its sittings during the recess and that the time for bringing up the report be extended until the first day of next session.

Motion carried.

EDUCATION, MATERIALS AND SERVICE CHARGES

Adjourned debate on motion of Ms White:

That the regulations made under the Education Act 1972 relating to materials and service charges, gazetted on 25 March 1999 and laid on the table of this House on 25 March 1999, be disallowed.

(Continued from 8 July. Page 1792.)

The SPEAKER: I inform the House that this regulation has been disallowed in the other place and that it may not therefore be further proceeded with. I offer the member for Taylor the courtesy of moving that the Order of the Day be discharged. As the honourable member does not wish to take up that offer, I direct that the matter be removed from the Notice Paper.

Order of the Day discharged.

RACING (SATRA—CONSTITUTION AND OPERATIONS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 29 July. Page 1902.)

The Hon. I.F. EVANS (Minister for Recreation, Sport and Racing): I am not against the philosophy of what the Opposition spokesman is trying to achieve in the Bill that is before the House. Anyone in the racing industry is aware that significant negotiations are happening within various sections of the industry, particularly between the SAJC and SARC and, indeed, other representative organisations. Those organisations are genuinely trying to progress an administrative structure that is inclusive of other sections of the industry, as well as bringing the principle of self-governance to the industry, and the two bodies mentioned are considering a corporate concept.

If the principle of the Parliament is that it believes that the industry should have as little Government involvement as possible and that it should manage itself, it is probably in the best interests of the industry for the Parliament to allow the industry to continue with these negotiations and to encourage the various groups to work together to try to achieve a model which they believe, as an industry, will put them in the best possible position to manage the industry in future years.

I am not necessarily opposed to the principle of what the Opposition spokesman is trying to achieve through the Bill. However, I do have a very strong belief that, given the leadership that has been shown by certain sections of the industry and the opportunities that are evolving on a daily basis within the industry for it to secure these negotiations and to firm up positions in certain aspects, I honestly believe that, at this point, it is not in the industry's best interests to progress with this Bill, and that the Bill should either be defeated by vote today, knowing that it can be reintroduced at another time if the negotiations do not fulfil their promise or be dealt with in another way at a later time.

As Minister for Racing, I believe that, given the quite genuine attempts by all sections of the industry, particularly the thoroughbred industry, to try to manage itself and bring to the industry what it believes is an improved management structure, the best course for the Parliament is to defeat this Bill today, knowing that it can be reintroduced later and to encourage the industry to continue negotiations and having a lateral approach to the way that racing will need to be managed in what in the future will be an increasingly complex commercial environment, particularly with privatisation of TABs interstate. There is no doubt that that will bring a different set of pressures to racing industries, particularly one the size of the South Australian industry.

I would encourage the Parliament to defeat the Bill, not because it is wrong in principle, but simply because of its timing. Given the negotiations in the industry, I think it does send the wrong message. If the principle is we believe that the industry can manage itself—and that is my understanding of the Opposition's position—if that is the genuine belief, if we know there are genuine negotiations happening behind the scenes (and they have been quite public), let us step back, take the politics out of it, and let the industry manage the negotiations. Let us encourage them, help them where we can, and see what administrative structure they can manage out of their own negotiations.

It has been a long time in the racing industry since the SAJC and SARC have sat down around a table and come up with a working document as they have of late and have started to embrace other sections in a genuine attempt to set up their industry on a proper footing for the future. While I do not agree with the philosophy of what the member is trying to achieve, in fairness to him, and whilst negotiations in the industry have overtaken the debate to some extent, we should respect that, step back and allow the industry to continue those negotiations and encourage them to bring what I believe would be a pretty positive result to the industry in the short to medium term.

The Hon. G.A. INGERSON (Bragg): I take this opportunity to make a contribution to this debate. I do so from the point of view of having known a little bit about the history of the setting up of SATRA and the way I think it has developed to this point and what should happen in the future. Clearly this Bill has been introduced to gain a political advantage. All of us would recognise that this happens on many occasions in this place. What we all have to judge is whether political advantage is in the best interests of the industry. The member who has introduced it clearly knows that there have been some long-term discussions about what was the best structure in relation to SATRA, and that there have been long-term issues in relation to the management of the controlling body in South Australia.

I am quite surprised that this Bill was rushed in like it was when everybody in the industry, or anyone related to the industry, knew that change was being discussed. At the time the Bill was introduced, I do not think there was any formal position as to what should happen, but clearly there was a lot of current discussion in relation to the direction that should be followed. I want to refer to three issues in particular and finish up with a couple of comments, now that there is open public debate in relation to TeleTrak. What is really the problem with SATRA? Is it the structure? Is it the nomination process, or is it the people within the structure? These are the three questions we should ask ourselves before we make a decision to make change.

Everyone needs to remember that, when this Act was established and when changes were made and the restructure involved in the setting up of RIDA and SATRA occurred, the controlling body of racing at that time was linked with the SA Jockey Club, and it was split off. It was the view of the SA Jockey Club that the way this controlling authority should be

set up was that it should have full control of the nominations. I expressed at that time in the House and no doubt publicly that it was my view that no member of the committee of the jockey club should be on SATRA. The problem was that this did not occur in the very first instance, and as soon as that occurred everybody in racing knew that there would be difficulties, because it meant that those who did not have the power in the SA Jockey Club were on the board at SATRA, and they would make sure that any decisions they made would not necessarily be in the best interests of the SA Jockey Club, and vice versa.

So, because of the structure agreed to by this Parliament (and which I recommended to the Parliament, so I am not walking away from any of that responsibility) immediately problems were set up and because of the divisions within the jockey club, it inevitably ended up with fights, and that happened from day one. As the Minister at the time, I can relate plenty of stories about the conflicts between the two groups, but fundamentally conflicts between individuals. I will get onto that in a minute, because I have had a bit of involvement with individuals in this place and it is about time a few people knew a bit more about what actually happened, and today they might actually get a chance to find out.

Let us first deal with this issue of structures. Clearly, structures should be set up that reflect the numbers that you need on a committee, the rules and authority of the committee, how its members are elected, how they are replaced—all those fairly simple issues in relation to structures. I do not have any problem with any structure. In my view it really does not matter what the structure is, as long as it is accepted and put into legislation by the industry. That is the very important issue. Let us face it: the structure of the committee that we have today, the way its members are nominated and its current membership was meant to represent the industry. It came from the jockey club which at that stage represented the industry. I do not have any problems with what the structure should be and whether numbers should be increased; that is not an issue as far as I am concerned.

Let us look at the nomination process, because it is at this point where all the issues begin and end. I reluctantly agreed that the jockey club should do this. Everybody knew at the time it was my view that nominations should consist of independent people. We did it with the TAB and everywhere else. But I reluctantly agreed on the basis that it would be in everyone's best interests. Unfortunately, it has not worked because at the time there were splits in the SAJC.

As an aside, I want to put on the record one of the fundamental problems in this system. Two of the members of the SATRA Board came to my office when I was Minister and said, 'Minister, you should change the Act because we are not likely to be reappointed to the board and we believe that we should be there.' Their argument in my view was not in the best interests of the industry: it was in their own personal interests. I rejected that view, and many members here know the consequences of that action. That is the fundamental issue that we have to sort out in any changes we make. Whatever we do, it must be industry driven, and we must encourage people to join these boards who will act in the best interests of the industry and not in their own personal interests.

That is the key to any change. It is not to do with structures. The key is to get people who will act in the best interests of the industry. We do not want yesterday's men, not people who are concerned only in their own future and their own power base, but people who are prepared to look at the total view in terms of what is best for the industry. The best way for that to happen is for the industry to elect the members. Then if they do not perform, it is up to the industry to change them, and that is what should happen. In my view, the broader you have the representation, the better it will be.

I now come to the third question: are the people the problem? There is absolutely no doubt that some of the members on the board are the problem. It is not the board structure, nor even the nomination process. What we have in racing, more than any industry I have ever had to deal with, are individuals who are yesterday's people, who actually have to decide to go home—go home to the farm or wherever they have to go, but get out and let the people remaining in the industry actually get on with the job, because no industry ever gets on with yesterday's people. That is what has to occur, more than anything else, in the changing of this particular Act. I hope that in the next couple of months the industry will (as I think it will) come forward with a constructive way of appointing people and looking at the future in the long term. This is the first time since I have been involved in racing (and that is a long time) that the current cooperation regarding structure and nominations has occurred.

With this Bill now before us, and with SATRA likely to be the responsible body, I take this opportunity also to comment on an announcement made earlier this week by the Minister for Racing in relation to TeleTrak. Clearly, there has already been a lot of publicity in the past few days. In my view, to ensure absolute clarity about what functions can be carried out to enable anybody who wants to get into proprietary racing—TeleTrak in this instance—to do so, the Government has to introduce a licensing system as soon as is practicable. It must do this in the best interests of everybody, not only TeleTrak but also the whole racing industry. It needs to be done; we need to get that licensing system, because I believe two issues need to be covered. One is probity. Many discussions have taken place in this matter and the rules need to be clear. The issue of licensing in relation to betting needs to be clarified so that there is absolutely no question in law as to what can be done. Now that the Government has made this decision, those decisions need to be clarified quickly.

The rules of racing, stewards, and all the traditional issues of control that have already been discussed need to be put on the record and clarified by this Parliament. The worst thing that could happen is any challenge occurring in the future. We need to make it clear and ensure that, if this measure is to proceed, it has a clear run. I call on the Government to do that quickly. I know the Minister mentioned in his press release that rules would be set and it should be done, but it ought to be done as soon as possible in the next session of this Parliament.

Mrs MAYWALD (Chaffey): First, I commend the member for Lee for the introduction of this Bill. It has certainly sparked significant debate and has also moved the existing racing industry into acting far more quickly than it otherwise would have acted. I have always supported the principles behind this Bill. I believe that we need to remove Government from the influence of the racing industry and make it the master of its own destiny. It is also important that the SAJC not have the total influence over the industry which it currently has , and that all sectors and stakeholders within the industry have an opportunity to contribute to that destiny. For this reason, I support the principles of the member for Lee's Bill.

One of the concerns that I do have in supporting this Bill, however, would be that the principle of removing Government does not include legislating and the Government telling the industry what to do. This Bill has moved the existing racing industry into taking control of its destiny in putting forward a proposal that paves the way for it to look at the options allowing it to run the business of racing itself at arm's length from the Government. I do not think we need to legislate to do that if the industry is moving along that path in its own way and towards the same goals and outcomes. For those reasons, whilst I support the principles behind the Bill and I commend the member for Lee for his initiative and the outcomes that would be achieved within the industry through the introduction of this Bill, I will not support it.

Mr WRIGHT (Lee): This is a very simple Bill; it is a good Bill for racing. This is a fair Bill that broadens the representation of individuals nominated to the South Australian Thoroughbred Racing Authority. This gives everybody a go; it gives the SAJC a go and it gives SARC a go. It brings in a new organisation called the Thoroughbred Racing Advisory Council which, for the first time in South Australia's history, brings all the key stakeholders under the one umbrella and gives them a go in nominating someone to SATRA, and it also brings forward an independent. By and large, everyone agrees with this model.

There are three major principles in this Bill: it breaks the monopoly and stranglehold held by the South Australian Jockey Club; no one body has control over the nominations to SATRA; and it broadens representation and sets up the thoroughbred industry to control its own destiny and, as a consequence, it gets the Government out of racing administration. Once again today we saw another example of a pathetic Minister who will show no leadership in racing. For him to come forward and talk about this gobbledegook that has been put forward by the SAJC and SARC with respect to their showing leadership in the industry is absolute nonsense. It is abhorrent rubbish, and everyone in the racing industry knows that to be the case.

This is a case of Marcel Marceaus talking to each other for the first time in a long time, and they have done so as a result of the introduction of this Bill. And whom do they get into bed with? They get into bed with the Government. And what does the Government do to repay them? Some 48 hours before this Bill comes up to be voted upon, it announces TeleTrak. After two years of silence, two years of nothing, and no business plan, it comes up with an announcement about supporting TeleTrak when no other State will go near it. Well, surprise, surprise! Where is this Minister when it comes to a bit of leadership? This Minister talks about genuine attempts by the industry to show leadership and about how the industry will move forward. Why did the Minister not also refer to the correspondence that has been sent out by SATRA to all the racing clubs inviting them to come forward with their ideas about whether they are happy with the way SARC has driven this model forward?

An honourable member interjecting:

Mr WRIGHT: I didn't interrupt you. He does not want to do that; neither does he want to talk about how SARC has replied to that SATRA correspondence by writing to the racing clubs and telling them not to answer this correspondence. He also did not want to say how most—certainly three—of the provincial clubs have already written in response, saying they do not agree with the way SARC has driven this debate, they do not agree with SARC getting into bed with the SAJC and they will not cop it. What has occurred here is that SARC has gone into uncharted waters. It no longer represents its members and has made a deal with the SAJC in respect of the model we will have. That model gives the SAJC four out of seven, which gives it control. It has done so without the written authority of the racing clubs. This is totally unconstitutional and does not represent country racing.

We will see this Bill defeated today, because two Independents are getting into bed with the Government because a deal has been done with TeleTrak. TeleTrak has nothing to do with this Bill but, 48 hours before this Bill was to be voted upon, one of the Independents, who has given 100 per cent commitment to this Bill, is now running away from it. The other one agrees in principle with the way this Bill takes the industry forward. This is political expediency at its worst. This Bill is not the loser: the loser is the racing industry. The racing industry is the loser, because this Government will show no leadership or direction and will give no policy setting.

We have no Minister here who is taking the racing industry forward. The Government's direction with the way racing should proceed in this State is in an absolute shambles. Look at venue rationalisation—zilch; the scoping model for the TAB—zilch; and the profits going back to the racing codes—zilch! What this Minister, this Government and the former Racing Minister should do is get out and talk to key people in the racing industry and listen to what they say. Furthermore, the Independents in this place should be fair dinkum and honest. If they want to do a deal about TeleTrak, why do they not admit it?

The House divided on the second reading:

AYES (21)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Ciccarello, V.
Clarke, R. D.	Conlon, P. F.
De Laine, M. R.	Foley, K. O.
Geraghty, R. K.	Hanna, K.
Hill, J. D.	Key, S. W.
Koutsantonis, T.	McEwen, R. J.
Rankine, J. M.	Rann, M. D.
Snelling, J. J.	Stevens, L.
Thompson, M. G.	White, P. L.
Wright, M. J. (teller)	

NOES (23)

Armitage, M. H.	Brindal, M. K.
Brokenshire, R. L.	Buckby, M. R.
Condous, S. G.	Evans, I. F. (teller)
Gunn, G. M.	Hall, J. L.
Hamilton-Smith, M. L.	Ingerson, G. A.
Kerin, R. G.	Kotz, D. C.
Lewis, I. P.	Matthew, W. A.
Maywald, K. A.	Meier, E. J.
Olsen, J. W.	Penfold, E. M.
Scalzi, G.	Such, R. B.
Venning, I. H.	Williams, M. R.
Wotton, D. C.	

PAIR

Hurley, A. K.	Brown, D. C.

Majority of 2 for the Noes.

Second reading thus negatived.

Mr LEWIS (Hammond): I seek leave to make a personal explanation.

Leave granted.

Mr LEWIS: In the course of the debate on the matter that has just been voted on in the House, I made plain that I would support the proposition. However, I voted against it. I did so because since the time at which I made those remarks things have moved on considerably in the racing industry. I wish to commend the member for Lee for bringing the matter to a head in the way in which he did through the proposition. I wish also to make plain that I believe that the industry which is now seeking to take control of its own destiny and financial responsibilities should be given the opportunity to further negotiate that and arrange it. Those facts were not evident at the time at which I made my remarks.

Mr HANNA: On a point of order, Sir, my questions are twofold: first, is it proper to make a personal explanation when no allegation has been made against a member? Secondly, this is going beyond the bounds of any personal explanation into a second reading speech.

The SPEAKER: Order! I hear what the member says. The member can make a personal explanation provided that it is confined specifically to a personal explanation. I am listening closely because I am aware that it could clearly drift back into the previous debate, which the Chair will rule out of order very quickly. I ask the member to contain his remarks strictly to a personal explanation and then to conclude his remarks.

Mr LEWIS: Thank you, Mr Speaker. What I have said is fact. What I wish to say is fact, and that fact now is that I give the opportunity through the assurance of the Minister that the industry will find a way forward, and I thank the House for its indulgence.

TECHNICAL AND FURTHER EDUCATION ACT REGULATIONS

Adjourned debate on motion of Mr Condous:

That the principal regulations under the Technical and Further Education Act 1975, made on 10 September 1998 and laid on the table of this House on 27 October 1998, be disallowed.

(Continued from 8 July. Page 1801.)

Motion carried.

SUMMARY OFFENCES (CHILD BOXING CONTESTS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 29 July. Page 1902.)

The Hon. I.F. EVANS (Minister for Recreation, Sport and Racing): I will speak to the Bill simply to update the House. Members will be aware that the principle which this Bill addresses, that of under-age boxing in the amateur code, was raised in the sports Ministers' conference in about October or November last year. There was agreement around the table that the concept of age requirements, and so on, for amateur boxing would be subject to an officers' working party to try to get the boxing industry to adopt a uniform amateur code Australia wide. That working party is reporting to the Recreation and Sport Ministers Council in September or October this year, so the officers group has been working now for a year with the various Australian boxing representative organisations to try to come to some agreement about a code of practice and what that code may entail in relation to age limits and so on.

If the Bill proceeds to a vote today, I would recommend to the House that we vote against it on the basis that as a Parliament we should be considering the outcome of a whole of Australia officers working party in relation to the boxing issue. The South Australian amateur boxing associations run a very good organisation and, indeed, it administers the competitions here in a professional manner. It has strict codes of conduct and rules of operation. In the interests of boxing *per se* there is some benefit in the Parliament's not proceeding with this Bill (if it is to be voted on today) but rather waiting for the officers group to report—which should be around September or October.

I can then bring a further report back to the House. It may be that they pick up the principles that the member for Lee is suggesting or it may be that they suggest a self-regulated model through codes of practice. It is preempting the outcome of the officers working party. I take this opportunity for the House to be updated on the status of that working party, so that members can take that into consideration when voting on the Bill. If it does go to a vote today, I will be voting against it only on the basis that we should be waiting for the officers working party to report.

Mr WRIGHT (Lee): We see another example of the Government's not being prepared or not being able to debate policy. Make no mistake, if it was not for the support of the members for Gordon and Hammond the previous Bill would not have got to the stage of being debated. I did mean to acknowledge them in my previous speech. I am not sure about the member for Hammond's contribution but, nonetheless, we will talk about this Bill.

This Bill was introduced over six months ago. When it was introduced I gave a commitment to the Boxing Association that we would give the Boxing Association a couple of months to work through its policy issues—and I think that was a fair commitment. I might say that Labor has honoured that commitment. In fact, we have gone way beyond that: we have given it six months to work through a policy position, but nothing has come forward. Is the Premier not a hypocrite when he stands up and talks about Labor not having policy? Whenever we bring forward policy in this House (which has been done by a number of members in private members' Bills), the Government, time and time again, uses its numbers to adjourn the Bill and the debate. Here, some six months after the Bill has been introduced, we are finally getting to the stage where we get some sort of contribution from the Minister who he tells us to wait and see what happens; let us allow the industry to develop a package and a policy.

This Bill was brought to the House for very good reasons. It was not brought to the House because we are overly concerned that the Boxing Association cannot manage its own affairs. That is not the reason. This Bill was not brought to the House because on this side of the House we are philosophically opposed to boxing. That is not the reason, either. But there is a philosophical belief on this side of the House that children under 14 years of age are simply too young to go into a boxing ring and be involved in a boxing contest. If there is any sane person either inside this building or outside the building who can convince me and others on this side of the House otherwise, they certainly have not done so in the past six months.

No person has argued on health and safety grounds that boxing is safe for children under 14 years of age. I would have thought it is purely commonsense that as the body is forming and growing, as children are getting to a stage of

developing their bodies, as the brain is continuing to expand, children under 14 years of age are not in a position to protect and equip themselves, irrespective of whatever safety conditions are in place. This is not a go at the Boxing Association. This is a simple matter: do you believe that children under 14 years of age are in a position whereby they should go into the ring in a boxing contest and that their health and safety conditions are being looked after? Of course, the answer is 'No.' No sane person would argue differently.

If members go to any medical association or sporting association or inspect any sporting policy, they will see that is the case. You can go to Sports Medicine Australia: you do not have to go to the AMA if you do not want to. Sports Medicine Australia can give independent advice as to whether it is safe for children under 14 of years of age to go into a boxing contest. This does not stop young people being involved in boxing. They can still be involved in the training and the cross-training that occurs if they are involved in other sports.

This Bill is, once again, a simple Bill. It is policy generation by the Labor Party; it is putting forward policy in the public domain, but it is deliberately not being debated. Private members' Bills and private members' time are being abused time and time again by this Government. If it was not for a little support occasionally from the Independents, or one or two members on the Government side who have a little lateral thinking, we would never get private members' Bills, which have been brought forward on this side of the House generating policy in the public area, being debated and voted on.

I commend the members for Gordon and Hammond for the support they have provided, particularly with the Racing Bill. This is a simple Bill; it is a straightforward Bill. Labor has put forward a simple, practical position for this House to consider.

The House divided on the second reading:

AYES (19)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Ciccarello, V.
Clarke, R. D.	De Laine, M. R.
Foley, K. O.	Geraghty, R. K.
Hanna, K.	Hill, J. D.
Key, S. W.	Koutsantonis, T.
Rankine, J. M.	Rann, M. D.
Snelling, J. J.	Stevens, L.
Thompson, M. G.	White, P. L.
Wright, M. J. (teller)	

NOES (24)

Armitage, M. H.	Brindal, M. K.
Brokenshire, R. L.	Buckby, M. R.
Condous, S. G.	Evans, I. F. (teller)
Gunn, G. M.	Hall, J. L.
Hamilton-Smith, M. L.	Ingerson, G. A.
Kerin, R. G.	Kotz, D. C.
Lewis, I. P.	Matthew, W. A.
Maywald, K. A.	McEwen, R. J.
Meier, E. J.	Olsen, J. W.
Penfold, E. M.	Scalzi, G.
Such, R. B.	Venning, I. H.
Williams, M. R.	Wotton, D. C.

PAIR(S)

Hurley, A. K.	Brown, D. C.

Majority of 5 for the Noes.

Second reading thus negatived.

DOOR-TO-DOOR SALES (EMPLOYMENT OF CHILDREN) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 29 July. Page 1903.)

Mrs GERAGHTY (Torrens): I first introduced this Bill in mid-1998 and it fell off the Notice Paper because of Government procrastination. I reintroduced the Bill but still the Government would not deal with it. The Minister for Human Services stated in this House on 11 February this year that he agreed with the principles of the Bill. Referring to children who work in door-to-door sales, he said, 'We want to make sure that those children are protected.' I believe that he did try to resolve this matter in the interests of these working children, who are at risk. I know that, because he spoke to me at length about this matter and he did try, and I thank him most sincerely for that. However, he advised the House that the Bill would be dealt with by the Minister for Government Enterprises, so further delays ensued.

Minister Brown advised us that the Minister for Government Enterprises was to amend the Industrial and Employee Relations Act and that regulations would be developed under the Occupational Health, Safety and Welfare Act. That was in February this year. All we have seen about that, however, is an amendment jammed in among some draconian amendments in the Industrial and Employee Relations (Workplace Relations) Amendment Bill. There is no detail and only a promise of regulations to come. We do not know what the Government has in mind; we just have to trust it. We are being asked to trust unknown measures in a draconian industrial relations Bill that this Government knew it would struggle to pass through this Parliament, and struggle the Government has. That is the level of concern that the Government has for children who work selling door to door.

Every Labor member on this side of the House cares about the welfare of our working children. We do not want these children at risk. We do not want to hear of another child injured or traumatised by assault or verbal violence. We do not want this Parliament to be responsible for that because of inaction by this Government. The Government said it would fix this risky practice and that it would put measures in place to protect children, but it has not spelt out those measures. It said that it would do this by regulation, and we want to know when. As I said, the industrial relations Bill is a draconian attack on workers' rights, and the Government has tried to sweeten it up by introducing some sort of measures for our working children.

My Bill spells it out clearly. The protective measures set out in the Bill must be adhered to by any person who employs a child selling door to door. Such employers will know their responsibilities. They will know that, if they do not fulfil the requirements of the Bill, they will be dealt with by the law. They will also know that we as a Parliament and a society do not tolerate abuse or neglect of our working children. I have asked myself many times why the Government will not support this Bill. What is the reason that prevents the Government from supporting a Bill that will protect working children? I have said on many occasions that I will support amendments to the Bill or support a Government Bill, as long as those provisions do not detract from the original intention to protect children. The member for Gordon agrees that I said that and he has spoken of his concerns, but not one Government member has spoken on this Bill.

The Hon. M.H. Armitage: I did.

Mrs GERAGHTY: Yes, the Minister for Government Enterprises has spoken on this measure, and I will get to him in a moment.

The Hon. M.H. ARMITAGE: I rise on a point of order. The honourable member said that no Government member had spoken on the Bill. That is incorrect.

The SPEAKER: Order! There no point of order.

Mrs GERAGHTY: I did say that the Minister had spoken on it. He is just wasting my time. We do not want another attack on a child. The community wants this Bill to pass the House. People do not want our children to be exploited or put at risk. For too long nothing has been in place to protect these children, thanks to the Employee Ombudsman (Gary Collis), there are some changes in the Industrial Commission, but they are not enough. We need legislation, and we could do something about that today if the Government would cooperate.

The Minister for Government Enterprises said in his speech that it has taken so long because it is a complex issue, and I do not dispute that. He said that the Government had identified the needs only a few months ago. Yet I introduced this Bill over 12 months ago and spoke about the issue 18 months ago, so the Government has had all that time to examine and deal with it, but it has done absolutely nothing. It has been slow in this matter, because I do not believe that there is a genuine interest to deal with it. I urge all members of this House to support the Bill. Let us show working children, these children who work by selling door to door—and that is the crux of this Bill—and our constituents that we care.

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

Bill read a second time.

In Committee

Clauses 1 and 2 passed.

Clause 3.

The Hon. M.H. ARMITAGE: Clause 3(b) provides:

> the person has sighted satisfactory documentary evidence of the child's age.

I would like the honourable member to tell me what her Bill would determine as 'satisfactory evidence'.

Mrs GERAGHTY: I would argue that satisfactory evidence would be a sighting of the national police clearance certificate history, which is a certificate required for people who work in any industry caring for children. Having spoken to the appropriate police department about that at length, I believe that that certificate clearly shows whether a person has a record of improper activity, particularly with children. That is a national certificate.

The Hon. M.H. ARMITAGE: With respect, that was not the question I asked. I asked what is determined to be satisfactory documentary evidence of the child's age?

Mrs GERAGHTY: I apologise. I would say that a birth certificate or an extract of a birth certificate would clearly indicate a child's age.

The Hon. M.H. ARMITAGE: Is there any other form of evidence that would be regarded as appropriate as documentary evidence, or will every child having to do door-to-door selling have to present their birth certificate?

Mrs GERAGHTY: My understanding is that a birth certificate or an extract of a birth certificate is required when enrolling children in preschools or kindergarten, so everyone should have a birth certificate or an extract. That is also required for a driver's licence.

Mr McEWEN: I move:

That progress be reported.

The CHAIRMAN: Is that motion seconded?

An honourable member: Yes, Sir.

The CHAIRMAN: For the question, say 'Aye,' against, 'No.'

The Hon. M.H. ARMITAGE: No. Sir, I oppose the motion that progress be reported.

The CHAIRMAN: Order! There is no opportunity to speak at this time.

The Hon. M.H. ARMITAGE: Very well.

The CHAIRMAN: The question is that progress be reported. For the question, say 'Aye,' against, 'No.' I believe the Ayes have it.

Progress reported; Committee to sit again.

WORKERS REHABILITATION AND COMPENSATION (MENTAL INCAPACITY) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 29 July. Page 1904.)

Ms KEY (Hanson): I will summarise the Opposition's position on this Bill by referring to a letter that has been given to me by one of the people who has been significant in trying to argue the inequities of the Bill with regard to mental incapacity. However, before doing that, I will summarise our position by talking about the amendment to the Workers Rehabilitation and Compensation Act and information that I have received from a number of lawyers, including plaintiff and labour lawyers who work in this area. The letter states:

> We write to you in relation to a Bill which is before Parliament concerning the Workers Rehabilitation and Compensation Act 1986 as amended.
>
> The Bill concerns the reinclusion in the Act [of] a provision under section 43 for lump sums for mental incapacity.
>
> As a consequence of a Supreme Court decision in the matter of *Hann v WorkCover* it was found that the deletion of the phrase 'mental' from the phase [sic] 'physical and sensory impairment' led to a conclusion that Parliament intended to provide for lump sums for workers who suffer a mental disability.
>
> Not only is it unlikely that Parliament intended such a dramatic consequence from the deletion of this work, it is just simply not justifiable on any basis except for the limited cost cutting advantage that it may provide to the corporation.
>
> Workers who suffer mental incapacity, especially those who suffer permanent incapacity, suffer the most horrendous torment. It seems almost unimaginable that the Parliament would be so callous as to treat them differently from those workers who suffer from permanent physical disability.
>
> We urge you to support an amendment which we understand has been sponsored by [Mr Ron Roberts and now taken up by you in the Lower House].

The other letter to which I refer is addressed to Mr Dean Brown and is from Elizabeth Hann, the woman mentioned in *Hann v WorkCover*. Ms Hann sent me a copy of this letter, and I must say that it summarises our position in an important way. The letter, dated 15 July, states:

> Dear Mr Brown,
>
> Thank you kindly for listening to myself the other day.
>
> As you are now aware I am the person who was used by WorkCover to obtain a judgment in the Supreme Court of South Australia in 1995 against people with a permanent work related mental illness.
>
> The three Supreme Court justices later requested Parliament reaffirm their intent to disallow lump sum compensation payments to myself and stated although their decision may appear unfair they were not asked to make a judgment on what was fair or unfair but only to interpret the law as legislated by Parliament.

Due to time constraints, I will skip a couple of paragraphs. The letter further states:

Mr Griffin, Mr Ingerson and Dr Armitage through Fred Morris of WorkCover expect us to believe there will be a $40 million expenditure if this Bill goes through but I know that you know enough about WorkCover to understand that this is ridiculous. There are only a few people suffering a permanent work related mental disability still on WorkCover; stress claims no longer even come into the equation. To actually be accepted by WorkCover with a true psychiatric disability one has to be seen by many psychiatric specialists who are chosen by both WorkCover as well the person involved.

They are also saying that people who have left the WorkCover system will be pushing down the doors to make claims; that is absolute nonsense; anyone who takes a redemption from any insurance company signs a declaration that they will make no further claims on WorkCover for that disability. It is final. So those people cannot come back and make claims as part of that [so-called] $40 million.

Ms Hann goes on to talk about what her experience has been as someone who has been disabled by her work and who now has a permanent psychiatric disability. She further says:

I cannot get off WorkCover because I am unable to get a pension for several years and Medicare will not pay my expenses until nearly half the amount of the redemption amount has been used to pay my future medical bills. If there is a dispute between WorkCover and the Health Commission over past medical bills, then WorkCover can pay Medicare 10 per cent of my redemption and I have to try and get it back from Medicare. There is also the tax office who can make a claim against me.

This is why we need the compensation, to pay for our expenses; it is not a windfall as Mr Olsen would like others to think.

The SPEAKER: Order!

The House divided on the second reading:

AYES (20)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Ciccarello, V.
Clarke, R. D.	Conlon, P. F.
De Laine, M. R.	Foley, K. O.
Geraghty, R. K.	Hanna, K.
Hill, J. D.	Key, S. W. (teller)
Koutsantonis, T.	Rankine, J. M.
Rann, M. D.	Snelling, J. J.
Stevens, L.	Thompson, M. G.
White, P. L.	Wright, M. J.

NOES (24)

Armitage, M. H.	Brindal, M. K.
Brokenshire, R. L.	Buckby, M. R.
Condous, S. G.	Evans, I. F.
Gunn, G. M.	Hall, J. L.
Hamilton-Smith, M. L.	Ingerson, G. A.
Kerin, R. G.	Kotz, D. C.
Lewis, I. P.	Matthew, W. A.
Maywald, K. A.	McEwen, R. J.
Meier, E. J. (teller)	Olsen, J. W.
Penfold, E. M.	Scalzi, G.
Such, R. B.	Venning, I. H.
Williams, M. R.	Wotton, D. C.

PAIR

Hurley, A. K.	Brown, D. C.

Majority of 4 for the Noes.

Second reading thus negatived.

BURMA

The Hon. R.B. SUCH (Fisher): I move:

That this House urges the Federal Government to pursue all means at its disposal to help bring about democracy in Burma.

I am pleased to move this motion. I currently chair the parliamentary branch of Amnesty International but, apart from that, I have a strong commitment, as I am sure do my colleagues in this Chamber, for the cause of democracy wherever it may be under threat. Members can appreciate that where democracy is denied to a group of people then that diminishes us all. Some people say, 'Well, why should we concern ourselves with Burma?'—or Myanmar, as other people call it. The fact is, as with the issue of Cyprus that was raised in this Chamber recently, we do live in a world where we cannot be isolated or insulated from other events.

Whilst we do belong in a Federal system for which the Commonwealth Government has responsibility for international relations overall, that does not deny us the opportunity and the right to raise an issue of concern and promote the cause of justice. I point out that, on behalf of the parliamentary group of Amnesty International, I did write to the Hon. Alexander Downer on this issue. I received a supportive letter in response, and I commend the Minister for that and what he is trying to do.

Burma has a population of 45 million people and a land mass approximately the same size as South Australia. As members would appreciate, Burma was once a British colony and gained its independence, along with many other countries, in 1948. However, unfortunately, since 1962 the country has been ruled by military dictatorship in one form or another. After the Burmese military government cracked down on a nationwide uprising in 1988, a multiparty general election was held on 27 May 1990.

The National League for Democracy (NLD), Burma's leading political Party, won over 80 per cent, or 392 seats out of 485, in that general election. However, the military Government of Burma refused to hand over power to the winning Party, the NLD, and the elected representatives were not allowed to convene Parliament. Throughout the period after the general election of May 1990, the Government has continued to oppress elected members of Parliament, and since that time many of these people have been detained, some have been sent into exile and others have died in prison.

Members may be aware of the name Daw Aung San Suu Kyi, the General Secretary of the NLD and the 1991 Nobel Peace Prize Laureate. She was the co-founder of the NLD in 1988. Suu was detained in 1989 by the Burmese military Government and released in 1995. Although she and other prominent members of the NLD were detained during the election period, their Party (NLD) won a landslide victory in the election of 1990. After many years of military Government oppression and intimidation, only about 300 MPs were active in 1998. Concerned at the lack of progress towards democratisation in Burma, the 251 MPs at the NLD Party general meeting in May 1998 decided to convene a Parliament before August that year. However, the Burmese Government detained 160 MPs in so-called Government guest houses and arrested more than 1 000 NLD Party members and supporters.

During the general meeting of May 1998 the NLD leadership was given the mandate to act on behalf of the elected representatives. In September that year the NLD leadership, with the support of four other ethnic political Parties, formed the Committee Representing the People's Parliament (CRPP). The CRPP therefore has the support of the 251 surviving members of Parliament and is mandated to act on behalf of the Parliament elected in May 1990. Since the formation of the Committee Representing the People's Parliament, the military Government of Burma has renewed

its crackdown on the Opposition. Thousands of NLD member supporters, including elected members of Parliament, have been detained.

The military Government staged mass rallies across the country to denounce the NLD Party, and to deport Aung San Suu Kyi, to the consternation not only of people within Burma but also clearly of people outside the country. The military authorities summoned ordinary people to come to those public rallies and forced the people to sign statements withdrawing their support for the elected MPs. We know that the Burmese military intelligence also pressured and continue to pressure elected representatives under their detention, and only those who resign from the NLD or from their position as an MP have been released.

That brief outline puts the issue in context and should remind us all of the importance of democracy, something that too many in our society treat lightly and take for granted. We would regard it as an abomination if we were in that situation. Without labouring the point for too long, I commend this motion to the House and urge members to support it, and would encourage the Federal Government to pursue this matter. I believe it is a bipartisan issue and, as I said at the start, where other people are denied their democratic rights the totality of humanity is diminished. Accordingly, I invite support from members for this motion.

Mr HANNA (Mitchell): I fully support the motion moved by the member for Fisher. I am pleased to see members of this Chamber taking an interest in international affairs and matters of social justice in other countries. The important thing before I get onto Burma specifically is to bear in mind that issues of social justice and democracy, which the honourable member raises in relation to Burma, are really some of the problems that we face in our own backyard, albeit very large and in a much more tragic way in Burma as it is in many other countries.

When we talk about human rights being infringed, about freedom of association being crushed and so on, there is legislation of this very Government that purports to go a step down that road. I do not mean to belittle the terrible situation under the SLORC dictatorship in Burma, but every time this Government tries to break down the rights of workers here in this country, tries to take away rights of workers' compensation, tries to diminish the rights of unions, it is taking a step towards the kind of lifestyle to which people are subjected at the hands of a narrowly confined military Government in Burma.

There is no doubt about the injustice of the situation in Burma. It is one of the most clear-cut cases of democracy being subverted in the world today. As the member for Fisher rightly pointed out, there was a duly held election at which one particular democratic Party won 80 per cent or so of the votes, and that Party was then kicked out and trampled on by the military. The members of that Government, the ones who hold the guns and the power in that country, are raping and looting it. It is a good example of power being concentrated too much in the hands of a few. It is absolute power. The way that the Burmese military are soaking up the capital both within that country and from other countries is unashamedly greedy and I could even say evil, because in the course of amassing their own personal fortunes they are happy to be involved in perpetuating slavery and torture. It goes as far as that.

I know that the member for Fisher is very involved in Amnesty and he would have plenty of details about those sorts of activities in that country. I have seen photographs, for example, of young children being forced to work in heavy labour, clearing roads and so on, for industrial and commercial purposes, for projects which are purely going to benefit the members of the military Government. Children in these situations are sometimes forced to live apart from their parents and are given little more than a bowl of rice a day to eat. It is a disgraceful regime. It is an affront to democracy, and it offends our sense of social justice.

In closing, I would like to refer back to some of the comments I made about the situation in Cyprus just a short time ago in this place. Cyprus is another example where similar sorts of injustices have been perpetrated over the last 20 or 30 years, certainly since the Turkish invasion of Cyprus in 1974. There are many other trouble spots, and I am very glad that the member for Fisher has brought to our attention today the problems in an Asian country. Sometimes I feel that there is an element of hidden racism in the way we think about these international problems. There is no doubt that one of the reasons many members in this Chamber are very concerned about the Greek Cypriot cause is the fact that we know many Greek Cypriot Australians who live in our community, and through them we have learnt of the problems in Cyprus and we can understand them so much better. They have been brought home to us.

To take another example, we have the refugees from Kosovo. They have been treated terribly, and in my heart I welcomed them in South Australia as much as anyone else here. The fact is that Greek Cypriot people and the people from Kosovo tend to look a bit like us. They are Caucasian people and often we distinguish them from people from Asian countries who have just as much suffering to bear. I think of East Timor and Australia's close links with East Timor militarily, politically and geographically; yet when people from Asia come to our shores they are certainly not given the same standard of treatment as were those people from Kosovo who have been featured on the news—those attractive looking people who have suffered and whom we gladly welcomed to South Australia.

I am pleased that the member for Fisher has taken this opportunity to refer to the terrible injustices in one of the Asian countries not too far from our shores. Although all we can do is make a plea to the Federal Government to do all it can diplomatically and otherwise to influence proceedings in Burma, it is a statement that is worth making, and I am very pleased to support the member for Fisher's motion.

The Hon. G.M. GUNN (Stuart): I support the motion. One of the marvels of modern technology is that one can see at first hand through the overseas services of satellite television the sorts of regressive regimes which are in power in many parts of the world. It appears to me that we should be giving every assistance to the people of Burma to ensure that a democratic process is put in place. Even though, unfortunately, it may take a considerable amount of time, regimes of this nature have a history of eventually falling over, because they become so corrupt and so insensitive to the views of the ordinary people in their country that the people rise up. Unfortunately, they usually pay a very high price before that takes place. My view is that we should be giving no countenance to these people whatsoever, because I understand they are involved in all sorts of illegal activities.

The people of Burma have suffered greatly since the military junta was originally established, under Ne Win, and it has been perpetuated purely for the purpose of protecting

their ill gotten gains. I strongly support the motion moved by the honourable member in relation to this matter.

When we look at what has taken place in East Timor we see what can be achieved by ongoing, consistent international pressure. I sincerely hope that the process that is taking place there is allowed to continue and that the people of East Timor are able to exercise freely without intimidation their right to make a considered decision on their own future. We do have a role to play, as they are our nearest neighbour.

I sincerely hope that the desires of the people of Burma can be met as soon as possible and that the international community pays close attention to Burma and other areas of the world where outrageous regimes spend huge amounts of money which they can ill afford to prop themselves up with the latest military technology in order to prevent the people exercising their wish. I commend the honourable member for bringing the motion before the House.

Ms THOMPSON (Reynell): I commend the member for Fisher for bringing this matter to the House. For members' consideration of this matter I want to fill in a little of the picture of what is happening in Burma through my eyes and from my memory of a visit in 1979. I know it is a long time ago, but nothing I have read or seen since indicates that life has improved in any way for the people of Burma.

As the member for Stuart mentioned, corruption is rife. The first thing I encountered when we arrived in Burma was that we had to provide the customs officials with a bottle of whisky before we could get into the place. We were also warned to keep some cigarettes to get out of the place, because the customs officials would not let us through if we did not produce not a packet but a box of cigarettes. Given that I do not smoke, I found it particularly uncomfortable to carry cigarettes for the whole week that we were there.

The corruption and poverty were evident everywhere we went. It took me about five or six days to work out that the street stalls that I saw everywhere we went, particularly in Rangoon, were the black market. How could they be the black market, I thought, when they were everywhere that one could see? But people risked all sorts of penalties by participating in this open trade. I was told by our female guide that the only place she could obtain the contraceptive pill was on the black market. The cost of a month's supply of the Pill was half her month's wages. I also observed that the pills that were on display in the black market were out of date and often, through the humidity of the atmosphere there, were already spoiled. I wondered whether they would do any good at all and whether the people who were working so hard for some form of protection were doing so under false pretences.

The poverty was illustrated in many ways. The policy of not importing that the Government of Burma had then and to some extent still has, meant that aeroplanes (which I found a little worrying, as I was travelling in them) and certainly cars were kept going on the smell of an oily rag. In fact, at one stage we were asked if we had a rubber band, which might assist some people in getting their car going. We were constantly asked by children for pens and lipstick, and in fact we had been warned to go to Coles and take some cheap lipstick with us. I found it extremely distressing when I was changing the film in my camera to find that the herd of about 40 children flocking around us were putting out their hands for the foil that was protecting the film for the camera.

I did not know what to do. How did I choose from a group of 40 children who might have the foil that they obviously prized so dearly? My only response was to put it away at the time and find some other means of giving it to someone who might be able to use it once I had realised that it was indeed a valuable commodity. I was fortunate to have with me a pad of yellow sticky notes because, when there was a large group of children around, the yellow sticky notes provided me with a means of giving something to each child. I had run out of biros long before and had to fight to hold onto one to fill out my export forms.

One of the other things I noticed was the considerable friendliness toward Australians. Many of the older people whom I met in the market spoke quite good English, a legacy of the British rule there. I also noted the sewers and the railways, which I considered to be another excellent legacy of British rule in a number of places. The sewers were not working very well then; the British obviously did not leave the repair manual. However, many people spoke English, and they spoke with great warmth and friendliness about Australia, remembering particularly the number of Australians who had served in Burma during the war. They also spoke about the absolute tragedy of the Burma Railway. It was clear to me that many of these people looked especially to Australia as a likely friend to assist them in obtaining freedom and a better standard of living.

I have not been able to visit Burma since then and have followed the affairs there with some interest, informed as I was by that direct experience. I have certainly held considerable admiration for Aung San Suu Kyi and her colleagues in their determined attempt to bring some form of democracy to Burma. I take this opportunity to extend to her my sympathies on the death of her husband and admiration for the way that she was able to go through that incredibly difficult period when her husband was sick and dying and she had to choose whether to go to visit him or stay and fight for her people. That is a choice that I hope none of us ever has to make. I again thank the member for Fisher for placing this matter before the House. I support it wholeheartedly.

Motion carried.

AUTOMOTIVE INDUSTRY

The Hon. M.D. RANN (Leader of the Opposition): I move:

That this House urges the Federal Government to bring forward its review to assess the impact of phased tariff cuts on the automotive industry to 2005, when the tariff will be cut to 10 per cent, and formally ask the World Trade Organisation to investigate nations which are circumventing world trade regulations by employing tariff and non-tariff barriers against Australian automotive exports.

The Labor Opposition considered in 1997 the Productivity Commission's reports and recommendations to be a serious threat to major industries and to employment in South Australia. Of course, people remember that the commission recommended a general zero tariff rate and the abolition of almost all budgetary assistance to the industry. At the time the South Australian Labor Opposition, in conjunction with the Federal Labor Opposition, mounted a major national campaign against the Productivity Commission's majority recommendations.

We pointed out that since 1988 the share of imports in the Australian automotive market had risen from 20 per cent to almost 50 per cent. During that time Nissan ceased Australian manufacture to become an importer. Under the arrangements at the time automotive tariffs would fall to 15 per cent by the year 2000. At the time of that debate, prior to the 1997

election, the level of protection of the automotive industry was around 22.5 per cent. We were mindful in fighting the Productivity Commission's recommendations that major investment decisions in the Australian automotive industry were made on average about every four or five years at the time of model changes, so we were concerned that the full impact of the proposed program of tariff reductions was yet to be felt.

Obviously, at the time of arguing against the Productivity Commission's recommendations we were mindful also that the most notable success of more than a decade of restructuring had been the substantial growth in exports from the industry, which stood at around $1.8 billion in 1997, and much of that growth in exports had been facilitated by what I regard as enlightened Government policies, such as export facilitation, which have eased the pain of restructuring by encouraging the gradual movement of resources within the sector to areas of greatest competitiveness, particularly in the export area.

Nevertheless, there is a substantial automotive trade deficit in Australia. In 1995, that deficit was over $7 billion and under the Productivity Commission's first proposals and, indeed, under the program and regime of tariff cuts supported by the Howard Government, that trade deficit would widen. When we were arguing the case and I wrote in 1997 to the Prime Minister and to Mr Bill Scales, Chairman of the Productivity Commission, we pointed out that the effects would, in all probability, not be felt immediately and that lower tariffs of just 5 per cent would be likely to see plant closures, which was at least acknowledged in the commission's report in one of the appendices. We also predicted that we were likely to see the overseas parents of the main assemblers and component producers curtail their investment plans, resulting in a growing and not reduced competitiveness gap between Australia and our competitors. As profits are eroded some firms would close and firms, particularly component manufacturers dependent on these manufacturers, would follow.

Whilst the Productivity Commission had a world view and saw there being a smooth contraction, we believed there would be a disastrous decline. So, we went to Japan because we were concerned about the impact, particularly on Mitsubishi, and in May 1997 both the Premier and I were in Japan to hear from Mitsubishi itself and the message we got was a very grave one. We were concerned about the proposed reductions in tariffs to 5 per cent by 2004, which compared with a target of 15 per cent by 2000. So, we went forward with a Labor position, which was a freeze on automotive tariffs at 15 per cent to at least 2005; the development of appropriate and transparent measures by which we can judge progress by our competitors towards reducing tariff and non-tariff protection; a review of the Australian automotive industry before 2005 to assess its position and progress by our competitors towards genuine trade liberalisation; the continuation of the export facilitation scheme with modifications to comply with World Trade Organisation requirements; the continuation of the duty free allowance; and better support for industrial research and development.

What we told Mitsubishi and other members of the automotive community in Australia was that we believed there was sheer nonsense in the Productivity Commission report. For instance, the claims in the Productivity Commission report was that 'most of the world's largest markets for automotive products are open to Australian imports'. That is what it said on page 131. This is contradicted by evidence of substantial formal and informal barriers internationally. We were then told by the Productivity Commission that 'Australian vehicle and component manufacturers faced low barriers to trade in most of the world's major vehicle markets'. That is wrong, too, because the commission acknowledges that barriers to Australian exports in Asia are substantial. Again this was totally wrong.

The commission acknowledged that barriers to Australian exports in Asia are substantial. It is precisely these countries, such as Japan and the republic of Korea, that supply over 60 per cent of Australia's imports. Then the Productivity Commission was simply nonsensical in arguing again 'that domestic tariff reform provides benefits to the community, even if other countries do not reciprocate'. That was a suicide note for the car industry. Australia in 1997 and today was already one of the most open markets for autos. Imports had risen from 20 per cent of market share in 1988, as I pointed out, to over 50 per cent. The value of cars and auto parts sourced from the APEC member countries and imported to Australia has doubled since the early 1990s.

So, it is quite clear that what we were able to stop, by coordinated and bipartisan campaign in South Australia, and thankfully supported in the Senate by the Beazley Opposition (and I particularly acknowledge the support of Simon Crean and Bob McMullen), and force the Federal Government to abandon plans that simply would have destroyed the Australian car industry. But tariff cuts have proceeded. The modified regime of tariff cuts involved a reduction from what we saw as 22.5 per cent then to about 17.5 per cent now and it is proposed they will fall again in the year 2000 to 15 per cent.

Then there is a pause for five years which we negotiated and then, of course, there are the final steps towards a 10 per cent tariff in the year 2005. Following those drastic steps, there will be a review of the impact of the tariff cuts on the industry. This is what we are arguing about today. At the weekend, we saw an alarming report in the Detroit press, given headline treatment interstate, predicting the demise of the Mitsubishi car plant. I am pleased that those false reports have been repudiated by Mitsubishi; those mischievous reports undoubtedly sourced out of rivals who want to import cars into Australia and who want to dent confidence in Mitsubishi; also, of course, to embrace a self-fulfilling prophesy about the demise of one of the two major car manufacturers in our State.

The fact is that Mitsubishi employs 3 500 people. In addition to supporting their families, those workers produce an outstanding car that is sold not only on the Australian market but also internationally. There are also dozens of companies in South Australia which have direct and indirect spin-offs in terms of component parts manufacturers that are related to Mitsubishi's activities. So, what we are arguing for is not a review after 2005 when the 10 per cent tariff is embraced, but indeed a review during the five year pause period. Indeed, my colleagues in Canberra, Bob McMullen (the shadow Minister for Industry), strongly supported by David Cox (the member for Kingston), moved an amendment to recent legislation in late June which would require a review in 2003 to assess the impact of the regime of tariff cuts on the industry at that stage before proceeding to the 2005 stark drop to 10 per cent. This makes absolute sense.

Surely, we should review the impact of the tariff cuts on the viability of the industry, on employment levels in the industry, on issues such as imports versus exports, on issues such as the competitiveness of the industry, before going to

that final step. I would like to see a resolution of this Parliament which recognises the need for a mid-term review. Can I say, however, that Australia is now regarded as the muggins in the world trade community. Here we have academics and public servants in Canberra and a Productivity Commission that seems designed to improve productivity in other countries asking Australia to set the example, for Australia to embrace free trade while the rest of the world laughs at us. Look at the massive taxes employed in Malaysia against the export of Australian cars; look at the tariff and non-tariff barriers employed in other countries such as Korea and Japan against Australian auto exports.

While we have Australia being asked to reduce protection levels substantially, our competitors are maintaining massive barriers against our exporting to them. Unilateral moves to free trade by one country such as Australia cannot be shown to increase national wealth. There is no point in one-way free trade with Australia removing its barriers, while both our trading partners and competitors use a variety of measures to make Australian products non-competitive in their markets. That is not economically rational: that is economic suicide.

I believe it is vitally important that Australia take up these issues at the World Trade Organisation in Geneva. The fact is that all the automotive majors are foreign owned; many of the major component suppliers are foreign owned; their capital is mobile and does not belong to Australia. Will these firms allow their capital to be re-allocated to other new industries within Australia or will they, instead, relocate their automotive operations offshore where the policy environment is more supportive? We may not see closures occurring overnight; rather, the most vulnerable companies are likely to continue production until the next change of models when large additional investment is required. Then we will see the pressures applied. It is vitally important that we have this mid-term review. It is vitally important that we ask the World Trade Organisation to investigate the rorting of world trade rules and regulations by other APEC nations that are laughing at us. The fact is that we have a situation in Australia where we are being asked to set the example: the only people who would applaud this will be car workers in other nations as they see the demise of our industry.

Mr MEIER secured the adjournment of the debate.

LAMB EXPORTS

The Hon. M.D. RANN (Leader of the Opposition): I move:

That this House notes that the South Australian lamb industry supplies more than 25 per cent of Australian lamb exports at a value of $27 million to the State's economy and expresses concern at the decision of the United States Government to impose a tariff on Australian lamb exports and fully supports action taken by Australia in the World Trade Organisation and other international trade forums to have this decision reversed.

The ultimate folly of the Howard Liberal Government's commitment to reduced tariffs for the automobile industry before a review of the trade policies of our competitors, and regardless of the outcome of that review, is shown by the US decision to impose a tariff of up to 40 per cent on Australian lamb exports. We have two sides of the coin of one-way free trade: a hollow commitment by the Howard Government to our automotive industry which says Australia will unilaterally reduce assistance to our industry while the walls go up against our car exports overseas, and while the world's largest economy, supposedly the putative leader in the fight for free trade and for liberalisation of trade rules, imposes a unilateral tariff against efficient Australian lamb producers.

Australian lamb producers developed their markets in the United States without Australian Government support, but they are being kept out of the United States market by a panoply of United States Government measures. The US produces hardly any lamb of its own. It is a relatively new product in the United States and, to some extent, the province of hobby farmers and one or two States. On top of the 40 per cent tariff for above quota imports, that is, those imports above the 1998 level, Australian lamb producers face an increased tariff for imports within the 1998 quota. Add to that a $US100 million industry package for the American lamb industry and you have industry protection on an impressive albeit unfair scale. As the Meat and Livestock Director put it, 'You could buy half their flock for that' (according to a report in the *Stock Journal* of 15 July 1999).

Australia and New Zealand account for 95 per cent of lamb imports to the United States, but lamb imports from Canada and Mexico will, of course, be allowed into the United States under their NAFTA free trade agreement. Australian and New Zealand producers are the most efficient in the world. You only have to consider that the United States lamb prices have risen by 30 per cent in the past year, and that the US is putting a tariff on top of that.

Of course, South Australia has most to lose from this openly offensive protectionist measure by the United States. We supply more than a quarter of total national lamb exports, and South Australian companies, such as the Tatiara Meat Works at Bordertown, export one-third of their output of lamb to the United States (around 450 jobs could be at stake in that one company alone).

I support Australia's decision to take this matter to the World Trade Organisation for investigation. The simple fact is that the United States preaches to Australia about our liberalising our trade rules, and we comply. We do not just salute: we put up both hands and surrender. The United States has unilaterally imposed tariff measures against our lamb exports, and this totally underlies what I have been arguing in terms of the car industry, that is, that a commitment to free trade cannot be one way, or it is Australian producers and Australian workers who will suffer.

I know well the WTO's new Director-General (Hon. Mike Moore), former Prime Minister of New Zealand and former Trade and Foreign Minister of that country, who will take up his position as head of the World Trade Organisation in September. I was disappointed that Australia chose not to support his candidacy for leader of the World Trade Organisation. I will certainly do what I can to ensure that Australia's voice is heard loud and clear at the WTO, particularly in relation to issues affecting South Australia such as the car industry, our meat and agricultural exports, and the wine industry. It did not make any sense for Australia to support the Thai rival to Mr Moore, particularly when Mr Moore was clearly going to win the nomination and given that he has a keen understanding of Australia's trade issues, particularly in the area of primary industry.

I support the issue being taken up at the World Trade Organisation and I support the State Government's decision to form a task force on the issue. However, I must say that the meat industry has been haemorrhaging jobs for the last three or so years, and in 1997 Labor called on the Government to form a meat industry task force, and of course we were ignored. During the Estimates Committee, we had the spectacle of my having to ask questions and then reveal to the

Minister for Industry and Trade plans to close the Gepps Cross abattoir, which was a complete revelation to the Minister, who supposedly supervises the industry. That shows how out of touch the Government is with industry and primary industry.

In the United States, lamb is virtually an exotic product and this new trade was an example of the industry's adjustment from the fallout from earlier rationalisation and job loss. Now that trade, too, is under attack and we need a serious and decent policy approach by the State Government to the meat industry, not just a panic response to the latest disaster. Unfortunately, the decision by the United States Government shows that, under the Liberals, Australia has lost clout in Washington. The US dropped the lamb decision just two days before John Howard, our Prime Minister, arrived in Washington. If ever there was an example of utter contempt for Australia, it was not just the announcement but the timing of the announcement, which was designed to humiliate the Australian Prime Minister. John Howard had just 20 minutes with Mr Clinton and crowed about how he was originally to have only five minutes with him. He said, 'See how well I have done.'

It is about clout, it is about influence, and it is about outcomes in terms of what one can achieve for one's country, not just photo opportunities. When I speak to Mr Moore as head of the WTO about these issues, I will be hoping for a lot longer than 20 minutes to press the claims of the South Australian lamb industry. There was no joint press conference, of course, between Mr Clinton and Mr Howard. The fact is that, under the present Prime Minister, Australia's foreign debt is at an all-time high and our Current Account deficit is at record levels and worsening. Lamb is part of this vital policy question, so rather than rhetoric after a brief encounter at the White House I would like to see what work the Prime Minister had done on the lamb issue. Bleating about it after the fact will not solve the problem for South Australian and Australian lamb producers.

I want this Liberal State Government, the nine South Australian Federal Liberals of the House of Representatives and the six South Australian Liberal Senators to start sending John Howard a message. Instead of having a vision about a new tax for Australia, he should start fighting to protect and defend Australian jobs. I make clear to the Federal Government and to the Premier that we should all in a bipartisan way work with the new head of the WTO to try to get a fairer deal for Australian and New Zealand exporters.

Mr WILLIAMS (MacKillop): I support this very important motion and I hope that this House and the Government of this State recognise the importance of the lamb industry to South Australia. I declare my interest up-front, as I have on previous occasions when I have addressed this industry and matters pertaining to it. I am a lamb producer. Indeed, my family and I have been lamb producers for many years. Along with other lamb producers in South Australia, the rest of Australia and indeed New Zealand, I have been absolutely outraged by this decision of the US Administration.

As the Leader of the Opposition said, that Administration purports to be at the vanguard of free trade throughout the world. It pleads with other countries to open up trade barriers and yet, as soon as it can, it puts up similar barriers against people who want to put products into its domestic market. It is a damnable situation, and this Parliament and this Government should do everything in their power to support the Federal Government in putting our thoughts to the World Trade Organisation and in using our good offices to try to overturn this decision. Some of the things about the decision have really outraged me. Within days of making the announcement, the trade spokespersons from the US Administration said that the US was merely taking appropriate action against dumping by subsidised Australian producers. Having been a lamb producer in Australia for many years, I find that extremely offensive. Australian lamb producers are not subsidised and they are not dumping.

The definition of 'dumping' of a product onto someone else's market means selling the product at a price that is lower than what the product commands in its own home market. I assure the House that the Australian and New Zealand lamb that appears on the American market is sold at a premium compared with what that product receives on our market. It is not dumping.

I am grossly offended at the comment about subsidies to Australian lamb producers, because I have never seen any subsidies. It has been many years since lamb producers received a subsidy and that was in the early 1970s or before that, when we received a bounty for superphosphate fertiliser, and that is a completely different story. The farmers did receive that bounty but, given the elasticity of parts of the superphosphate market, the money was paid to farmers although it supported a different part of the industry.

I do not believe that any subsidies are paid to sheep producers, particularly lamb producers, in Australia. For a number of years, lamb producers have levied themselves as an industry. For every lamb that is slaughtered in Australia, payment is made into a fund, and that fund is administered by what was formerly the Meat and Livestock Corporation but which is now known as Meat and Livestock Australia. That fund is being used to develop the industry. It is being used for research and development work in the industry—and it has done great things in that area—and it has also been used to develop overseas markets and indeed our domestic market.

A lot of this money has been spent in the American market. Over the past 12 years, lamb producers have spent $25 million of their own money developing the United States market. The United States virtually did not have a lamb market until we started to develop it. We have done that through what was the AMLC and through pro-active lamb processing companies. Probably the best known company in South Australia, and indeed the biggest exporter to the United States market, is the Tatiara Meat Company which operates at Bordertown in the South-East and which is in my electorate. As the Leader said, about a third of its produce is exported to the American market. It is the biggest Australian lamb kill works, employing some 450 people. I would add that, along with some other companies, it has been very pro-active in helping to develop that market.

The Leader mentioned that the Canadian and Mexican producers would be exempt from these tariffs under the NAFTA agreement. I will just add that I do not see that as a problem because certainly there are very few sheep in Canada, and therefore I do not envisage that the Canadians will export very much lamb to the United States market. I am not sure of the number of sheep in Mexico, but I do not expect that they will have a big influence on the market either. The problem is this tariff wall that has been put up against us: a 9 per cent tariff on the existing quantity of our exports and 40 per cent if we exceed that quantity which puts it right over the top. Not only will it have the potential to destroy an industry in Australia (which certainly has been one

of the shining lights in livestock production in Australia over the past 10 years) but it will make it much more expensive for the American consumers to obtain and continue consuming lamb.

It seems a great pity that this move has the potential effect of actually destroying all the good work that has been done in that market over the past 10 or 12 years by Australia as lamb producers and meat processors. The American lamb producers do not have the ability to take over and fill the market void which might be created if we are forced out of the market and, as a result, the market that has been built up will be destroyed. Consequently, it is very doubtful whether, in a few years, we could rebuild that market and, if we did have to do that, it would be a huge waste of money. The facts are that Australia is a net exporter of agricultural products and there are very few agricultural industries in which we are not gross exporters.

Unfortunately, we have to take what the world dishes out to us. I think some of the announcements Tim Fischer made following this decision were right, for example, that we have to push the free trade line. We cannot turn around and put up protective barriers because it will work against us because not only do we export lamb but we export a whole range of other primary products, be they agricultural or mineral products. Unfortunately, it is in Australia's best interests to keep pushing the free trade line and to work through the World Trade Organisation to try to get fair and equitable results.

It is just interesting that during recent weeks the Americans have sought to lift the amount of pork that they can export into Australia. AQIS, the quarantine service, through quarantine measures has restricted their pork coming into Australia because of fears of importing disease and the Americans are working very hard to try to overcome that. I think that our Government should be directing AQIS to hold the line and hold it very firmly. Throughout the past 10 years we have seen our citrus industry go through extremely tough times because of importation of orange juice concentrates both from Brazil and the United States.

Debate adjourned.

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

EMERGENCY SERVICES FUNDING (MISCELLANEOUS) AMENDMENT BILL

His Excellency the Governor, by message, recommended to the House the appropriation of such amounts of money as may be required for the purposes mentioned in the Bill.

INDUSTRY SUBSCRIBED INDEMNITY FUND

A petition signed by six residents of South Australia requesting that the House urge the Government to make funds from the Industry Subscribed Indemnity Fund available to former investors in Growdens was presented by the Hon. W.A. Matthew.

Petition received.

PELICAN POINT

A petition signed by 95 residents of South Australia requesting that the House conduct an inquiry into the proposed power station at Pelican Point was presented by Mr Foley.

Petition received.

SHIP BREAKING INDUSTRY

A petition signed by 824 residents of South Australia requesting that the House urge that Government not to permit a ship breaking facility at Pelican Point was presented by Mr Foley.

Petition received.

QUEEN ELIZABETH HOSPITAL

A petition signed by 7 331 residents of South Australia requesting that the House urge the Government not to reduce maternity services at the Queen Elizabeth Hospital was presented by Ms Stevens.

Petition received.

HEALTH REFORM

The Hon. J.W. OLSEN (Premier): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. OLSEN: Last month State and Territory leaders met to discuss the crucial issue of national health reform. It was significant in that for the first time leaders from both sides of politics put aside their political motives and genuinely came to the table with a commitment to reforming the health system. Never before has that been achieved.

At that meeting it was agreed that we would ask the Productivity Commission to inquire into the efficiency, effectiveness and future affordability of the delivery of health services in Australia, thereby identifying the key issues of reform. It is obvious that we now have a system designed in the 1970s which is clearly not coping with the demands of the 1990s. And there is genuine commitment to rectifying that situation across the political spectrum, for we cannot move into the next millennium with a health system as it is.

I am disappointed that the Federal Government has rejected this call. It was a genuine attempt at reforming a health system that is not adequate. I find it surprising that, while the Federal Government was prepared to support a Productivity Commission inquiry into gambling, it is not prepared to do the same on the issue of health reform. Because the simple fact is that the Commonwealth must accept that to undertake reform it needs to be part of the debate. However, it has clearly chosen not to be.

To that end, senior officials from each State and Territory who will meet next week have been asked to address the issue as a matter of urgency. I have also written today to my State and Territory colleagues, as well as making telephone contact with a number, asking that we reconvene in Sydney next month to determine the next step. We will be proposing that the States undertake their own inquiry into this issue. This inquiry must focus on the financing arrangements of the nation's health system. We already know that the Medicare levy funds only 8 per cent of the nation's total health bill. Australia now spends $47 billion on health care, a figure which is more than double that of 20 years ago.

Under the current policy settings, financing of the health care system is unsustainable. We are in danger of leaving future generations of Australians with a health system that cannot cope and a health bill they cannot pay. We already know that a combination of factors—an ageing society, improved technology, inefficient practices and complex funding arrangements—means an added burden on the health

system that was not there in the 1970s. We already know that hospital waiting lists will continue to grow unless we stop the exodus from private health insurance to the public hospital system.

What we have yet to determine is how we maintain a health system which is fair and equitable and available to those who need it most. A national inquiry would assist in that process. State and Territory leaders have led and will personally lead a national debate on the financing and affordability of health care into the future. The Commonwealth must be part of that debate and it must be more than a debate based on who is funding health and to what extent. The fact is that State funding for hospitals was $404 million in 1995-96, $456 million in 1996-97, $509 million in 1997-98, and this financial year we have put in an extra $78 million.

I will be meeting with the Prime Minister on a range of issues when he is in Adelaide next week . Following the Federal Government's decision, I will now raise the issue with him to determine whether there is a way in which we can move forward, for it is our responsibility as Governments to ensure that we have a self-help system which will continue to serve us well into the next millennium, and the process for achieving that must start today.

MOUNT BARKER FOUNDRY

The Hon. J.W. OLSEN (Premier): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. OLSEN: As Premier and State member for Kavel, I am extremely concerned about the current situation at the Mount Barker foundry.

Members interjecting:

The SPEAKER: Order! The Premier has been given leave to make a statement.

The Hon. J.W. OLSEN: Any activity which gives rise to health concerns requires urgent attention and the highest priority should be given to finding a solution.

Mr Foley interjecting:

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

The Hon. J.W. OLSEN: That is exactly what this Government is endeavouring to do. Earlier today I met with representatives of the Clean Air Group—a group of concerned residents from the area. I have been personally involved in this issue since it was raised with me as the local member in June. All parties involved in the problem want a solution and we need to move forward with the facts. First, the State Government played no role in determining the location of the Mount Barker foundry. Development approval for the relocation of Mount Barker Products was granted by the Mount Barker Council under delegated authority to an officer. The role Government played was one of industry assistance resulting in an increase of 25 local jobs. The expansion of Mount Barker Products represented the first high volume brass foundry capability in the State and offered potential for a new industry such as meter manufacturing.

The site was selected by the company and the company dealt directly with Mount Barker Council as the agency responsible for zoning and approvals. Following complaints from the residents, the EPA and the South Australian Health Commission have been undertaking a series of tests, and that is where we are today. Those tests reveal concerns about both the level of fumes and odour emanating from the foundry. I understand that the environmental concerns that have been raised will be considered by the Environmental Protection Authority this afternoon.

The Health Commission has also continued its investigation with results expected either tomorrow or on Monday. As I have indicated to local residents previously and in the House today, if the results show that there is a health risk to residents this Government will act decisively and swiftly. The health of local residents, families and children will not be compromised.

PAPERS TABLED

The following papers were laid on the table:

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

Industrial and Commercial Premises Corporation—Charter
Information Industries Development Centre—Charter
Land Management Corporation—Charter.

PUBLIC WORKS COMMITTEE

Mr LEWIS (Hammond): I bring up the one hundred and fourth report of the committee on the William Light School redevelopment and move:

That the report be received.

Motion carried.

The Hon. R.G. KERIN (Deputy Premier): I move:

That the report be printed.

Motion carried.

QUESTION TIME

MOUNT BARKER FOUNDRY

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Premier. In the Premier's meeting with representatives from the Mount Barker foundry last night, did he discuss Government financial assistance to relocate the foundry's operations to Wingfield or elsewhere? How much would that relocation cost, and is the Government contemplating taxpayer-funded relocation costs and compensation if the company is forced to announce its temporary closure?

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! I warn the member for Hart for the second time, and the member for Bragg.

The Hon. J.W. OLSEN: The member for Hart can do the same today as he does on most days and make inane interjections. As the Government, we have a twofold responsibility: first, and importantly, to ensure that the health of the residents is not compromised. I have indicated on two previous occasions to this House and in a series of meetings I have had with local residents and people interested in this issue over the past month or six weeks that the health of the residents will not be compromised, and it will not be. Also, the Government has a responsibility to a business which has established itself and which was given authority by the local council to establish—

The Hon. M.D. Rann: And by the EPA.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Leader will come to order.

The Hon. J.W. OLSEN: I digress simply to say, and the Leader would well understand, that the EPA has an independent role to play so that there can be no political interference and direction by the EPA—and the laughter from the member for Hart, once again, is fatuous.

Members interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition for disrupting the House.

The Hon. J.W. OLSEN: The Leader asked the question and, if he is half patient, he will get the full answer. Let me respond—

Members interjecting:

The Hon. J.W. OLSEN: Let me repeat: the first priority is the interests of the residents. I have indicated twice to this House and at the meetings I have had with the residents and interest groups on a number of occasions that their health will not be compromised in any final decision. I go on to say that a business is operating on this site which, to all intents and purposes, is operating lawfully on the site as a result of a decision of the local council. Other factors are therefore involved in wanting to negotiate a solution in the interests of all the parties. I certainly do not want to see any action that will put at risk people's health and it will not be. I do not want to see any action that might put at risk a business and someone's life savings. This Government also has a twin priority here, and that is for job creation in South Australia.

The Leader asked whether I had had meetings with the business. Yes, I had a meeting with the business several weeks ago, and I have met them on a couple of occasions. I have met the clean air group on a couple of occasions. I have in my diary a note to visit the school tomorrow. That meeting was put in my diary some time ago. I am meeting other concerned businesses in the area also tomorrow, and that was previously arranged. That is certainly not as a result of the Leader's question, but it was put in my diary some time ago. I will follow through on those meetings. If the import of the Leader's question is—

The Hon. M.D. Rann interjecting:

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

The Hon. J.W. OLSEN: If the Leader is asking whether I am leaving no stone unturned to create a successful resolution, which means negotiating with all the parties on that issue, the answer is 'Yes.'

WINE INDUSTRY

Mr VENNING (Schubert): Can the Premier advise the House of details of the Australian wine industry's performance in 1998-99 and the significance of that for this State?

The Hon. J.W. OLSEN: Figures released by the ABS yesterday showed that last financial year was another record year for the Australian wine industry. For the first time, exports of wine from Australia have exceeded the $1 billion mark. At $1.066 billion, they increased by 22 per cent over the previous year. That is an outstanding record and achievement. This is, of course, on top of similar growth in recent years. The value of wine exports in 1998-99 was nearly three times the value recorded as recently as 1994-95, only four years ago. As a result, the industry has reached its target of $1 billion of exports—a target I might add some thought was over-ambitious when it was first put forward in the wine industry in their strategy 2025—one year ahead of schedule.

Of course, it is South Australia, the wine State, which is leading that tremendous expansion and reaping the majority of the economic benefits. South Australia has nearly half of Australia's total area under vines and produces more than half of Australia's wine grapes and nearly 70 per cent of its red wine grapes. One of South Australia's wine districts, the Barossa, in which the member for Schubert has a close interest, produces more than a fifth of the national production of beverage wines. We lead in particular at the top end of the market in wine exports.

For many years South Australia has provided about 70 per cent of Australia's total export in wines. We have done it again in 1998-99. Preliminary figures show another 23 per cent increase in South Australia's wine exports last year to over $700 million. Wine is now our second largest single export item. We exported 200 million bottles of wine last year, and—

Mr Koutsantonis interjecting:

The Hon. J.W. OLSEN: —that is four million bottles of wine every week, and over 550 000 bottles of wine each day. The industry's growth is a major reason why this State has weathered the impact of the Asian crisis better than others, and with a 6.5 per cent increase in total exports last year at a time when exports nationally were falling.

Mr Koutsantonis interjecting:

The Hon. J.W. OLSEN: Of course, it is not just the direct economic benefits that are important. The wine industry is a major tourist attraction—again, a significant reason why South Australia's overseas tourist numbers have recently been on the rise at a time when tourism in other States has been struggling.

Mr Koutsantonis interjecting:

The Hon. J.W. OLSEN: Why does the member for Peake keep chortling away? If the member for Peake wants to interject, could he do it in plain English so we can understand what the interjection is!

The SPEAKER: Order! The Premier will ignore the member for Peake. The member for Peake has already been warned once for disrupting the House.

Members interjecting:

The Hon. J.W. OLSEN: A few late nights are starting to show. The wine success story in this State is a testament to the vision, skills and the strategic approach by those within the wine industry. They have set an example for other sectors, such as the food and beverage industry, which the Government in cooperation with the private sector is using as a model to drive our 'Food for the Future' strategy that will be underpinned by 'Tasting Australia' in October this year.

The Government has also been pleased to be able to assist the wine industry with policy and infrastructure initiatives. We have, for example, put in place an implementation plan to push forward the national strategy 2025 initiative. We strongly supported the wine industry's representations to the Commonwealth Government over the new tax package and were instrumental in persuading the Commonwealth to drop the potentially extremely damaging proposal for a volumetric tax on wine.

Our export facilitation schemes, the new exporters challenge scheme to support market development, our payroll tax rebates for exporters, a trade exhibition and missions overseas have materially assisted wine exporters, as they have other South Australian exporting sectors. The industry, as the latest figures show, is a vital contributor to this State's economy, and the Government will continue to do everything

it can to support the efforts of the industry to grow still further in the future.

MOUNT BARKER FOUNDRY

Mr HILL (Kaurna): My question is directed to the Minister for Government Enterprises. Given the Minister's statement yesterday that the Mount Barker foundry had, 'complied with all the development requirements of the Mount Barker Council' in relation to the manufacture of water meters, can the Minister tell the House the process undertaken in obtaining those development approvals and whether the EPA was involved?

The Hon. M.H. ARMITAGE: I will ask the council and provide to the member whatever information the council gives me.

MANUFACTURING INDUSTRY

The Hon. R.B. SUCH (Fisher): Can the Minister for—

Mr Venning interjecting:

The SPEAKER: Order! The member for Schubert will come to order.

The Hon. R.B. SUCH: Can the Minister for Industry and Trade indicate how well the South Australian manufacturing industry is competing in world automotive markets?

The Hon. I.F. EVANS: With South Australia being a strategic regional manufacturing centre in the global automotive market, South Australian companies are certainly up there with some of the best in the world. Every year General Motors recognises some 180 suppliers world wide in their 'Supplier of the Year' awards. These are worldwide awards. This year, Air International from Golden Grove was one of the companies that competed in those awards. Air International's automotive division won GM's 'Supplier of the Year HVAC Systems'—that is, heating, ventilation and airconditioning systems—so a South Australian company has taken out a GM global award, which is no small effort.

Air International is an example of how global success can be achieved. Throughout this decade, Air International has developed a series of joint ventures and subsidiaries in China, India, Malaysia, Thailand, Indonesia and Great Britain, and by establishing themselves as a major supplier of automotive heating, ventilation and airconditioning systems in Australia and the Asian markets, Air International has transformed its operations from what was a small scale airconditioning plant into a significant player in the global automotive market. This transformation has occurred in something less than eight years.

The strategy behind its astonishing success is one of successful niche marketing through differentiating their product based on quality, service, delivery and, importantly, technology. It is a message that other companies in the global markets need to take in. When announcing their awards, GM announced that, in the almost 20 year history of GM awards, this is the first time that technology has become a major criterion in the judging process, being added to quality, service and price. Mr Griffiths, the General Manager, said he believed that the company's edge in winning the award was largely attributable to its technological advances in recent years. In fact, I will quote him, because this is an important message for other South Australian industries in the global market. He said:

> There's nothing wrong with being big, but it is no longer a key determinant of winning business in the automotive industry. We believe that the capacity and flexibility to apply the appropriate technology to a specific task and provide demonstrable value to the manufacturer, and ultimately its customers, is far more important.

That is a message I think other manufacturers need to take on board. Importantly, it is a good message also for the work force. Yesterday we were shown how, through improvements in technology, the work force had the opportunity to reduce a lot of injuries because, instead of having to lift up the air conditioning systems on a regular basis, they now have to lift them up on only one occasion, and that a 22 minute process to deliver the product is all being done on a conveyor belt. It is an excellent result, not only for the company but also for its work force.

Air International received the award at a ceremony in Shanghai in May, when the Asia Pacific awards were presented. Yesterday I had the pleasure of representing the Government at the ceremony at Golden Grove. The Air International company not only manufactures the air conditioners for Holden and Mitsubishi, but it has now diversified its manufacturing into steel pressing and steel components, Steering Systems Australia Ltd, which manufactures steering columns and linkages, and also the Air International tool room. It is pleasing that governments of both persuasions over the years have supported the company and helped develop it and diversify its product. That has seen its employment rise from 20 on its books about eight years ago to 185 now working at the plant at Golden Grove. It is an excellent result for a company competing in the global market to grow from 20 to 185 employees in less than eight years. We would expect that, given this success and the way it is diversifying, there is no reason it should not continue to expand in South Australia.

One point amazed me about this announcement: this is a global award. Some 30 000 suppliers throughout the world put up their name for these awards. There were only 180 winners overall, only 11 winners in the Asia Pacific region, and only four winners within Australia, one of those being Air International at Golden Grove. It is a great result. Two press releases were put out on two separate days, one by the company and one by the Government—and do you think we can get any media interest?

Members interjecting:

The Hon. I.F. EVANS: It is important to the company. This company has put itself out there on the world market; this is a work force that has put itself out there. It is important that the media should pick up the point and pat them on the back, because this work force is doing it on the world stage in front of 30 000 competitors. This South Australian work force knocked them off—and I say, 'Good on them!'

Honourable members: Hear, hear!

MOUNT BARKER FOUNDRY

Mr HILL (Kaurna): Given the Premier's ministerial statement that the Health Commission will report on Friday or Monday after Parliament has risen, will the Premier advise the House what preliminary advice he has been given on the health risks associated with emissions from the Mount Barker Foundry exceeding emissions allowable under the licence issued by the EPA?

Members interjecting:

The SPEAKER: Order, the Minister for Local Government!

Mr HILL: Thank you, Sir. Does this advice indicate that his constituents may be at risk and, given confirmation by the

Minister for Government Enterprises that the foundry received Government assistance and the possibility of future litigation, will the Government now order the immediate cessation of the offending process?

The Hon. J.W. OLSEN: The import of the honourable member's question is that either the Health Commission or the Environment Protection Authority has given me advice in relation to this issue. They have not given me any advice other than that which has been available in the media. I have had no additional briefings from the South Australian Health Commission. I have had no other advice other than what the Environment Protection Authority has made available to the meeting. My understanding from the circumstances and the discussions I have had with a number of people related to this issue, as I have sought advice from time to time, is that all the advice that has been publicly released is the same as the advice I have received to date.

I can assure the House that I am in possession of no detailed information as to what exactly the Environment Protection Authority will consider this afternoon. This subject is obviously on its agenda. I am not aware of the recommendations that will be put before that meeting this afternoon and neither am I aware of the results of the South Australian Health Commission details. Suffice to say that information would be available at the end of the week or early next week. That is the advice I have received to date. It is important to recognise that a number of parties have a clear interest in this matter. It is a question of ensuring that all the parties receive due consideration in any decision that is made, but there is one that will not be compromised, and that is the health of the residents of the district.

HEROIN PHONE-IN

Mr HAMILTON-SMITH (Waite): Will the Minister for Police, Correctional Services and Emergency Services advise the House of the success of yesterday's heroin trafficking phone-in launch? Illicit heroin use within the community with its associated crime and health impacts is an issue of prime concern to us all. There is a public debate in progress which emphasises that any strategy to address this problem needs to include enforcement, education and treatment. The Government recently announced this new measure to gather information on heroin trafficking with a view to tackling the problem, and I feel sure the House and all South Australians would like to know whether it is working.

The SPEAKER: Order! The honourable member is clearly commenting.

The Hon. R.L. BROKENSHIRE: I thank the honourable member for his question. I admire his passion over what is one of the most important and concerning issues facing not only South Australians but also all Australians and indeed the world today, and that is the issue of illicit drugs, particularly heroin. It is now common knowledge throughout South Australia that the Premier has been leading the way with this most important initiative to address an issue that affects—

Mr Hanna interjecting:

The Hon. R.L. BROKENSHIRE: Again the member for Mitchell has demonstrated his inability to support serious issues when he makes light and a joke of a very important book that was distributed to 100 000 South Australian families to address an issue that will affect each and every one of us one way or another in the future if we are not bipartisan in supporting the Premier as he delivers a holistic approach to the drugs issue in South Australia. As part of that strategy yesterday as Police Minister I was delighted to accompany the Premier and Commissioner when the Premier launched at BankSA Crimestoppers a heroin phone-in day, particularly targeted at encouraging young people—

Members interjecting:

The Hon. R.L. BROKENSHIRE: Yes, I do like it, because it is about addressing a very difficult issue. This was particularly targeting the issue of street trafficking of heroin and other illicit drugs amongst our young people. It is very concerning when we see 13 and 14 year old people who are now shooting up heroin. I would like to give the House some relevant points with respect to the BankSA Crimestoppers heroin phone-in day yesterday. The phone-in started at 10 a.m., when the Premier took the first call. It was due to be completed at 10 p.m., but it ran to 10.20 p.m. because of the number of calls. Some 227 calls were received during that period, 63.8 per cent of which related to dealing in heroin.

Other calls related to the following: 20.7 per cent, dealing in amphetamines; 27.2 per cent, cannabis production; and 22.1 per cent, other types of drugs. Some callers obviously provided multiple information, so those figures will not add up to 100 per cent. Some of the information confirmed existing police intelligence and some provided new avenues of inquiry for Operation Mantle operations.

Mr Conlon interjecting:

The SPEAKER: Order! I warn the member for Elder for disrupting the House.

The Hon. R.L. BROKENSHIRE: The shadow spokesperson, who continually misrepresents the situation, should listen to this with a great deal of interest. I have talked before about Operation Mantle and the success of its operations. Last night alone, 32 searches were conducted of premises and persons as a result of yesterday's phone- in, which clearly has provided invaluable information on heroin and other illicit drug issues. This information will be investigated and appropriate action taken operationally by police.

It is important that we look at the issue holistically, as many pieces make up the jigsaw puzzle, not the least of which is community support. It is right and proper morally to dob in people who will destroy the future of South Australians, particularly young people, and I commend and thank all those people who telephoned Bank SA Crime Stoppers yesterday. There is still a lot of work to be done, and I encourage people to continue to phone in and dob in drug traffickers.

MOUNT BARKER FOUNDRY

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Minister for Industry and Trade. Given today's contradiction or correction of yesterday's assurances by the Minister for Government Enterprises and his revelation that the Mount Barker foundry received two separate financial assistance packages from the Government of up to $200 000 each, the first to relocate its operations in 1996 and the second to expand its operations for the Schlumberger water meter contract, will the Minister detail how much in total the company has received and indicate whether both packages were contingent upon rigorous environmental checks and approvals from the Environment Protection Authority; and was the Minister who approved the assistance package the current Premier?

The Hon. I.F. EVANS: I do not think the Leader of the Opposition is accurate in what he said. I will seek clarification for him so that when he goes out and speaks publicly he

is clear about what he says. Had I been here yesterday I could have corrected the Minister's statement. I contacted him late last night so that he could correct it this morning. However, I will obtain a detailed brief so that when the Leader goes out and speaks publicly at least he will be accurate.

Members interjecting:

The SPEAKER: Order! The member for Waite will come to order. The member for Heysen has the call.

CENTENARY OF FEDERATION

The Hon. D.C. WOTTON (Heysen): Will the Premier inform the House of the progress to date with preparations in South Australia for the Centenary of Federation?

The Hon. J.W. OLSEN: I thank the member for Heysen for his question, because the Centenary of Federation provides all Australians with the opportunity to recognise and celebrate both our history and achievements over the past century. As part of the process of raising community awareness, Cabinet has approved the allocation of more than $2 million to be used for grants to enable South Australians to initiate and organise their own events—events with a local flavour. Importantly, Cabinet ensured that regional South Australia was allocated its fair share of funding. The regions, which obviously have been so important in our State's development over the past 99 years, will continue to be part of our future development prospects.

To be eligible for Federation grants, projects had to meet one or more criteria on a range of issues. Some of the criteria that the projects needed to be able to meet included historical links to Federation; an ability to acknowledge the achievements of South Australians in the past 100 years; demonstrate future benefits to the South Australian community; leave a lasting legacy for South Australia; and match the vision of the original Federation movement. The criteria for eligibility are broad and far-reaching, with the intention being that South Australians be given the option to celebrate our history in a number of ways, including: documenting the history of the dog fence; participating in local school events; participating in festivals along the River Murray; and participating in or watching theatrical productions. Applications for the first round of grants closed on 1 April 1999.

By that time the Centenary of Federation Committee had received some 225 applications totalling $11.3 million. Of these applications 34 projects across the State were selected—17 projects in the metropolitan area and 17 projects in regional South Australia. If a particular region has been under represented in the first round of funding, that region will receive further support to encourage applications of merit in the second round. Consultation on these grants has been extensive, with Heritage SA and the History Trust of South Australia being consulted in respect of projects involving local history or publications.

It would be time consuming for me to list all the projects to date that have received grants, but some of the projects include celebrations in Goolwa and the Murray River Basin—a seven month project facilitating the staging of a number of festivals. This project will culminate with numerous paddle steamers gathering at Goolwa for a celebration. The Adelaide Festival of Arts will stage the Adelaide Festival of Ideas, which will provide a national focus for public debate and discussion about public policy issues, after the outstanding success of that innovative festival earlier this year. Associate Professor Peter Howe will research and write a book about the general history of South Australia, particularly since Federation, and its resultant relationship with the Commonwealth. The Helpmann Academy will produce a major street parade for the centenary celebrations as well as major theatrical music and dance performance. These are just a few of the projects that have been successful to date. They encompass broad themes, which will therefore appeal to a wide range of individuals. I certainly have been impressed with the calibre of projects presented to date, and I am sure that this quality will be upheld in the second round of grants.

MOUNT BARKER FOUNDRY

Mr HILL (Kaurna): Has the Minister for the Environment learnt from her experiences with the Mobil oil spill and will she now agree to visit the Mount Barker community, including members of the Waldorf School community and others affected by the Mount Barker foundry fumes; and, if not, why not?

Mr Wright interjecting:

The SPEAKER: Order! The member for Lee will come to order.

The Hon. D.C. KOTZ: I appreciate the question from the member for Kaurna, as it gives me an opportunity to clear up his misunderstanding. I thought I had already made a statement in the House indicating that consultation with the community had already taken place. I am very pleased to advise the member for Kaurna that I have already met with the residents of Mount Barker. I have also met with a teacher of the school, so I consider that the answer to the question is that that has already been done.

Members interjecting:

The SPEAKER: Order! I warn the member for Hart for the third time.

MASTERS GAMES

The Hon. G.A. INGERSON (Bragg): Will the Minister for Tourism advise the House of the excellent progress being made in the staging of the Seventh Australian Masters Games?

The Hon. J. HALL: I thank the member for Bragg for his question because it enables me to report to the House the absolutely stunning results that are so far being experienced by the organisation which is running the Seventh Masters Games to be held in Adelaide at the end of September for nine days. The organisers of the event are hosting what appears to be the biggest and best that has so far been held. To date, registrations which have been formalised for these games have surpassed—

An honourable member interjecting:

The Hon. J. HALL: Not yet—the Sixth Masters Games which were held in Canberra a couple of years ago. I can report to the House that there were estimates of 10 000 participants, but that number has now formally been exceeded and, whilst I cannot give the final figure—because they have been inundated with registrations in the last few days—at this stage we can report that 10 800 people are participating in 47 different sports. We expect that by the time the final sorting has been done that figure will be increased to more than 11 000, perhaps just a little less then 12 000.

The previous best was in Canberra a couple of years of ago, when the record at that stage was 10 600 registrations. I think it is important for the House to know that one of the best aspects of this registration is the very high levels of overseas and interstate competitors, because it is those

competitors who bring in enormous economic activity for the State from which we all benefit; they use our accommodation and restaurants, they catch our cabs and they spend their money at night when they go out in our magnificent city. It is important to know that, so far, more than 400 overseas participants from 25 countries will be joining us in a few weeks, and at this stage it appears that that will create a record in the staging of Masters Games.

I would like to mention to the member for Lee that many people are participating—and perhaps I will see him at some of the events—because one of the key qualifications is that participants must be over 30 years of age so that means most members in this Chamber would well and truly qualify.

I know that members are all terribly interested in these figures, but so far they have opened and formally processed 5 700 competitors who qualify from interstate and overseas, and they expect that figure to rise to more than 6 000 in the next couple of days. That brings the average up to over 53 per cent—and they are very pleased with that because it has never surpassed 50 per cent at any other games in the past. We know that this Masters Games will be the biggest and the best because Adelaide is such a great venue in which to hold and host major events. I hope that the projected figure of economic activity during these games, which was around $27 million, will be surpassed, and I look forward to seeing many members involved at the various activities. I know that all members will be supportive of the nine day festival which starts on 25 September.

HEALTH BUDGET

Ms STEVENS (Elizabeth): Given the Prime Minister's refusal to establish an inquiry into Australia's health system, will the Premier guarantee that no patients will be put at risk following his Government's decision to cut hospital funding by $36 million this year? On 29 June the Minister for Human Services told the Estimates Committee that, while other States and Territories had increased health budgets this year, the South Australian Cabinet had decided to cut funding to metropolitan hospitals by $30 million and to country hospitals by $6 million. The Chief Executive of the Flinders Medical Centre is reported today as saying that the closure of another 30 beds would go only halfway to meeting the required $5 million cut to that hospital's budget.

The Hon. J.W. OLSEN: The honourable member's question is rendered irrelevant based on the ministerial statement that I made in the House earlier today. I explained to the member the course of action that we will pursue to follow up this issue of health. I also included in that ministerial statement details of the allocation of funds to health over recent years. While the member for Elizabeth does not want to acknowledge the fact, I draw to her attention the percentage increase both in recurrent and capital outlays in health in recent times, and more particularly the comparison which I used yesterday between 1993-94 and 1999-2000.

ON-LINE SERVICES PROJECT

Mr SCALZI (Hartley): Will the Minister for Information Economy advise the House of some of the preliminary results from the on-line services project and positive attitude being shown by the State's Public Service to the initiative?

The Hon. M.H. ARMITAGE: I thank the member for Hartley for this question about something which will determine the future of the way in which services are provided to the people of South Australia. The on-line services project is designed to encourage one of our State's greatest resources, that is, the workers in the public sector. The project asks public servants to identify services to members of the South Australian public which, in fact, might be better provided via the Internet or via the on-line world. Members would recall that already we can pay our water bills, book theatre tickets, register our cars, and so on, over the Internet, and the on-line services project is a way of attempting to expand the number of useful services provided.

The SPEAKER: Order! I bring to order the member who is hanging over the gallery: either go into the gallery or back to your seat.

The Hon. M.H. ARMITAGE: Thank you, Sir. So, a first round request was sent to members of the Public Service recently. That first round has been extraordinarily successful because it has elicited more than 130 applications from members of the Public Service who have identified ways in which the services that they provide to the community of South Australia can be better provided by using the on-line world. About 70 plus of those applications are for what have been termed minor projects, and obviously that leaves 50 plus which are for major projects. The applications are very exciting and they are all worthy of support. Obviously, some budgetary allocations need to be made. If we did in fact fund all 130 applications, the budget allocation would be spent more than five times over, so there are difficult decisions to be made by the assessment team. But, as that assessment team works on providing advice for which are the best proposals to go forward, one thing is absolutely clear: the Public Service is ready, willing, able and switched on in its efforts to contribute to the digital revolution in South Australia.

It is interesting to note that there are applications from every portfolio covering particularly innovative ideas ranging through the spectrum from delivery of captive information to traditional services being delivered via the Internet, all the way through to completely new services to the public of South Australia, making use of these leading edge technologies. Many proposals do focus on financial transactions which citizens in their dealings with Government often detail as being a nuisance in the physical world, and they tell us that they would be better handled electronically.

The provision of Government services on the Net is important. It will match the digital democracy of which I spoke the other day, including such sites as the PortsCorp sale web site. Earlier this week I advised the House that that was available and has been successful and that the number of page requests relevant to the PortsCorp sale from 7 April to 31 July was 4 058. The recreational issues paper was requested 113 times in the same period. It should be noted that the page requests underestimate the number of pages viewed. The hits to the site which I mentioned the other day include all the components of the page, rather than the number of people actually visiting the site.

The State's public servants continue to show themselves to be creative, committed and cooperative in developing proposals for the on-line project and I congratulate them on their efforts. I know that they have been enthusiastic in providing us with their input and it shows that in the Public Service there are a number of people who not only get the message but who are deep geeks. They enjoy using the technology in the best way possible. I congratulate them on their efforts and I thank them on behalf of the people of South Australia who will eventually be able to access the services

much more easily, 24 hours a day in their own time. I look forward to the final results of the funding applications in the not too distant future.

Funding for the initiative has been set aside for the next two years and I have to say that, with such high quality applications and such a volume of excellent ideas, I hope that many if not all the ideas come to fruition this year or immediately afterwards. We are in a digital age and I keep making that point. I know that people are coming to that realisation. The Government can provide worthwhile services more efficiently, more effectively and at a lower transaction cost to both the citizen and the Government over the Internet, and the more we can do that the better it will be.

YOUTH AFFAIRS COUNCIL

Ms KEY (Hanson): Why did the Minister for Youth pre-empt a future decision of Cabinet by saying on radio earlier this week that he could not give the Youth Affairs Council of South Australia a three year funding agreement as it would put it in a privileged position? Why did he say that the Youth Affairs Council of South Australia in its 18 year history had received only one lot of triennial funding? The Opposition is aware that other programs funded by the Minister, including Youth Parliament, the Local Government Ethnic Youth Officer Program, which was announced by the Premier, and the Youth Sector Training Fund, are funded on a three yearly basis. The Opposition is also aware that YACSA has been in receipt of two successive funding agreements running from 1992 to 1998 under Liberal and Labor Governments. In June 1998, the now Minister for Tourism wrote to YACSA, a copy of which letter all members would have, confirming that a new triennial funding agreement would be negotiated.

The Hon. M.K. BRINDAL: It is a good try on behalf of the Minister for Youth.

The Hon. I.F. Evans: Opposition spokesperson.

The Hon. M.K. BRINDAL: Opposition spokesperson for youth.

Mr Atkinson interjecting:

The SPEAKER: Order, the member for Spence!

Mr Atkinson interjecting:

The SPEAKER: The Minister does not need any assistance, either.

The Hon. M.K. BRINDAL: I apologise to the House for the mistake. I was distracted because I was trying to concentrate on the answer. I acknowledge that I have indicated on radio that YACSA received one amount of triennial funding. I do not believe that I have said that in this House. Last time I said that, somebody from YACSA—

Mr Atkinson: It is okay to be wrong on radio.

The Hon. M.K. BRINDAL: I try not to be. Somebody from YACSA contacted my office and suggested that it had had two amounts of triennial funding. I was proceeding on the best advice given to me that it had only had one. I asked my officers to check that out and, as yet, I have not received an answer because matters before the House have preoccupied me. If it has had two lots of triennial funding, that is a statement that I will correct because it is a statement of fact in which I may have erred without intention and upon advice. I appear to be caught in a dilemma that one wins neither way. YACSA asked that this matter be speedily concluded. YACSA asked for that. Therefore, in consultation with others, taking the best advice available to me, I immediately announced that it would have funding for this year.

This is not within the ambit of this House, but I put to members that I believe that I stand answerable for my actions to the Premier, to my colleagues in the Cabinet and to my Party. I do not believe that I have erred in saying to YACSA that it will receive funding for this year. That is the decision that I have made and I believe that I have the authority to do it. In fact, I have the authority to do it unless the Premier, my ministerial colleagues or my Party room contradict me. I do not derive my authority in this House from the Opposition.

I have no problem with this, but there are others outside and in here who appear to want to whip up a problem and create a storm where there is none. I repeat to this House that YACSA has a letter in which they say we will negotiate a funding arrangement for this financial year. I remind the House that the youth sector within the Minister for Education's department has a yearly budget. I remind this House that in Question Time I told the House that the budget for the youth sector in this State is $1.17 million. The appropriation to YACSA is approximately $138 000 per annum. That represents over 10 per cent of the youth budget. Given that my budget is a yearly budget, which must be negotiated in concert with the Minister for Education and with the Treasurer, it would be unreasonable to commit to an organisation receiving more than 10 per cent of the funds an absolute guarantee, because that guarantee must be bought at a level of uncertainty to the rest of the sector. If the Treasurer guarantees me triennial funding for my youth budget, perhaps I can then do it—

Ms White interjecting:

The Hon. M.K. BRINDAL: Oh, well, there we go. Let me refer to the letter from the previous Minister for Youth (Hon. Joan Hall). As she made her decisions when she was Minister so I am encumbered to make decisions now that I am Minister, given the best information available on the day. Let me read carefully to this House exactly what Minister Hall wrote to YACSA. I will read this sentence, and I ask members opposite to listen carefully because it is typical of the distortion that occurs. The Minister said:

> I will also be writing soon to outline the arrangements and procedures for the negotiation of a new triennial funding arrangement.

That matter was on the table for negotiation. That does not mean it was a done deal. That does not mean it was guaranteed. I have taken my best shot at this. YACSA did not want to be encumbered. It wanted to be guaranteed of funding. It has that assurance of funding and it will continue to have it for as long as I have an assurance of funding. I think that is a reasonable outcome. I seriously ask members opposite responsible for these questions if they could now perhaps direct their attention not to the individual needs of YACSA but rather to the needs of youth—things like youth suicide, youth unemployment, drugs. That is what is important to our young people, that is what has pre-eminence. I hope that when we come back, the shadow Minister and other members opposite will not occupy themselves with the interests of YACSA but rather with the interests of young South Australians.

PARTNERSHIPS 21

Mrs PENFOLD (Flinders): Will the Minister for Education, Children's Services and Training advise the House whether the Australian Education Union speaks for the parents of South Australia in relation to Partnerships 21?

Mr ATKINSON: Mr Speaker, I rise on a point of order. Is the Minister responsible to the House for whether a private association speaks for parents?

The SPEAKER: I have not heard the response from the Minister yet.

Mr ATKINSON: My point of order is, in theory, whether the Minister of Education could ever be responsible to the House about whether a private organisation has the support of a particular constituency.

The SPEAKER: I ask the honourable member to bring the question to the table so that I can look at it. In the meantime, I call the member for Stuart.

POLICE FUNDING

The Hon. G.M. GUNN (Stuart): Will the Minister for Emergency Services outline to the House the increase in funding for the South Australian Police Department since this Government took office?

The Hon. R.L. BROKENSHIRE: I thank the member for Stuart, who has a very strong interest in policing, for this important question. I welcome the opportunity to put a couple of facts on the record rather than the fiction I hear on a regular basis from members of the Opposition via the airwaves. It is clear to me that they have not learnt anything when it comes to mismanagement or putting the facts forward. When members look at the difficulties that our Government inherited—

Ms Rankine interjecting:

The Hon. R.L. BROKENSHIRE: The member for Wright, I am sure would agree, that our Government inherited enormous difficulties thanks to the ineptitude of her colleagues. Notwithstanding that, the policing details are quite straightforward. Since 1993, when we came to office, on a recurrent basis police services have seen—and this is not nominal, this is real growth—30.3 per cent real growth, a $93 million increase, in the budget over that period. On coming to office we also found that not only could the Labor Party not manage the books but it could not manage infrastructure, and many public servants, including members of the Police Force, were working in substandard conditions.

Since coming to office we have been funding the building of enormous amounts of infrastructure, as well as getting the books in order for all South Australians. I highlight the fact that in real growth—

Ms Rankine interjecting:

The Hon. R.L. BROKENSHIRE: I understand that the member for Wright does not like it whenever we get up a good story about policing.

The SPEAKER: Order! The Chair asks the member for Wright to contain herself. If the honourable member continues to interject, she will end up being warned.

The Hon. R.L. BROKENSHIRE: The member for Wright is one of those who gets half-baked innuendos from the media, or from one or two other sources, and runs them on the airwaves, instead of being at the 'Labor Listens' nights for which she has run the flier around. She went on the radio, because the Leader of the Opposition—who is again not present—would not do so when the interviewer said he would like to speak to him. Guess what the member for Wright said? She said, 'I understand from one of my staff who was present that only a few people turned up, anyway.' That is what the member for Wright said, and it demonstrates how insulting she is to her own community. If anyone wants to listen to anything, members of the Opposition ought to listen while we get the true facts on the record for all South Australians.

There has been a 38.9 per cent real growth in capital works. The fact is that, in the short time that we have been in office (5½ years), the Police Department has had a 30 per cent increase in real growth. Compare what has now been provided at Christies Beach with what used to be there. Members should also look at what is happening at Mount Gambier at the moment and over the next few months and compare that new accommodation for police officers with what they had under Labor. It does not matter where one looks in South Australia: I can give very good examples of infrastructure improvement and development that this Government has been implementing.

Despite the very difficult conditions we face as a Government, due to 11 years of continual mismanagement and ineptitude on the part of members opposite, we have been able to grow the budget for police services and start to address the very serious infrastructure backlog for South Australian Police.

YOUTH AFFAIRS COUNCIL

Ms KEY (Hanson): What is the Minister for Youth's estimate of the total direct and indirect costs of the Minister's review of the Youth Affairs Council of South Australia? A YACSA media release estimated that the review and the subsequent ongoing examination of funding options has cost taxpayers at least $102 000 so far. I understand that YACSA's annual core grant is less than $135 000 per annum.

The Hon. M.K. BRINDAL: Why the shadow Minister does not come to me and ask these questions, I do not know. I could have—

Ms Stevens: We want to hear the answers.

The Hon. M.K. BRINDAL: All right; fine.

Members interjecting:

The SPEAKER: Order!

The Hon. M.K. BRINDAL: The media release came out on the weekend. The original claim, which appeared in a media release provided exclusively for the *Sunday Mail*, which chose not to run it at all because of its inaccuracies was, from memory, $106 000. The media release, because it did not run on the weekend, was re-tarted and fed out to the rest of the media, I believe, over the weekend, so that it got some run on radio stations on Monday. It is sort of called hawking yourself around; there is a name for it, but I will not use it in this Chamber. I think that figure has changed.

It was difficult on the weekend to contact my officers, but I did do so. We did a rough estimate, and the rough estimate was less than $8 000. It was then pointed out to me that one of the people, the Chairperson, as a member of the Health Commission could not receive any salary, although I am not yet clear whether we did some sort of contra with the Minister and his department. So, I thought it could be as low as $6 000. I have subsequently been informed—and I will get a dollar and cent figure for the honourable member—that the absolute final figure is $14 000-odd. I would invite the honourable member to consider that there is a vast difference between $102 000 and $14 000. I would also ask the honourable member to contemplate this. This is the same House in which she stood up and criticised me for having the temerity to give three young people the opportunity to do a review on a young people's—

Mr Hanna interjecting:

The Hon. M.K. BRINDAL: We hear the goose opposite saying I stacked the committee.

Mr HANNA: Mr Speaker, I rise on a point of order. I ask the Minister to withdraw that comment.

The SPEAKER: I know that some very choice language floats around here under parliamentary privilege. I think it is one of those inappropriate remarks, but it is certainly not sufficiently unparliamentary to have it withdrawn.

Mr HANNA: Sir, I seek your ruling generally on whether members should be described in terms of animals.

Members interjecting:

The SPEAKER: Order! One at a time. If the honourable member on my left has been offended, I would ask the Minister to consider that and he may wish to withdraw the remark.

The Hon. M.K. BRINDAL: Sir, certainly I would remind the member opposite through you that a goose is, in fact, a bird but, if he is offended, I am quite happy to withdraw. However, I also believe that I heard the member describe the three members on the committee as 'three geese', and while he can stand up and object to my calling him a goose, I find it totally offensive that he should attack three young people who have no right of reply in this House and believe that he should withdraw such an offensive remark made about young people who have no means to defend themselves and whom he attacks under the cowardly castle of privilege in this place.

Members interjecting:

The SPEAKER: Order! I know that we have had some late evenings. However, we are progressing towards the end of the session and I suggest that members come back to the matter at hand and calm down.

The Hon. M.K. BRINDAL: Those people did a report and it was a good report. It was pointed out to me that, in the beginning when we were locked into having a review, we should get consultants. The cost of consultants is $1 000 to $1 500 a day. I was further advised that we should get consultants from interstate, so there would be air fares on top of that. It is the conservative estimate that a review using consultants would have cost in the magnitude of $60 000 plus. We achieved a good review. The cost was $14 000. I am quite proud of that. I am quite proud of giving young people an opportunity to participate in a process of Government, and I do not think that any harm has been done by the report at all.

FORESTRY CORPORATISATION

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.H. ARMITAGE: Forestry SA is an important business in South Australia, particularly in the regional economies of the South-East, Mount Lofty Ranges and the Mid North of the State. It manages the State's forest resources, including 128 000 hectares of State forest reserve. Management of the State's forest resources involves plantation establishment, management, protection and the harvesting and delivery of plantation wood products to customers.

In its commercial undertakings, Forestry SA competes in the green triangle region with a number of other growers including Auspine, the Hancock Timber Resource Group, Green Triangle Forest Products and several forestry investment companies.

Forestry SA's share of the total plantation area in the region is around 50 per cent. Forestry SA is also responsible for the delivery of a number of non-commercial activities, such as the support and facilitation of forest industry development, recreational access to Forest Reserves management of 25 000 hectares of native forests for conservation purposes, farm forestry initiatives and the provision of technical policy support and advice to Government, industry and the community.

Forestry SA has assets of the order of $800 million with an operating revenue of around $100 million. It employs approximately 220 full-time equivalent staff. The increasing availability of plantation grown log supply within Australia will lead to increased competitive pressures on Forestry SA. Australia is also changing from a net importer of timber to an exporter; hence there will be a need for growers to be internationally competitive.

Forestry SA has a commendable track record. However, the increasing commercial risks arising from changing markets require Forestry SA to have greater commercial flexibility, balanced by a more formal monitoring and accountability framework.

I am pleased to announce to the House today that the Government has decided that it is appropriate that a Government business of the size and importance of Forestry SA should be a public corporation with its own board of management reporting directly to the Minister for Government Enterprises. I intend to introduce legislation into this House in the Spring Session to establish Forestry SA as a corporation under the provisions of the Public Corporations Act 1986. I emphasise that the new corporatised entity will remain in Government ownership. The corporation will maintain its strong relationships with its customers, contractors and other members of the industry. The non-commercial services provided by Forestry SA will also be maintained.

Existing employees of Forestry SA will transfer to the new corporation and retain the remuneration and employment conditions that would have applied both now and in the future under the present award and enterprise bargaining agreement. Corporatisation of Forestry SA was supported by the tripartisan Economic and Finance Committee in its report on State-owned plantation forests released in February. These reforms are also consistent with the Government's commitment to the implementation of competitive neutrality policy associated with the National Competition Policy Agreement.

It is anticipated that the new corporation will commence trading in the latter half of the year 2000. Corporatisation will give Forestry SA greater flexibility in pursuing commercial opportunities and facilitating regional economic development in changing market circumstances within the strong accountability framework provided by the Public Corporations Act.

I look forward to Forestry SA's continuing success as an important asset owned by Government. I believe the greater commercial flexibility that flows from corporatisation will allow Forestry SA to compete even better on the world stage.

MOUNT BARKER FOUNDRY

The Hon. I.F. EVANS (Minister for Industry and Trade): I seek leave to make a ministerial statement.

Leave granted.

The Hon. I.F. EVANS: During Question Time the Leader of the Opposition sought clarification as to when Mount Barker Products received assistance. I undertook to clarify that matter for the honourable member because I did not think

the date of 1996 that he provided was accurate. The facts are that during my time as Minister Mount Barker Products has received assistance approved under delegated authority.

EMERGENCY SERVICES FUNDING (MISCELLANEOUS) AMENDMENT BILL

The Hon. R.L. BROKENSHIRE (Minister for Police, Correctional Services and Emergency Services): I move:

That, following the receipt of the message from His Excellency the Governor recommending the appropriation of revenue in the Emergency Services Funding (Miscellaneous) Amendment Bill, a message be sent to the Legislative Council requesting the Council to return the Bill to enable its reconsideration.

Motion carried.

GRIEVANCE DEBATE

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

Mr HILL (Kaurna): This morning I had a motion concerning the Mount Barker Foundry on the Notice Paper, but unfortunately I did not get the call to speak to the motion. I understand that the motion may be dealt with this afternoon but without debate. I want to place on the record what I would have said if I had had a chance to speak to the motion.

What do we know about the Mount Barker Foundry situation? First, we know that the EPA reported yesterday that the foundry exceeds levels of metal fumes under the EPA air quality policy and that the maximum odour levels near the school are six to seven times greater than the preferred area.

Secondly, we know that children at the school 200 metres away have been reported as feeling nauseous, have had headaches and sore throats and some have even fainted—70 or so students have been withdrawn from the school. Thirdly, local residents have complained about ill effects. One woman with whom I spoke saw her doctor after drinking tank rainwater, presumably affected by contaminants from the foundry. She had an ulcerated mouth and blackening of her gums. The doctor who saw her said that he had never seen anything like it. The woman stopped drinking the water and she recovered.

Fourthly, local businesses are concerned. Their workers are reporting ill effects and some businesses, I believe, are considering relocating. Fifthly, the foundry moved to the site in 1996. It was given approval by a single council officer as a level one light industrial use. This means that there was no public notification, no objections and no consideration by the full council. Sixthly, the foundry is located in a light industrial zone separated from residential properties by a 10 metre barrier and across the road from a school with over 300 children.

Seventhly, Schlumberger contracted with the foundry in August 1998 to manufacture metal casings for water meters. This contractor required an upgrading and retooling. Since this manufacturing began, the reports of ill health have also begun. Eighthly, the foundry, it was admitted today by the Minister for Government Enterprises, received grants of up to $400 000, we understand, from the State Government to relocate and expand in the light of winning a contract with Schlumberger.

Ninthly, the Health Commission report, which I understand will be quite strong in its recommendations and findings, will report tomorrow—unfortunately, after Parliament has finished sitting. Tenthly, the foundry is in the Premier's electorate. Also, the foundry plans to double its operating hours and double its capacity, producing a fourfold increase in pollution. Further, the planning issues have been referred to the Ombudsman by a number of local residents and companies. I understand that the Ombudsman has received 100 requests to look into this matter. He has given formal notice today that, under his Act, he will seek information from the various agencies dealing with this matter.

Some conclusions can be drawn and some questions asked. First, the foundry should not have been placed in the light industrial zone. It is clearly a level three industry, which should have been subject to full public notification, consideration of objections and review by full council. If this had happened, the foundry would not have received approval to locate on this site.

There has been an abuse of planning, I believe. Mount Barker council must be very worried about its liability. The EPA's role in this creates suspicions and uncertainties. Why did it licence the foundry for this site? Why was it so slow to investigate? The Government appears to want to keep the matter out of the Parliament, as the tabling of key reports today and tomorrow shows. It is clear that in view of the effects on the local community, the foundry should immediately cease the activities that lead to the ill effects that have been reported.

I would like to know what role the Government and particularly the Premier have had in the location of the foundry in this particular area. What process led to the incentive package admitted to today by the Minister for Government Enterprises? My motion is not an attack on the company which no doubt has believed it was operating appropriately. The Opposition is concerned about the jobs of the 40 workers in the factory. However, we are also concerned greatly about the health of local residents, schoolchildren and local workers. The question must be asked: if the factory remains, how many jobs will be lost on other sites? It is clear that eventually the factory will have to relocate. The only questions that remain are when and who should pay. One local company director I spoke to yesterday told me that the matter needs to be resolved quickly. Why was this foundry not encouraged to locate at Wingfield, in the Government's own foundry zone?

Mr Atkinson interjecting:

Mr HILL: A cast metal precinct, as the member for Spence says. This is of great moment in our community. It needs to be resolved today. The Premier should take urgent action to see that the foundry stops producing the emissions today and that discussions about relocation begin today and that it happens very, very quickly.

The Hon. D.C. WOTTON (Heysen): Following the 1993 election I was invited by the then Premier to take responsibility for the portfolios of Environment and Natural Resources, Family and Community Services (FACS) and Ageing. Whilst I was very pleased to be given responsibility for the Environment and Ageing portfolios, I would have to say I was somewhat nervous about becoming Minister for FACS, mainly because there had been significant periods of turmoil, if I can use that term, in that particular agency, resulting from many changes of both Minister and Chief Executive Officers.

It is not my intention to go further into detail relating to that issue. It is not important that I do so at this time.

What is more important for me to say is that very soon after having been given the responsibility I became aware of the opportunities that were provided in helping disadvantaged families, individuals and, in particular, children in South Australia through that agency. To put it plainly, I soon found that Family and Community Services was a vital agency with a huge responsibility involving a significant number of very dedicated officers and staff, supported strongly by numerous organisations and individuals, many in a voluntary capacity. It was not long before I appreciated the fact that I was able to enjoy immensely serving in that portfolio.

That brings me to the main reason for wanting to participate in this grievance debate today. I made mention earlier of the commitment of officers and staff of that department. In particular, I want today to make specific mention of the then Chief Executive Officer, Richard Deyell. Members may be aware that Mr Deyell was brought to South Australia from New Zealand where he was enjoying a very successful career as a senior officer in an agency in New Zealand with similar responsibilities to those of FACS. Members may also be aware that the department was without a chief executive officer when the Liberal Government came to office, and was in considerable need of a senior executive who would bring stability and leadership to the department. Richard Deyell achieved that in every way. He very quickly gained the respect of his executive and of his officers and staff working with him, and his commitment to his new South Australian role was soon recognised by those in the community working closely with the department.

To say that I am disappointed that today Richard Deyell is moving with his family to Melbourne to take up a senior regional position in a similar department in Victoria because an appropriate position in the restructured Department of Human Services was not provided is an absolute understatement. In fact, I am furious that South Australia should lose the commitment and dedication of a person of the calibre of Richard Deyell. I would like to personally, and on behalf of all those who worked with him, thank Richard for the way in which he served the people of South Australia, and I would like to wish Richard, Sue and their family well in their move to Melbourne, and in particular to wish Richard well in his new appointment which I know he will take up with the same commitment that we saw in South Australia.

There is much that I could say about the significant contribution that Richard Deyell made as Chief Executive Officer in FACS, but to do so would only serve to embarrass him, and I do not want to do that. There were many initiatives that Richard assisted in bringing to the State of South Australia. With him as Chief Executive Officer, we established the Office for Families and Children, providing policy advice on issues that could help strengthen families in the community, initiated the Parenting South Australia program, developed new procedures to deal with cases of child abuse, prepared and implemented the Foster Care Charter of Commitment for young people in care, and so on I could go on. I reiterate my disappointment that Richard has had to leave South Australia. All I can say in closing is that Victoria's gain will certainly be South Australia's loss.

Ms BEDFORD (Florey): Today I would like to bring to the attention of the House the fact that between 5 and 10 July, Adelaide hosted the 12th National Classic Calisthenics Championships. In the official program for the competition, the Australian Calisthenics Federation President, Mr Rex Packer—who, I understand, is from the ACT—said that it was disappointing that not all States were able to come to South Australia for the competition, but that they were looking forward to magnificent displays, and, of course, we were not disappointed. The competition time format is new. Normally they have been held over a shorter period, and last year, when it was held at the Gold Coast, it was discovered that this format with an extended period of time allowed the girls competing to do much better and not be so rushed.

Approximately 300 girls took part in the competition, ranging from subjuniors—who are five year olds—up to the seniors. This year they represented four States—South Australia, Victoria, Western Australia and Queensland. There are various disciplines involved in calisthenics, and for those who of you who have not spent time watching it—

Mrs Geraghty interjecting:

Ms BEDFORD: Yes, South Australia is a State where calisthenics has had a very strong following for a long time. The disciplines include figure marching, free exercises, exercises involving the use of rods and clubs, and there are aesthetic exercises. I was very happy to be able to watch a session in Her Majesty's Theatre, the venue for the competition. It is a great auditorium, and I think everybody involved found it very comfortable.

Mrs Geraghty interjecting:

Ms BEDFORD: I didn't pick her in the crowd! Unfortunately, I did not attend on the day that 11 year old Felicity Meadows, a resident of Modbury Heights in the electorate of Florey, won the Junior Graceful Solo title. She did her routine dressed as Sleeping Beauty, and I congratulate her on an outstanding performance. To be Australian champion in anything is indeed a feat.

The discipline is most impressive. The standard of competition, even to my relatively inexperienced eyes, was exceptional. Anyone who can get 16 people of any age to move as one group has definitely mastered the art of motivation. The obvious team spirit was a joy, and the routines containing several compulsory elements were exciting and innovative. I certainly had no trouble watching teams in the same age group doing a similar routine many times, even though the same components were evident. Anyone who has seen calisthenics and the costumes that are involved can have nothing but admiration for the mothers—and it is mostly mothers, but I guess some fathers do sew sequins and beads on the outfits. I watched 12 routines, and the costumes were exceptional. It was just breath-taking really. With the design work that goes into them, they are so ornate. I can imagine the cutting and sewing that goes into them; it is just too hard to contemplate.

It shows that behind every performer there is a dedicated family effort, because the mothers sewing on the beads cannot be doing other things at the same time. Hair and make-up is another area of preparation where nothing is left to chance. The parents and clubs involved can be thoroughly commended. It is a terrific team sport for young girls, and a wonderful way to travel Australia and the world. I understand that an Australian team was competing in Sweden that very weekend. Very early in my term as member for Florey I was able to visit the Ridgehaven Calisthenics Club, and I have become a very firm fan of those—

An honourable member interjecting:

Ms BEDFORD: The postcode of Ridgehaven is 5097, so I do not think so. Under the helm of Trevor Holst, the President, and Michelle Davies, the Secretary, they have

recently taken on the services of a new principal coach, Ms Tracey Emes. I have been able to spend several very happy afternoons watching the girls practise and seeing them in competitions at the Royalty Theatre, the home of calisthenics, here in Adelaide. In fact, I would ask any member who has any influence with a Minister to put to the Minister that to invest some money in this auditorium would be a grant appreciated by many hundreds of parents; it certainly needs a great deal of work.

The Hon. G.M. GUNN (Stuart): I wish to bring to the attention of the House a bureaucratic bungle which I do not believe decent South Australians should have to put up with. A citizen of this State brought to my attention a set of circumstances in which he has unfortunately found himself, and he appears to be the victim of either incompetence or insensitivity. This is the set of circumstances. On Friday 30 July he received a notice from the South Australia Police regarding an expiation notice for speeding. He states:

> I accept that the cameras don't lie and had no intention to argue the fact and subsequently would pay the resulting fine forthwith. On closer examination of the expiation notice I discovered the due date for payment was over a month ago. . . Why had I not received this earlier was my first reaction.

Looking at the expiation notice he found that the address was No. 117, when in actual fact he lived at No.17. He continues:

> . . . why Australia Post elected, after so much time, to deliver the envelope is beyond me.

So, on the morning of Monday 2 August he telephoned 'general expiation inquiries' and explained the situation. They told him that, yes, they had the wrong address, but the matter had now gone to the courts and he had been 'prejudiced an additional $131 because [he] did not pay the original fine on time'. The letter continues:

> The operator indicated to me that a Form 51 would need to be filled out at a Magistrates Court. I now found myself. . . journeying to the Port Adelaide courts to fill out a Form 51. . . .I tried to explain to them the clerical error, but was dismissed because it was 'out of [their] hands and it's up to the Magistrate'. Feeling like a criminal, the best was yet to come! After completing all the forms and spending most of the morning at the Port Adelaide Magistrates Court—

not good for one's 10-month-old child, he had to say—

> they added insult to injury. I was then told I would need to appear before the Magistrate and defend myself as to why I did not pay the fine on time. The appointment was made for Wednesday 11 August at 9.30 a.m. I was absolutely stunned that I should have to defend myself because of a clerical error on the part of the SA Police. I now have to appear in person. . .

This person goes on to explain his position and his inconvenience. I am of the view that this is a disgraceful injustice. If the law enforcement agencies, whoever they may be, cannot get it right—if they make a mistake—they should accept it in good grace and that should be the end of it. We have already had action taken and he does not have to pay the $131. I have referred all this to the Attorney-General and spoken to him in terms which I am sure he understands, but I am of the view that, if the Police Department makes a mistake with the address, for example, that should be the end of the matter and it should be null and void.

Mr Atkinson interjecting:

The Hon. G.M. GUNN: Yes, so should the expiation fee. It is just too easy for insensitive bureaucrats to carry on in this manner. Why should the person in a situation such as this be hauled before the courts? He is happy to admit that he has done something wrong, but then he has to be dragged to the court to wait around when it is not his fault. I am of the view that justice should have a human face and that people have some rights. So, if I cannot get a decent explanation when we come back here next time I will move an amendment to the Act to provide that, where a mistake is made and it is not corrected forthwith, the expiation notice is null and void, because average citizens, who normally do not know how to defend themselves, would have paid not only the expiation fee but also the extra $131. In this case, the person concerned was fortunate that he happened to know a member of Parliament quite well and he brought it to my attention. I am very pleased he did, because this is outrageous. In my view, whoever is responsible needs to be counselled firmly, and if I can find out who it is I have a good mind to move a motion of censure against them in the House to make an example of them. It is all very well to sit isolated from the community; there is a view held by people writing out these things that they can do no wrong whatsoever.

Mr KOUTSANTONIS (Peake): I wish to report briefly to the House on an event I witnessed last night while speaking to two off-duty police officers outside the building. During the dinner recess yesterday I was outside making a telephone call, waiting for some guests to come into the House and talking to two off-duty police officers, when we witnessed an accident on the corner of North Terrace and King William Street. We were each carrying mobile telephones. One of the off-duty sergeants rushed immediately to the aid of the people involved in the serious accident and the other off-duty officer dialled 000 on his mobile telephone. The first time he dialled 000 it rang out and the second time a woman answered the call, asking, 'Which State do you wish to have your call diverted to?' He said 'South Australia' and was then put through to Victoria. He asked for ambulance and police attendance at a very serious accident involving four people, and that telephone call was disconnected.

The other sergeant decided to call 11444 for police attendance. He tried to get through four times, and every time the call rang out. This is at 6 o'clock on a Wednesday evening. The 000 telephone call finally made it and we called for an ambulance and police attendance. The reason we needed police attendance was that emergency services, ambulance workers and fire department people were working on these victims of the car accident in the busiest intersection in Adelaide, and they needed police coordination there to make sure that no-one else was injured while they were going about their duties. Three ambulances and two fire trucks arrived, and we were still waiting on the police car. The police car arrived eight minutes after the call finally went through.

I am not attacking the officers on duty, nor am I attacking the staff. It is blatantly obvious to me that the police are so understaffed in the central business district they cannot even attend major road accidents. That is a disgraceful scenario. These off-duty police officers had to act as duty police officers at the intersection. The police finally arrived 10 minutes after the accident happened. The off-duty officers spoke to the police officers and learnt that only two patrol cars were on duty in the city. That was just marvellous: in the central business district at 6 p.m. on a Wednesday, at a very busy time, with North Terrace and King William Street blocked up and people trying to do their job in the intersection to save lives, the police could not even attend!

The most embarrassing part for the off-duty officers was that two fire engines and three ambulances arrived before the

police cars. More embarrassing for them was that in front of their local member of Parliament (and they had been complaining to me about the lack of police resources), when they rang 000 and 11444, both numbers rang out. This happened right in front of my eyes. I was ashamed. What a disgraceful scenario. Worse than that, the construction and council workers who were doing some repair work on the intersection were coordinating traffic. They were the ones who jumped to the scene immediately because they were there. If they had been involved in an accident they would not have been covered or insured. They were not acting within their duties. Ordinary citizens were trying to direct traffic because, at 6 p.m. (and some members may have witnessed the accident) cars were breaking the law everywhere trying to get around this huge crash site, which was surrounded by fire engines and ambulances. It is a disgraceful scenario and the Government should fix up its emergency response telephone procedure immediately before someone dies.

The Hon. R.B. SUCH (Fisher): Before addressing the main topic I would like to add to what the member for Peake has just said, not to comment on the accident and the situation last night, but to implore the Adelaide City Council once again to install right turn arrows at the intersection of King William Street and North Terrace. One girl has been killed there and there have been many other serious accidents. I have written twice now to the council and to all elected council members. It would be a sensible move. Every time you go out there you see near misses. I implore the Lord Mayor and all elected members to move quickly to install right turn arrows at that intersection.

Today I raise the possibility of the land that is presently used for Government House and its surrounds being turned into a park. In so doing, I am not in any way reflecting on Sir Eric or Lady Neal, for whom I have the greatest admiration in their official role and indeed for whom I have great affection as individuals. As a community we could look at turning that area into a park. It would open up the top end of town into a marvellous park area. We could remove the walls, get rid of all the non-core buildings and the swimming pool and use the then former Government House, as a social history museum or similar.

What do we do then in relation to accommodation for Government House? One suggestion (and I am not saying this is the only or the ideal alternative location, but it is one that is not far from Parliament House) is to use the Torrens Parade Ground to build a new style Government House with a design that could be entered into by South Australian architects. The Torrens Parade Ground is large enough to fulfil that role. It has a disadvantage in that it is at the bottom of a slope and there would have to be particular regard to privacy. It is one possible site, although it is not the only one or the ideal one as far as the R.S.L. is concerned.

One of the problems at the moment, as members would appreciate, is that the current Government House does not lend itself to quietness. The traffic noise that intrudes is quite excessive. It is an opportunity, and I would like the Capital City Committee, which comprises Government and council members, to seriously look at what is being proposed here. It is possible, additionally, to create a car park under the existing Government House grounds. I do not profess to have any engineering expertise, but with the slope I believe it would be relatively easy to do that, thus providing what the city of Adelaide shopping area really needs, namely, extensive readily available car parking.

If we had that area opened up as a wonderful park—whether it be called Federation Park (to commemorate the Centenary of Federation), Millennium Park or some other name chosen by the people of South Australia—members could imagine the fantastic vista and ambience that would be created on North Terrace and adjacent to it because that area currently does not have any significant readily available open space in which people can sit, eat their lunch and walk around. It would add a wonderful element to that part of the city. I am not suggesting in any way that we do not need a Government House, nor one that is not relatively close to Parliament House. That is why I suggested the Torrens Parade Ground as a possible alternative site.

We could build a new-style Government House with appropriate security, privacy and accommodation for visiting regal and vice-regal people at a significant cost but not an undue cost, probably of the order of $2 million. That is not excessive if it generates for us a wonderful park right on North Terrace. I do not know whether it is feasible, but we could put the traffic below that section of North Terrace by way of excavation, not by way of a tunnel, because that would be expensive—and cover it so that we have a continuous park effect from the southern side of North Terrace through to the grounds of Government House. I am not advocating a New South Wales type approach if the Governor is to be relocated to the distant suburbs, as that is not appropriate.

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

LISTENING DEVICES (MISCELLANEOUS) AMENDMENT BILL

The Hon. I.F. EVANS (Minister for Industry and Trade): I have to report that the managers for the two Houses conferred together but that no agreement was reached.

The DEPUTY SPEAKER: Order! As no recommendation from the conference has been made, the House, pursuant to Standing Order 302, must either resolve not to insist on its requirements or lay the Bill aside.

The Hon. I.F. EVANS: I move:

That the Bill be laid aside.

It is regrettable that the conference has been unable to reach an agreement in relation to this Bill. As a result the police will continue to experience practical problems in using all forms of electronic surveillance to their full potential in criminal investigations. A number of events have occurred since the Listening Devices Act was passed in 1972, including the advance of technology that will facilitate effective investigation of criminal conduct.

The Bill intended to update the provisions of the Act to take account of technological advances; overcome some current practical problems in the Listening Devices Act 1972; increase the protection of information obtained under this legislation; and, increase the level of accountability to make it similar to telephone interception legislation.

Unfortunately, the significant improvements to existing legislation contained in this Bill have been lost due to the insistence of the other place, in particular a Democrat amendment which provided that a public interest advocate be created. The creation of a public interest advocate raises

many complications that would unduly hinder the use of electronic surveillance devices in the investigation of criminal activity and work against the public interest rather than provide a public benefit.

However, while the Bill is lost, the Government will continue toward the development of appropriate legislation that will facilitate the use of video surveillance and tracking devices in the effective investigation of criminal conduct. Two weeks ago, the Standing Committee of Attorneys-General decided to undertake a review of all electronic surveillance legislation to see if there was a prospect of more consistent if not uniform requirements across Australia. Included in this review will be the Public Interest Monitor in Queensland, an office that has only been in place for about 15 months. The Attorneys-General recognise that there are difficulties for law enforcement agencies in disuniform laws between jurisdictions.

Mr Atkinson: Disuniform?

The Hon. I.F. EVANS: Apparently. At the conference the Attorney-General (Hon. K.T. Griffin) informed the members of this review, and also suggested that a reference could be given to the Legislative Review Committee to examine the proposal for a public interest advocate, with a Bill passing in the form proposed by the House of Assembly. This was declined. Therefore, the conference could not reach an agreement; hence the motion that the Bill be laid aside.

Mr ATKINSON (Spence): The parliamentary Labor Party is happy for the police and the National Crime Authority to have the powers proposed to be granted to them under this Bill, but we have agreed with the Australian Democrats that it should be subject to a condition that a Public Interest Advocate appear at each hearing where there is an application for a warrant. The Opposition thinks that the granting of warrants authorising covert video surveillance on private property is something that should be scrutinised carefully with a representative there on behalf of the public with a view to our rights of privacy. We think it is not satisfactory for these warrants to be issued merely after a brief dialogue between the police and a judge.

The Public Interest Advocate, as put forward by the Hon. Ian Gilfillan, would be a casually employed barrister in private practice, so we are not talking about creating another highly paid permanent Public Service position. I welcome the Attorney's news that the Public Interest Advocate, or the Public Interest Monitor in Queensland, will be studied by the secretariat of the Standing Committee of Attorneys-General and I would also welcome the Legislative Review Committee's inquiring into the matter. I think there is hope for the Government and the Opposition to reach agreement on this matter in the next session of Parliament.

Motion carried.

CASINO (LICENCE) AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. M.R. BUCKBY (Minister for Education, Children's Services and Training): 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 completes the Government's major restructure of the ASER project by finalising arrangements for the ongoing management of the Adelaide Casino and establishing a regulatory regime suited to the operation of the Casino by a non-Government operator. This Bill is designed to achieve three objectives. The first is to grant the first Casino licence under the *Casino Act 1997* to the existing operator, Adelaide Casino Pty Ltd. The second is to clarify the process for future transfer of the Casino licence. The third is to make various administrative changes that will improve the operation of the *Casino Act 1997*.

This legislation grants the first Casino licence under the *Casino Act 1997* to Adelaide Casino Pty Ltd, which is owned by a subsidiary of Funds SA, a statutory body set up under the *Superannuation Funds Management Corporation of South Australia Act 1995*. The current licence, issued under the *Casino Act 1983*, is held by the Lotteries Commission of South Australia. The Lotteries Commission of South Australia has entered into a management agreement with Adelaide Casino Pty Ltd, whereby Adelaide Casino Pty Ltd operates the Adelaide Casino. As the manager of the Adelaide Casino on behalf of the Lotteries Commission, Adelaide Casino Pty Ltd effectively exercises all of the rights and entitlements and discharges all of the duties and obligations of a licensee under the *Casino Act 1997*. Therefore, the grant of the first licence under the *Casino Act 1997* to Adelaide Casino Pty Ltd formalises the current licensing and management situation by removing Lotteries Commission of South Australia as an intermediary in the licensing process.

The existing legislation deals with applications for the grant, renewal or transfer of the Casino licence but does not deal, to the same extent, with situations where the body corporate holding the licence remains static but changes of control or underlying economic interest occur. This would be the case, for example, should the shares of Adelaide Casino Pty Ltd be sold to an external party. As many acquisitions of a business of this type will occur through the purchase of an entity rather than its assets, it is important that the Gaming Supervisory Authority be in a position to exercise the same level of scrutiny in relation to that type of transaction as it would in relation to a transfer of licence where the assets are sold but the entity is not. Similarly, persons wishing to purchase the entity that holds the licence would want to have the benefit of a formal application procedure and specified criteria for approval in order that there be certainty as to the process by which such an approval could be obtained.

This Bill deals with the circumstances where a person obtains a position of control or significant influence over the conduct of the Casino business, through transactions such as the acquisition of shares in a company or units in a trust. Under this legislation, the licensee must inform the Liquor and Gaming Commissioner and the Gaming Supervisory Authority of the transaction or proposed transaction that has or would result in a person obtaining a position of control or significant influence. The licensee must inform the Gaming Supervisory Authority within 14 days of the licensee becoming aware of the transaction or proposed transaction. The licensee may apply to the Gaming Supervisory Authority to approve a proposed transaction or to ratify a transaction that has already occurred. If the Gaming Supervisory Authority does not approve or ratify a transaction, it can make an order that redresses the effect of the unauthorised transaction. A person adversely affected by such an order may appeal to the Supreme Court against the order. If the licensee is a party to an unauthorised transaction that results in a person gaining a position of control or significant influence over the Adelaide Casino without the approval of the Gaming Supervisory Authority the licensee is liable to disciplinary action.

A further issue may arise from corporate ownership of the Casino licence where the entity that holds the licence is an entity in which control or ownership is widely held. This might be the case in a company listed on the Stock Exchange or a listed unit trust. Such a licensee will generally not be in a position to control movements in shares or units that are listed on a public market. Moreover, changes in control can be affected by movements in shares of less than a majority interest or occur indirectly by changes in control in an entity that holds shares or units in the licensee. It is essential that the Gaming Supervisory Authority is able to scrutinise these transactions whilst, at the same time, not exposing other shareholders and unitholders to loss of their entity's Casino licence by reason of changes in shareholding or units over which they have no control. The procedure for approval or ratification of transactions affecting the control of the licensee proposed in this legislation will, so far as possible, ensure that the licensee is not unduly disadvantaged and that the interests of innocent shareholders or unitholders are addressed.

This legislation also deals with a number of administrative changes aimed at improving the operation of the *Casino Act 1997*, in particular, the following:

1. The Bill removes references to Aser Nominees Pty Ltd in relation to the application for the grant of the first licence and replaces them with provisions applicable to any transfer of the licence or change of control of a licensee.
2. The Bill removes any obligation upon the Gaming Supervisory Authority to give reasons for certain decisions.
3. The Bill provides for a method of consultation between the Gaming Supervisory Authority and the Liquor and Gaming Commissioner on the one hand and the licensee on the other in respect of the exercise of certain regulatory powers and functions.
4. The Bill addresses the interaction of the enforcement and supervisory processes of the *Casino Act 1997* with the powers and functions of a financier taking security over the assets of the casino by:
    4.1 expanding the operation of the Approved Licensing Agreement; and
    4.2 making various provisions for and as a consequence of the appointment of an administrator, controller or liquidator to the Casino business.
5. The Bill reallocates certain regulatory functions as between the Liquor and Gaming Commissioner and the Gaming Supervisory Authority.

This Bill introduces an Object section for the *Casino Act 1997*. The central object of the Act is to provide for the licensing, supervision and control of the Adelaide Casino. In particular, the Act is to ensure that: the Adelaide Casino is properly managed and operated; that those involved in the control, management and operation of the Adelaide Casino are suitable persons to exercise their respective functions and responsibilities; that gambling in the Adelaide Casino is conducted fairly and honestly; and that the interest of the State in the taxation of gambling revenue raising from the operation of the Adelaide Casino is properly protected.

This legislation will improve the operation of the *Casino Act 1997* and make the Act more relevant to the prevailing circumstances of the Adelaide Casino. The legislation will enable the Casino Act 1997 to better deal with new ownership of the Adelaide Casino by private interests.

Explanation of Clauses

Clause 1: Short title

Clause 2: Insertion of s. 2A—Object

The new section sets out the objects of the principal Act.

Clause 3: Amendment of s. 3—Interpretation

The interpretation section is amended to insert definitions of administrator, controller and liquidator by reference to the *Corporations Law* for the purposes of the amendment to section 29 and new section 64A.

Clause 4: Substitution of s. 5

The new section requires the first grant of the licence to be made by the Governor to Adelaide Casino Pty Ltd. Any later grant will need to be made on application and on the recommendation of the Gaming Supervisory Authority (the Authority).

Clause 5: Substitution of s. 14

Section 14 currently provides that if a person or group of persons who are close associates of each other attains a position of control or significant influence over a licensee without the Authority's approval the transactions are void and the licensee is liable to disciplinary action.

New section 14 takes a different approach to the problem. It requires the licensee to inform the Commissioner and the Authority of such a transaction within 14 days after becoming aware of the transaction. If the transaction has not been approved by the Authority ahead of time, application for ratification of the transaction may be made. If there is no approval or ratification, the Authority may, after allowing the parties to the transaction a reasonable opportunity to be heard, make an order avoiding or 'undoing' the transaction. Provision is made for appeal to the Supreme Court. If the licensee is a party to such a transaction, the section requires the licensee to obtain the prior approval of the Authority (as in the current section).

New section 14A provides for applications for approval or ratification. It also requires the Authority to assess the suitability of any person in a position to conduct, or to control or exercise significant influence over the conduct of, the casino by applying the same criteria as apply to assessing the suitability of a prospective licensee.

Clause 6: Amendment of s. 16—Approved licensing agreement

Section 16 is amended to bind the Authority and the Commissioner to the terms of the licensing agreement made between the licensee and the Minister. The amendment also contemplates that the agreement may bind other persons who consent to be bound.

Clause 7: Amendment of s. 20—Applications

These are consequential amendments relating to the grant of the first licence being to Adelaide Casino Pty Ltd.

Clause 8: Amendment of s. 24—Governor and applicants to be notified of results of investigation

The amendment makes it clear that the Authority is not obliged to give reasons to an applicant for a recommendation that the application should be granted or rejected.

Clause 9: Amendment of s. 29—Obligations of the licensee

The amendment to subsection (3) requires the licensee to notify the Commissioner rather than the Authority about a person ceasing to occupy a sensitive position or a position of responsibility.

The amendment to subsection (5) means that the section does not apply to an administrator, controller or liquidator of the licensee and ensures that such a person may perform his or her duties without committing a technical breach of the Act.

Clause 10: Amendment of s. 38—Approval of management systems etc

The amendment empowers the Authority rather than the Commissioner to determine other systems and procedures required to be approved by the Commissioner.

Clause 11: Insertion of new Division 9

The new Division requires the Authority and the Commissioner to consult with the licensee before exercising certain powers under Division 9. Consultation need not occur if the Authority or the Commissioner considers it contrary to the public interest to do so.

Clause 12: Amendment of s. 56—Statutory default

The amendment extends the application of Part 7 (Power to deal with defaults) to the case where an event occurs, or circumstances come to light, that show the licensee to be an unsuitable person to continue to hold the licence.

Clause 13: Amendment of s. 63—Power to appoint manager

The amendments allow for appointment of an official manager of the business conducted under the licence if the licensee becomes insolvent or goes into liquidation. The amendment contemplates that the licensing agreement may contain provisions governing the basis on which the Minister's power to appoint an official manager are to be exercised.

Clause 14: Amendment of s. 64—Powers of manager

These amendments are consequential on the amendments to section 63 (contemplating appointment of an official manager in cases where the licence is still in place).

Clause 15: Insertion of new Division 7

The new Division modifies the application of the Act in a case where an administrator, controller or liquidator (within the meaning of the *Corporations Law*) has assumed control of the casino business.

Mr FOLEY (Hart): This is another in a series of pieces of legislation that this Parliament has dealt with to prepare the Adelaide Casino licence for sale. Of course, this matter was first raised in the previous Parliament where the Opposition, again in a spirit of bipartisanship, agreed with the Government's view that a casino was not a business which Governments necessarily had to own but, importantly, they should have appropriate regulatory and control framework to ensure that these businesses are run correctly.

Of course, the Government was unable to sell the Casino at its first attempt and it withdrew the asset from the market. I understand that it is again putting it forward for sale and, perhaps as a result of a rebounding economy nationally and opportunities available for investors and people who are into the business of running casinos, the environment would appear to be a better environment now than it was two or three years ago and there may be potential purchasers.

This Bill makes technical changes to enable the Act to be amended to more appropriately clarify the role of the Gaming Supervisory Authority, along with a number of other amendments. This Bill was considered in some detail in another place and it was considered by my colleague, the

shadow Minister for Finance. This Bill originated from the Treasurer, and much questioning and probing was done at that point. The Hon. Nick Xenophon in the other place also indicated a number of amendments that he would like to make to the Casino Act. Following discussions with Mr Xenophon, I indicated that it was my view that this was not the Act in which to do that, as this is really a facilitation of the sale of the licence and that issues to do with the operation of the Casino and the regulatory and supervisory function could be better addressed in a proper review of the Casino Act as it now applies. Also, the time line in which the Labor Party had to operate to consider the suggested amendments from Mr Xenophon was too restrictive.

Gambling is a complex issue and I needed an opinion from the Leader of the Opposition as to which amendments, if any, were conscience issues; there is no doubt that the Government members would have wanted the same. There were also financial implications to his amendments that I wanted more time to consider. Indeed, some other reforms that on first reading I thought were sensible suggestions in the operation of the Casino, as they related to issues of gambling, alcohol consumption, and so on, should be considered in a more considered fashion. My message to the Hon. Nick Xenophon is that the Labor Party, as far as I am concerned, would be keen to have a close look at the issues that he has put forward. There may, indeed, be other issues. It may be that as we move from public to private ownership of the licence we do a review of the Casino Act, we update it and we pick up on trends and legislative changes that have occurred in other jurisdictions. I am not suggesting that we should look at adopting anything in Victoria; I suspect that it is totally *laissez faire* in Victoria. However, as a result of my brief reading of the New South Wales legislation for Star City Casino, a number of reforms have been put forward in that legislation which we should give serious consideration to implementing in South Australia. We will welcome the opportunity to give proper consideration to the Hon. Mr Xenophon's well intentioned and potentially worthwhile amendments in the early part of the next session.

I can speak on behalf of my colleagues by indicating that the Labor Party would be at least receptive to looking at this matter. Whether or not the Party agrees to it can be known only through due process and I am sure that many members opposite would like to have a closer look at how we regulate and supervise the Casino in respect of issues such as alcohol consumption and gaming and, indeed, whether or not an updated set of regulations is needed. We might be talking only about a handful of changes but that would be more properly done in a considered framework. It is important that this Bill is passed by this House today.

This is the sixth or seventh piece of legislation that I have spoken on in the last three days, and on each occasion the Opposition has adopted a constructive bipartisan approach to the legislative needs of this State. It is important to note that, time and time again, this Opposition demonstrates its ability to work with the Government in the best interests of this State to get through the important, necessary legislative changes. The people of our State can be comfortable in the knowledge that when we need to work together we will but that, when mistakes are made or poor legislation is brought forward, we will stand at the barricades and ensure that, where possible, those mistakes or those poor policies are not implemented. However, when the legislation is good policy, correctly framed and properly thought through, this Opposition as it has demonstrated year in, year out is very constructive. It has served this State well as it nears its final term in Opposition on the road to Government. I indicate the Opposition's support for the legislation.

Ms KEY (Hanson): I take this opportunity not only to support the remarks of my colleague the member for Hart on this matter but to report to the House on matters associated with the Casino. I refer to the amazing discrimination that workers in the Casino have had to put up with in the past year, and some points need to be made about this very unhappy situation in the workplace that is the Casino. On 16 July this year, the full Supreme Court handed down a decision regarding industrial relations in the Casino. The case was *Burns and LHMU v Adelaide Casino*. I mention this case because the Full Industrial Court and also the Supreme Court were quite scathing of the Casino management and referred to the involvement of the Government in this case. Ms Burns, who was the applicant noted in the case, was a casual dealer at the Casino and was derostered because she participated in industrial action. The Casino argued that such participation in industrial action was not participation in an industrial dispute, but the full Supreme Court rejected its narrow interpretation.

If members are interested, I refer them to this case, but I also point out that for over nine months the workers at the Casino have been trying to negotiate an enterprise agreement with their employer and, because the workers will not agree to individual contracts in that workplace, they have been forced into taking industrial action. I have been on the picket line and at meetings with those workers so I know that most of them had never taken industrial action before, although admittedly they have been union members. However, they were really concerned that they were forced into that position. After that industrial action, many workers were discriminated against in that they were not given shift rosters as they had been before the dispute. A number of cases were raised not only with the union but also with the Opposition. Ms Burns very bravely decided to be the applicant in the test case.

Another point that I would make is that, since that time, workers who are looking for a promotion within the Casino structure or who want to change shifts or learn new jobs have been forced to sign individual contracts because, if they do not, they will not get that increase and they also will not get the new contract or training. At present, new staffers are forced to sign individual contracts against their will just to get a foot in the door and to get some work. Although as the member for Hart has said we support the legislation before the House, I believe that this is an important opportunity to make the point that all is not well in the Casino and that the Opposition will be looking very closely post the case of *Burns* of 16 July to make sure that workers' entitlements are looked after and that people are not exploited and bullied into accepting unreasonable conditions and wages from that establishment.

Mr LEWIS (Hammond): This piece of legislation is just simply bloody despicable, to say the least. Anybody who takes the slightest trouble to read the proposal will see that this is not a piece of legislation simply to sell the Casino. To say that is a lie—and a damn lie at that. I have just read clause 4—

Mr FOLEY: I rise on a point of order. The member for Hammond indicated that I have lied to this House. I ask that the member withdraw that comment.

The DEPUTY SPEAKER: The Chair has listened carefully to the debate so far and does not believe that the comments that have been made by the member for Hammond reflect against the member for Hart. The Chair has not heard the member for Hammond indicate that the member for Hart has lied.

Mr FOLEY: The member for Hammond said that for anyone to say that this legislation was about the sale of the Casino was telling a lie, to paraphrase him. That is exactly what I said. This legislation is about the sale of the Adelaide Casino, and in his remarks therefore the honourable member called me a liar. I ask him to withdraw.

Mr Lewis: I did not say that.

The DEPUTY SPEAKER: The Chair does not understand that to be the case but, if the member for Hart is offended, the Chair will ask the member for Hammond whether he is prepared to withdraw the comments that he has just made.

Mr LEWIS: I did not accuse the member for Hart of being a liar. I said that for anyone to say that this is simply a Bill to facilitate in law the sale of the Casino is a lie. I did not refer to the member for Hart at all. I do not know what he said in that respect. I was busy trying to get a copy of the legislation and read it.

Mr FOLEY: I accept that explanation, Sir.

Mr LEWIS: The clause providing for the substitution of section 5 shows the truth of what I am saying. Members should read clause 4 at the top of page 2 right now. After it proposes to repeal section 5 of the principal Act, it states:

> (1) The Governor may grant a casino licence.
>
> (2) In the case of the first grant of a casino licence under this section, the grant is to be made to the Adelaide Casino Pty Ltd—

and a company number is given. I was told elsewhere in this building that there was to be only one licence and, in the first instance, it was some 18 years ago that I argued strongly against relaxing the law to introduce a casino. Proposed new section 5(3) literally provides that:

> Any later grant of a casino licence under this section is to be made, on the recommendation of the authority, to an applicant for the licence.

That is without any recourse or reconsideration by the Parliament whatsoever. At no time during any debate on the Casino in this place was it ever contemplated that we would have more than one licence in South Australia, yet we have a piece of legislation that proposes in a sleazy, deceitful way to make it possible for subsequent Governments of this State to issue more than one casino licence to suit themselves, and I think that is outrageous—it is despicable deceit.

I am glad I took the trouble to come back into the Chamber, as I would have hung my head in shame forever had I not bothered to read the legislation. The proposition as we see it is that any later grant of a casino licence under this section is to be made, on the recommendation of the authority, to an applicant for the licence. A later grant does not have to be just this licence. This clause is written sufficiently ambiguous to enable any number of licences to be issued. That, to my mind, is a travesty of what was intended and, if it is not so, why is it worded so ambiguously?

Other aspects of the legislation are matters about which I am apprehensive and with which I have some problem. I do not believe, for instance, that private operators ought to get control of gambling because, wherever I have seen gambling elsewhere in the world, invariably it leads to corruption. In the South Australian law at present provisions require careful scrutiny of what is going on, but they have been watered down over the years. It was okay to water them down whilst the Casino was in the hands of the Government but, as we now propose it, it will no longer be in the Government's hands. I am not satisfied that those provisions are sufficiently stringent to enable us to prevent corrupt practices from beginning to occur.

For instance, I know for a fact that, during the time the Casino has operated, on more than one occasion, in more than one financial year, it has been allowed to write off bad debts of high rollers. Millions of dollars have been written off where credit was given. The people were flown in from overseas, they were allowed to gamble and, in many instances, they lost hundreds of thousands—$1 million in one instance that I know of—and never honoured those debts. They were never collected. Then the amount of tax which should have been paid on the amount that was wagered in the Casino was not collected. It was permitted to be forgiven and not taken into consideration because it was not part of profit. That precedent has been set.

I was not too fussed about it whilst it was the Government, because it was from one hand to the other, and it did not matter that the Government was missing out on its profit. I was fussed about the fact that the management of the Casino was allowed to get away with that. There was to have been no credit gambling undertaken at the Casino, yet it was permitted and Stephen Baker knew it at the time he was Treasurer. He found it to be so when he became Treasurer, and he did nothing about it because it was argued that, if we did not provide these facilities for high rollers (so-called) from overseas to be allowed to come and gamble in good faith on credit, they would not come here but would go elsewhere.

We were stupid enough to allow them to come and have a good time at our expense—the fares, accommodation and entertainment were paid by us! They bet and lost and the whole lot was written off against what we were promised was the 'greater good' of having them come here in greater numbers to do so because this Casino needed to compete with other casinos. So, we had a corruption of what was intended in law at the outset, and no-one said anything.

Now we have a situation in which, through that precedent on selling this to a private operator, we will allow the private operator to do the same, and that matters to me because, if that money has been wagered, in my judgment taxes ought to be paid to the South Australian Treasury. It is bad enough having the means for this kind of operation to be here. We granted the Casino licence. Then, on the basis that Heine Becker persisted, wailed, moaned and whined until we agreed to give him the numbers to bring in poker machines—and we all regret that now. I said at the time—and I was serious about it—that the only people to whom licences for pokies should have been issued were the churches and charity groups. Then it would not have been a problem to us, because there would never have been any applications for such licences.

Now, as it stands the churches and charity groups that look after the dependants of those who suffer the misadventure of becoming addicted to gambling, do not have sufficient funds to do their charitable work, so they come back to the Government and to the Parliament to find those funds so that they can continue to be the good Samaritans they are and to continue to look after those who are afflicted most by the consequences.

The Hon. G.M. Gunn interjecting:

Mr LEWIS: Yes. To my mind, we are silly if we do not take care to ensure that no such travesties as have occurred

in the past can occur in the future. However, I do not see any means by which we can ensure that is so in this legislation. The precedent is set. The authority can forgive those losses that are incurred by overseas high rollers and allow the new owner not to have to pay tax on them. I am therefore distressed to find that the ambiguous wording in this legislation does not exclude the likelihood of another casino licence being issued.

Mr Foley interjecting:

Mr LEWIS: The honourable member may say it does, but I do not trust him.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr LEWIS: Mr Deputy Speaker, section 7 of the principal Act, I am told, lays the lie to what I am telling the House. There is not to be more than one casino licence in force under this Act at the same time in South Australia. I am heartened to understand that, but why then does the proposed substitution of section 5 envisage the possibility?

Mr Foley: No, it does not.

Mr LEWIS: I do not know why the honourable member would say that. There is no reason at all why one simply cannot sell the company, Adelaide Casino Pty Ltd, which owns the licence.

Mr Foley interjecting:

Mr LEWIS: But that does not give a later grant of a casino licence under this section.

Mr Foley interjecting:

Mr LEWIS: Well, that is pretty poor wording.

The DEPUTY SPEAKER: Order! I wonder whether the discussion across the floor might cease.

Mr LEWIS: I think it contributes to the understanding of the subject matter, Mr Deputy Speaker, and I do not, in any sense, wish to derogate from the responsibilities that you exercise on behalf of all members, myself included, to ensure that debate is orderly in this Chamber. However, there are occasions on which interjections do assist all members in understanding, and I am pleased that this is one of those rare instances perhaps.

Apart from the general observations that I have made, and perhaps then retracting the remark I made earlier about the fact that the legislation proposes to make it possible for more than one licence to be issued, I do not resile from any of the remarks I have made about forgiving bad debts before calculating the tax that has to be paid by the Casino to the State Treasury under the terms of the formula determining that.

That should never have been allowed to happen and it now must stop. In the quick glance at the legislation that I have had since about two minutes before I got on my feet, I do not see any provision in the legislation that would enable us more effectively to see the principal Act interpreted with the intention that we as a Parliament had when we passed it into law to get those votes together.

I am explicitly referring to this sort of bad debt on credit gambling undertaken by high rollers from outside South Australia. Until I am satisfied that there will be a sufficient control of that and the necessity for the Casino to pay tax on it, whether or not it gets the stake money, then I will be opposing both the second reading and every other reading or proposition on the legislation.

Mr MEIER (Goyder): I was interested to hear the member for Hammond's comments. The member for Stuart would certainly remember the debate on the introduction of the casino licence, as you would Mr Deputy Speaker. I was very much opposed to the establishment of a casino in this State, which occurred soon after I arrived in this place. At the time I felt that a casino would only introduce problems into society and the community and that it would not be for the benefit of South Australia as a whole. I also pointed out that if we introduced a Casino it would be only a matter of time before other institutions, such as clubs and possibly hotels, might like to have some sort of gambling incorporated. I therefore felt it was essential that we did not proceed down that track.

That is in the past. A lot of water has gone under the bridge. Many reports have been written and many people have said that the extent and state of gambling should not have reached the proportions it has in this State. To reverse that trend is extremely difficult. I am concerned that clause 5 (granting of licence) of this Bill to amend the Casino Act provides:

> (1) The Governor may grant a casino licence.
>
> (2) In the case of the first grant of a casino licence under this section, the grant is to be made to Adelaide Casino Pty Ltd. . .
>
> (3) Any later grant to the casino licence under this section is to be made, on the recommendation of the authority, to an applicant with a licence.

I have had verbal assurances across the House that this will not be the case. Section 7 of the principal Act ensures that it does not occur. I seek such an assurance from the Minister. I do not believe that it would be in the best interests of this State to see additional casinos established, nor do I believe that the majority of South Australians would want to see that occur.

The Hon. G.M. GUNN (Stuart): As one who was here and who supported the establishment of one casino in South Australia, and as one who was responsible at that time for moving amendments which, I thought, protected people in terms of not allowing credit betting to take place in terms of the use of credit cards or cheques being cashed in the Casino, I am most perturbed if what the honourable member has indicated is correct that credit facilities are being extended. I think it is quite outrageous and improper, as I believe it is quite improper that EFTPOS machines are in the vicinity of gaming rooms and poker machines.

Mr Lewis: They have even got them in the entrance to the Casino.

The Hon. G.M. GUNN: I think that it is outrageous. I therefore seek a complete assurance from the Minister that the provisions of the Casino Act are rigorously enforced to ensure that this breach of good faith in the law is put to an end once and for all. When we come to this place and successfully move amendments, we expect them to be carried out. When one's support for a proposal is conditional upon that and no amendments have been brought to this House to alter the fact it is a very poor state of affairs. I have not been to the Casino since its opening night to observe and I do not intend to go.

It may be my Presbyterian upbringing and frugal lifestyle but I do not like gambling. I am very concerned about the effects on people who cannot afford to lose their money. I realise that governments around Australia rely heavily on the gambling dollar, unfortunately, to fund the general services that they provide to the citizens of each State. However, I do believe that it is necessary to have protections put in place and that is what I sought to do at the time the legislation was before the Parliament.

Protections were put in place to protect people who may, on the spur of the moment, commit themselves and lose money which they can ill afford, and their families and then the State will be forced to pick up the pieces. I am very annoyed about this process and I am tempted, to make an example, to vote against the Bill. I find it most galling to think that perhaps the Government has employed expensive legal counsel to get around these provisions.

Mr Foley: What is your problem?

The Hon. G.M. GUNN: My problem is that the honourable member indicated that credit facilities are being extended in the Casino, and that was contrary to the law which we passed—quite contrary. I moved the amendment. The Bill would have failed in this Chamber because my support was conditional upon—

Mr Foley interjecting:

The Hon. G.M. GUNN: I am not interested. My support for the original Bill was conditional upon those facilities not being there and amendments were moved.

Mr Foley: They are not in this Bill.

The Hon. G.M. GUNN: No, quite. The honourable member is absolutely right but my point is: how do we know that the people responsible will take notice of this when I have been told that they have already ignored the provisions of the law? I take the strongest exception to that and I want to know, otherwise I will have no alternative but to vote against this legislation. I will pursue the matter on every occasion possible to me to get to the bottom of it. As I said earlier, I am not someone who frequents those particular establishments. I have no intention of frequenting them. I could not think of anything worse than losing one's hard-earned money in those sorts of establishments. I could not think of anything worse. I would far sooner take my dogs for a walk—it would be less expensive and more rewarding.

However, I have made the point very strongly, and I am going to pursue this matter now that it has been brought to my attention. I have not forewarned the Minister. I do not blame the Minister at all; he conducts himself in all these matters with great propriety.

Mr Foley interjecting:

The Hon. G.M. GUNN: I want to know who is responsible. I want to know, first, whether it is correct and, if it is, I am most annoyed and believe that the matter should be pursued vigorously. I think that the best way is to start putting a series of questions on the Notice Paper. I look forward to the Minister's response.

The Hon. M.R. BUCKBY (Minister for Education, Children's Services and Training): I thank members for their contributions and I also thank the Opposition for its support of this Bill. To answer the member for Hammond's questions, section 7 of the Act states that there can be only one licence. My understanding is that, as a result of this Bill, the Adelaide Casino Pty Ltd becomes the owner of the licence. If it decides to on-sell, the licence travels with that company. If an ABC company purchased the licence it can decide either to continue in the name of the Adelaide Casino Pty Ltd or dissolve that company and the licence be transferred to ABC.

For all that to occur the new owner of the licence must be approved by the Statutory Gaming Authority. So, my advice is that this does not create a possibility of a second licence being issued. There will be only one licence. To get more than one licence you would have to amend section 7 of the principal Act which, as I said before, states that only one licence will exist for a casino in South Australia. This Bill does grant the first casino licence under the Casino Act 1997 to Adelaide Casino Pty Ltd, as I said. It clarifies the process for a future transfer of that licence to another owner and makes some administrative changes to improve the Casino Act 1997.

If there is to be another owner of the licence, it does have to pass through the Gaming Supervisory Authority, and that provides a safety net for the State in terms of ensuring that a company or the proprietors of that company are people who have been vetted and that the licence does not fall into the wrong sort of hands. In terms of the credit facilities and the writing off of that bad debt to which the member for Hammond and the member for Stuart alluded, I am not aware of that, but when we move into the Committee stage we may be able to clarify that matter. If not, questions can be put on notice. I thank members for their support for this Bill and commend it to the House.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3.

Mr LEWIS: Under the provisions of clause 3, we find that the Corporations Law, which is administered by the Australian Securities Commission, provides us with definitions. Does the Minister accept that the Corporations Law applies to this legislation, not just to the definitions of such words as these but in other respects as well?

The Hon. M.R. BUCKBY: We may need to seek a legal opinion, but my understanding is that the Corporations Law does apply to this Act.

Mr LEWIS: I would be pleased to see that legal opinion when it is provided. I propose to use it in the next Parliament in the course of remarks I would want to make about matters that depend upon that.

Clause passed.

Clause 4.

Mr LEWIS: This is the bit where the rubber hits the road. It relates to section 5 of the principal Act. There is no question in my mind now that the Corporations Law applies to this company and to any other company. The Minister acknowledges that because, in the previous clause, it refers to the meaning of such words as administrator, controller, liquidator, subject to the Corporations Law. The Minister would know that within the Corporations Law it is possible that, if you do not like the name of your company, you can change it. That is the first point. So, if you do not like the name Adelaide Casino Pty Ltd and you buy that company because it owns the licence, you can change that name by going through the processes outlined in the Corporations Law. I have done it myself on more than one company's name. I have bought shelf companies, as they are cheaper, and simply changed their name. It is dead easy. I ask the Minister to acknowledge whether or not that is the case.

The CHAIRMAN: Would the member for Hammond like to repeat the question?

Mr LEWIS: Quite simply, if you do not like the name of your company, if it no longer suits the purposes for your company—and let us say in this case, with respect to this company, ACN No. 082362061: if you own that company, you can make an application to the Securities Commission to change its name and it will still be ACN, which is the Australian Company Number, 082362061, and everything in law that applied to the company under its other name will still apply to that company in every respect under the new name.

The number has not changed, and the company, the directors and everything else remain the same.

The Hon. M.R. BUCKBY: Yes, a name change as the honourable member has described, can be made but, if I can see where he is driving, I am advised that the licence would stay with that company number. You can change the name, but the registered number of the company would remain the same.

Mr LEWIS: My final point is that, if you do not like the name Adelaide Casino Pty Ltd and you are the successful bidder and you buy the company Adelaide Casino Pty Ltd, you can change the name, and the company remains the same—identically so. The point is, therefore, quite simply that there is no necessity to have this convoluted terminology in three subclauses of proposed new clause 5. If you do not like the name, you can change that once you have bought the company. The Government should have introduced provisions which enabled us simply to sell the company with its licence intact and accordingly avoid the necessity for this convoluted terminology that says things which could be ambiguous. Indeed, to me, they are.

It seems that it has gone to great lengths to make it possible to be ambiguous, especially in subclause (3), which refers to 'any later grant of a casino licence'. It does not say 'this licence'—it says 'a casino licence'. It might be another one. It further provides:

> Any later grant of a casino licence under this section is to be made on the recommendation of the authority to an applicant for the licence.

So, if the company owns the licence and you sell the company, it still owns the licence. Just because the shareholders have changed and they have changed according to law and agreement, there is no necessity for this kind of arrangement unless you have some mischief in mind.

Mr Conlon: Rubbish!

Mr LEWIS: Well, I have 15 minutes to chew this bone. The member for Elder has views which may be different from mine, but they cannot be at odds with mine. What I am saying is fact. My analysis of the facts leads me to be disturbed because it is at odds with the statement in clause 7. That is the loophole. If you are wealthy enough and can hire the best QCs around town, you could probably argue that it was intended by the more recent legislation to in fact override section 7.

Certainly, one would be able to argue that those two propositions—proposed new section 5(3), and section 7 of the Act—are at odds with one another. I do not know, then, why this approach was taken when, as the Minister and I know and anyone who understands the simplest elements of Corporations Law knows, if you sell a company with its assets, the new owner under the terms of the approval for the arrangement for transfer has a right and owns the property and the licence. If they do not like the name they can change it in a trice to whatever name takes their fancy. Having made that plain, I do not understand and I am disturbed by these two apparently conflicting statements. I ask the Minister why that approach was not taken in drafting the legislation—not what is meant but, rather, why the simple approach I am advocating was not taken.

Mr FOLEY: I will jump in at this point; I am sure the Minister will add something but, unlike the Minister, I was briefed a little more on this as shadow Minister, remembering that this Bill originated with the Treasurer. I say to the member for Hammond that section 7 of the principal Act provides quite clearly that there is not to be more than one casino licence in force under this Act. So, there can only be one licence unless the Act is amended to give us further licences. We have the Adelaide Casino Pty Ltd, which is a subsidiary company of Funds SA. That holds the licence and the businesses, that is, the gambling tables, knives and forks and other bits and pieces that make up the operation of the Casino.

If the member for Hammond recalls, in earlier legislation we were talking about simply selling the licence. Time elapsed, a new vehicle was put in place called the Adelaide Casino Pty Ltd company, which holds the licence and sundry items such as gambling tables, chips and other bits and pieces. That is the business that is for sale. A company buys that business. That company has to go through a significant probity check and has to jump a series of hurdles. It buys the Adelaide Casino as a company. If it then wishes to transfer that licence into its own corporate structure or create another corporate structure, it can do that, and proposed new section 5(3) allows any later grant of a casino licence under this section to be made on recommendation of the authority. It has to do it in consultation with the authority and get its approval, and it can simply put it into another corporate structure.

Indeed, if at any time in the future this owner must or wants to sell the Casino licence it is able to do so, provided that it gets the appropriate approval from the Gaming Supervisory Authority. There is only one licence; it is highly regulated and supervised; and, as far as the Opposition is concerned, there is no threat of another licence being granted. It is a simple procedure. Much of what the honourable member is concerned about is unwarranted, because this is a simple process, and I do not think fault can be attributed to it.

The Hon. M.R. BUCKBY: I thank the member for Hart for his comments. I might add that the actual company and its assets do not have to be purchased: an interested person or company could purchase shares within the company and thereby hold the licence or part of it, just by purchasing shares in the company. The company stays exactly the same but you have a different shareholder in the company. Again, you would still have to go through the Gaming Supervisory Authority for that person, company or whatever to be approved by the authority, so protection is provided there. As the member for Hart says, section 7 of the principal Act provides that there can be only one licence, so I believe that we are protected in this way.

Mr CONLON: I want to make a brief comment. I do not have any problem with the member for Hammond in this. If I understand it, all this section does is facilitate the necessary series of transfers of one licence, which would therefore make it capable of being read with section 7. I have a difficulty, and I will get it off my chest. Having run between both places in here for some two days now attempting to facilitate the Government's legislative program, it irks me greatly that the Liberal Party Room has not been able to brief its backbenchers properly on its own legislation. So, whereas the Australian Labor Party has sought to facilitate the program by avoiding the Committee stage of this Bill, the Committee stage is now necessary to deal with the lack of proper consultation in some sort of dysfunctional Party Room on the part of the Liberal Party.

Mr LEWIS: I will therefore move to delete reference to the general case to amend 'a casino licence' to 'the casino licence' so that it refers specifically to the only Casino licence that exists.

The CHAIRMAN: Will the honourable member bring that up in writing?

Mr LEWIS: Yes, I shall. I move:

Page 2, lines 4, 5 and 7—Delete the word 'a' and insert in lieu thereof the word 'the' in each line.

I point out to the Committee that already this occurs at the end of subclause (3) and I invite members to look at that provision, which refers to 'the licence'. Why refer to it as 'the licence' in that instance but not in the three preceding instances in the proposed new provision in the clause? I do that to put beyond doubt that there is only one licence. I invite all members to agree to the amendment. It does not change the substance of the Act at all in any respect other than that it puts beyond doubt that there is only one licence.

In the course of their remarks, the member for Elder and in particular the member for Hart acknowledged that it is possible under company law to change a company's name. There is no reason why the company which owns the licence cannot be sold to the successful bidder for the licence and, when they buy the licence in that company's name, if they wish to change the name they can do so. If they wish to change the ownership of the company, subject to the approval of the authority, they can also do so. They can sell some shares in that company to another shareholder, as long as the authority approves that body corporate, person or persons to whom they wish to sell some shares as being fit and proper to be an owner of shares in the company which owns and operates the licence. There is no reason at all why that cannot be so. The members for Hart and Elder and the Minister have also acknowledged that if they wish to segregate the business of owning the tables, chips and whatever else may go on over there within a corporate structure, as long as the Casino Authority approves of it, they can do so.

It has not been necessary to enable any of those things to happen for us to word proposed new section 5 in the way in which it has been worded. Whilst my proposed change to change the word 'a' to 'the' in three instances is one step in that direction, it still leaves in place this convoluted statement that we find in the totality of proposed new section 5. I sought assurances when we met as a backbench committee on this point and was told that, if what I was concerned about could not be accommodated, the Treasurer would get back to me and he has not. I was also assured that an explanation of what was to be done would be given to me by either the Treasurer or some other person to whom he would delegate the responsibility. No such attempt has been made to contact me to give me that explanation. I will not use common Australian vernacular to describe it: I am simply disappointed that that has not happened.

Notwithstanding my disappointment, I will accept that and take the opportunity that this debate gives me to attempt to make sure that there can never be any contest between the meaning of proposed new section 5(3) as it conflicts in my mind with the existing section 7 in the legislation. If members are indeed honourable about this matter they will accept my amendment and see it into law, because it does ensure that there is no ambiguity. 'A' could be any licence; 'the' means a particular licence—this one. That is why I am saying we should do it. I thank members for the patience they have shown.

The Hon. M.R. BUCKBY: I move:

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

Motion carried.

The Hon. M.R. BUCKBY: I may be able to clear up the concern of the member for Hammond regarding the wording of proposed new section 5(3). He is concerned about why 'the' casino licence was not used, whereas at the end of the sentence it refers to an applicant for 'the licence'. If we were in a situation where the licence was revoked or the licensee decided to give up that licence, the authority is able to grant another licence—still only one licence operating—to another entity on either the removal from Adelaide Casino Pty Ltd of the right to have that licence or by its rendering that it does not wish to have the licence further.

So, in proposed new section 5(3), which refers to 'any later grant of a casino licence', if it was 'the' casino licence and Adelaide Casino handed in the licence, the State would be left without a licence and with no ability then to grant another licence. By saying 'a' casino licence we allow for one to be revoked and the authority to grant the licence again. I do not know whether that clears up the concerns of the member for Hammond. I believe the wording applies to that so that there is not an ambiguity there.

Mr FOLEY: The Opposition will not support the amendment of the member for Hammond. I did not hear the Minister's contribution as I was distracted, but I understand that we do not have 'the' licence for a casino: there is 'a' licence, of which there is only one, and if that licence is sold to a company and for whatever reason, be it that the company becomes insolvent or the company employs bad trading practices and the Government steps in and uses its power to revoke the licence, one would then have to issue a new licence. If a licence is held by a corporation that goes into liquidation, that licence would obviously cease to operate and a new licence to a new owner would have to be issued. We cannot talk about it as 'the' licence because the potential could be for there to be no licence if 'the' licence for some unfortunate reason was seen not to exist.

At the end of the day the principal security for which all members should be comfortable is the principal Act. Clause 7 says that there shall be only one licence. This is simply a Bill to amend the principal Act to facilitate the sale of the Adelaide Casino Pty Ltd, which holds a licence—the only licence. I understand what the honourable member is saying in terms of his fears, but they are unrealised. There can be only one licence because the law says there will only ever be one licence until such time, if ever, as this Parliament decides there shall be another. Therefore, we will oppose the amendment moved by the member for Hammond and ensure that the integrity of the original Act and this legislation is maintained.

Mr MEIER: This is an important point we are debating and I have made my views clear earlier. I am concerned at the prospect of more than one licence being issued. I have heard the answer from the Minister and the comments from the member for Hart. I would seek a further assurance from the Minister in relation to this whole issue of 'a' casino licence versus 'the' casino licence. It makes sense that, if we have a single licence, namely, 'the' casino licence, there is no ambiguity. If the company should go into liquidation, that licence would still exist and it can be reissued to somebody else.

Mr Foley: It would be the property of the receiver.

Mr MEIER: I hear the interjection of the member for Hart, who says it would be the property of the company that has gone into liquidation and I therefore take it that that licence would possibly be there in limbo if liquidation proceedings took a year.

Mr Foley: Cancel the first one and issue a new one. It will be tied up in receivership.

Mr MEIER: The comment has been made across the Chamber that the first licence will be cancelled, and I guess that is a significant step forward, but there is nothing in this legislation to provide that any licence would have to be cancelled before a subsequent licence could be issued.

Members interjecting:

Mr MEIER: I will ask the Minister to respond shortly. I think the member for Hammond's amendments, which specifically refer to 'granting the casino licence', 'the casino licence' and 'any later grant of the casino licence', make it completely clear that there is one and only one licence. I will be guided here by the Minister as to his thinking on this matter whether the present wording gives the equivalent guarantee that there can be only one licence as detailed in this amendment Bill to the original Act.

Mr FOLEY: If a company purchases the Adelaide Casino Pty Ltd with the licence, it is a trading enterprise; as a result of bad management or unforeseen circumstances elsewhere in the corporation, the company could go into receivership and a receiver-manager could be appointed to that company which holds the licence; if it has troubles in other divisions, for whatever reason it could decide to close down the business, but the receiver-manager would still own the licence; it could stop trading and we could have that business not operating. That would be an unsatisfactory circumstance for the State. At that point, the State could exercise its powers to step in and cancel the licence. That could be an option. It could then re-issue another licence.

I would assume that in receiverships or liquidations—such matters as that—these licences could be held up or tied up in a corporate structure for quite some time as receiver-managers and liquidators go through the exercise of working through these businesses. We cannot have a situation where that licence could be stuck—as remote as that possibility may be. I hope I am on the right track: I assume that is the sort of dilemma one would face, so one would want to have the ability to step in and cancel that licence and issue a new one.

Section 7 of the principal Act provides that there can only ever be one licence. This is not a Bill in its own right: it is simply an amending Bill. We are not amending section 7. This is not a piece of independent legislation that overrides or circumvents the existing Casino legislation. It is amending a few elements of it. The principal part of the Casino Act is section 7, which provides that there can be only one licence.

The Committee divided on the amendment:

AYES (3)

Lewis, I. P. (teller)	Maywald, K.
Williams, M.R.	

NOES (37)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Brindal, M.K.
Brokenshire, R.L.	Buckby, M.R. (teller)
Ciccarello, V.	Condous, S.G.
Conlon, P. F.	De Laine, M. R.
Evans, I.F.	Foley, K. O.
Geraghty, R. K.	Gunn, G.M.
Hall, J.l.	Hamilton-Smith, M.L.J.
Hanna, K.	Hill, J. D.
Ingerson, G.A.	Key, S. W.
Kotz, D.C.	Koutsantonis, T.
McEwen, R. J.	Meier, E.J.
Olsen, J.W.	Oswald, J.K.G.
Penfold, E.M.	Rankine, J. M.

NOES (cont.)

Rann, M. D.	Scalzi, J.
Snelling, J. J.	Stevens, L.
Such, R.B.	Thompson, M. G.
Venning, M.G.	White, P. L.
Wright, M. J.	

Majority of 34 for the Noes.

Amendment thus negatived; clause passed.

Clause 5.

Mr LEWIS: Can the Minister explain in detail what this clause will do? It inserts new sections 14 and 14A.

The Hon. M.R. BUCKBY: I am advised that under the Act it was envisaged that only the asset would be sold, not the shares. It was always envisaged that any sale of the licence would go with the asset. New sections 14 and 14A set up the administration to allow shares to be sold as against only the asset being sold.

Mr LEWIS: Does that mean that in one set of circumstances the Government could retain some shares in the business or that the Government might choose to sell some shares to one party, some more shares to another and further shares to yet another party, regardless of what those parties might wish to be the case? Why is this provision in the Bill? It seems quaint that the proposed sale can be whacked up amongst a number of different shareholders or that after the sale more people can be brought into the new corporate structure. I should have thought that it was better to do the vetting of all the people who are to be part owners of the licence before the licence was sold, not after it was sold. That complicates the sale process.

We ought to require any buyer to state whether they intend to float their company or offer slices of it to other parties before we agree to accept any tender. My personal preference would be that no such arrangement be entertained where the successful bidder is found to have said that it would pay over the money and then float the company, or something of that order. I am anxious that the company does not become an ordinary public company in the same context as other public companies doing other ordinary things.

Through investigation by the authority, we ought to be able to determine who owns those shares. It is not a good idea to let everybody and anybody who wants at whim to become shareholders in the Casino through an ordinary public company to do so. We have always held the view that the people who own it ought to be found to be, known to be and continue to be above reproach in every respect. I am absolutely distressed to think that we are contemplating allowing blackguards of any description to be shareholders in the business. I do not understand all this. I must say that I do not trust the people who are advising the Government.

The Hon. M.R. BUCKBY: In answer to the member for Hammond, I advise that if any shares are transferred from Funds SA, which is the owner, they must go through the GSA. If the licensee is a company that is part of a greater company (let us say it is a subsidiary of an overseas company, and shares in the holding or greater company are transferred unbeknown to the licensee), as soon as the licensee becomes aware of that, the licensee or the holding company has to inform the GSA, which can then take action in terms of conducting a vetting of the new owners. So, any transfer of shares that occurs has to go through the GSA. The shares cannot be sold willy-nilly on the market without the GSA approving of the person or the corporate body that is purchasing them.

Mr LEWIS: How will the Minister investigate people from overseas? I should have thought that anyone from outside Australia would have to be ruled out because we cannot check their *bona fides*. Anyone who argues that the State can do so is in cloud-cuckoo-land. The investigation would cost $1 million a week trying to track down who owned what if it was sold to an overseas corporation or it was partly owned by an overseas corporation. That is exactly the kind of thing that turns my guts. New section 14A requires the people who are involved in the transaction to tell the authority about it. Mr Acting Chairman, can you understand, if these people do not reside in Australia, if they resided in the Dominican Republic where Christopher Skase wants to go and they became, in some form or other, shareholders in the Casino, we do not have any extradition treaties with that outfit and, if they are engaging or have otherwise been involved in criminal activity, how do we know and how do we prevent it? There is no way in the world we would know that they had not paid off some drug debt to someone who wanted to play in the Adelaide Casino by giving them some money in an account in the Adelaide Casino's name, so they go there, collect the dough and spin it on the tables.

I do not see that the arguments being advanced by the Minister on behalf of the Government's servants in this matter are anything in way of recognition of what was originally intended when this Parliament first established the casino licence by what is envisaged in these two new sections in clause 5. It is a worry for me that we are having this explanation provided to us now and it is a worry for me that the member for Hart sees this as absolutely no problem. When we get around to it, I will refer again to what the member for Hart had to say with respect to other clauses. I ask the Minister: how is it that we are now contemplating allowing the ownership of shares within the Casino licence holder to be shares held by foreigners over which we have no control, no means of checking and no means of determining their *bona fides*?

The Hon. M.R. BUCKBY: Section 14(4) provides:

If a transaction to which this section applies has not been approved or ratified by the authority—

in other words if shares are sold without the authority's notice or without the licensee's notice—

the authority may, after allowing the parties to the transaction a reasonable opportunity to be heard—

so if someone from the Dominican Republic bought the shares, they can be heard—

make orders of one or more of the following kinds:
(a) an order avoiding the transaction;

If the authority is not satisfied with the *bona fides* of the person or the corporate body that has purchased the shares, then the authority can make the transaction void, even though the transaction has already gone through. The GSA has the ability, even if a sale has occurred of shares, to make that sale null and void, if they are not satisfied with the *bona fides* of the person or the corporate body that has purchased those shares.

I believe that answers the member's question; that is, could it be sold to an overseas company? Yes, shares could be sold, but the authority still has to approve the persons who are purchasing those shares. If it is not satisfied with the information or the evidence given as to the *bona fides* of that company or those persons, then it can make that transaction void and, as a result of that, the transfer does not occur.

Progress reported; Committee to sit again.

EMERGENCY SERVICES FUNDING (MISCELLANEOUS) AMENDMENT BILL

A message was received from the Legislative Council that it had, in reply to message no. 97 from the House of Assembly, withdrawn the Bill.

The Hon. R.L. BROKENSHIRE (Minister for Police, Correctional Services and Emergency Services): I move:

That Standing Orders be so far suspended as to enable me to move a motion forthwith for the rescission of the third reading of the Bill.

Motion carried.

The Hon. R.L. BROKENSHIRE: I move:

That the vote on the third reading of the Bill taken in the House yesterday be rescinded.

Motion carried.

The Hon. R.L. BROKENSHIRE: I move:

That the Bill be now read a third time.

By way of explanation, clause 19 of the Bill, which was inserted by way of amendment last night, appropriates revenue of the State. Under section 59 of the Constitution Act it is necessary for a message to be received from His Excellency the Governor before the Bill can pass this House. That message was received earlier today. It is therefore necessary again to pass the third reading of the Bill to comply with the provisions of the Act.

Bill read a third time and passed.

CASINO (LICENCE) AMENDMENT BILL

In Committee (resumed on motion).

(Continued from this page.)

Clause 5 passed.

Clauses 6 to 10 passed.

Clause 11.

Mr LEWIS: This is the clause, in part, to which the member for Hart earlier referred; that is, the authority has the power to give directions or instructions in order to discover what is going on within the licensee's ownership. This is all very well so long as the information you are seeking is within your power to procure. I can see what will happen now: the authority may require the Casino owner, the licensee, to tell the authority who owns shares in a given company, and if the licensee does not know and cannot in law be expected to know because the particular shareholder is an overseas company, then how can the person responsible be expected to provide information about whenever shareholding changes in that overseas company that is accurate in any way?

It is all very well to say, 'Oh, well, if they don't tell us we'll pull out the big stick', which is referred to in other sections elsewhere. I will bet my boots that the authority will simply go soft on it just as it did with credit betting that was allowed by the high rollers, a matter to which I referred earlier. The authority just rolls over and lets it be. Who knows! What does it matter! You reach the situation where deals are being done by people who can come here and gamble in our Casino, and those who own shares in the front corporations that are based overseas, and who did not own shares in them at the time they acquired part ownership in the Casino licence to do whatever it is they might want to do when they send a person in here on a debt settlement arrangement to let them play at the Casino tables, then pick

up the tab by putting some money into the person's account here.

We do not know about any of those things and we get involved in the web of international crime in consequence of it. It is not drawing a long bow to say that. It is a worry that we are selling the licence in the manner in which we are proposing—and I did not know that we were contemplating selling it to just any overseas owners partly or wholly, yet the Minister has said as much. Given the explanations that the member for Hart, the shadow Treasurer—who one day, bless his little heart, believes that he will be Treasurer—has provided to me and the rest of the House today on these provisions, I say, 'God forbid that he would ever be Treasurer.' It would be like putting a weevil in the almond jar: you would not know that you had lost everything until it was all gone.

These provisions, whilst they look good on the surface of it, do not enable us to satisfy ourselves that people of undesirable repute can become significant part owners through the devices similar to what I have mentioned. I ask the Minister: how can the Casino Authority in South Australia, as part of the jurisdiction of Australia, track down what is going on in the ownership of companies that are based outside the control of the Australian Securities Commission?

The Hon. M.R. BUCKBY: This clause empowers the authority to undertake discussions with new owners or owners of shares in the company in terms of the licensee. The clause ensures that those discussions take place. If the authority is not satisfied, or any shareholder refuses to take part in those discussions, I refer the member for Hammond to subclause (2), which provides:

> Before the authority exercises a power to which this section applies the authority must, unless the authority considers it contrary to the public interest to do so—
>
> (a) give written notice to the licensee. . .

If the authority does not have cooperation on the part of a new owner of shares or a proposed licensee and it considers that it is in the public interests that that person or corporate body is not enabled to purchase shares or become the owner of the licence then, in the public interest, it can ensure that the transfer of shares or the transfer of licence does not occur. The member for Hammond asks: how does the authority know about the shareholders in a foreign company? If the authority is not satisfied fully that its investigations or discussions have unearthed all matters it believes to be important in terms of knowledge of a person or corporate body, and it is not satisfied that someone is a right and fit person or corporate body to hold the licence or to hold shares, then the authority can determine that it is not in the public interest for the shares or the licence to be transferred to that person or corporate body.

Where the authority is not satisfied with information that it has received—and this particular clause forces the authority to take part in discussions—then, as a result of those discussions, it can decide in the public interest not to authorise the transfer of the shares or the transfer of the licence to whatever company, whether it has already purchased shares or whether a transaction has gone through. As I said earlier, the authority has the ability to make that transaction null and void. This clause backs that up in allowing the authority to act in the public interest. The authority must satisfy itself that if it is not in the public interest it can terminate a share transaction or any other transaction that might have already occurred.

Mr LEWIS: On the surface of it, that sounds great, but the fact is that the companies that I talk about will not be the one company which owns the licence. The circumstances which I talk about and which are already envisaged can arise where a corporate shareholder in the corporation which owns the licence is based outside Australia. Let us call it Dominican Republic Pty Ltd and it owns shares, and there are only two shareholders in Dominican Republic when they apply, and they are beyond reproach. They are two people who are found to be sound as natural persons in every respect. Once the deal has gone through, Dominican Republic Pty. Ltd, the foreign company which owns the shares in our Casino licence holder, can have its natural persons as shareholders sell their shares to someone with whom they had a hidden contract previously.

By that means, nefarious interests can get a beneficial interest in our Casino through that company, and they have another company that buys 10 or 15 per cent of the shares in the Casino licence holder, and that company might be known as, say, North Korea Pty Ltd. (I am using these names deliberately, because we do not have extradition treaties with the countries involved.) I am not saying that the companies would be based there—they could be based anywhere, overseas—but the people who own those companies can hand on their beneficial interest to the same nefarious interests—natural persons who now own and control Dominican Republic Pty Ltd—and gradually they take up substantial beneficial interest in our Casino. They do not have to raise their ugly head and show themselves in any public sense, but they can use their beneficial interest in the Casino to manipulate the folk who are appointed there in staff positions to get their people into the organisation.

I know, because I have been involved in investigating these very things in the past, to see how it has happened. I came across the way in which timber companies were taken over in this country by people who operated tenderloin corporations—that is the business of prostitution, if you like, putting it plainly—and were involved in drug running. They got control of the timber companies in Australia by this means so that they owned a beneficial interest in a substantial way and controlled the appointment of staff, and so on, in some fairly important forest leases interstate. They then used, or intended to use, those forest leases (I cut them off at the pass) for nefarious activities. They would have got away with it.

I tried to explain this at the time to people when we were having the debate on the Casino and why we insisted that it had to belong to the Government rather than anybody else, because enough people in the Parliament were persuaded at that time that I knew what I was talking about. I did know what I was talking about then and I know what I am talking about now: it is the means by which the gains of criminal trading are laundered into respectable currencies through respectable businesses.

In any case, in this instance, there are other benefits to be derived, because people who are habitual gamblers more likely than not are people who have a particular kind of mind set. I am not referring to everyone who goes there, but I am saying that those who gamble as part of their normal recreational activity, although they are not addicts, have a mind set which makes them more prone, because they are amoral, to a temptation of one kind or another and get themselves into difficulties. Then the nefarious criminal elements that are aware of their indiscretion will compromise them and blackmail them, not for money, but to do certain things within

the Australian business environment or, if you like, the police crime control environment, the taxation environment, and so on. I am not drawing a long bow. I am telling you, Mr Chairman, and I am telling this House, that is the way organised crime gets control of the public servants and of large corporations. They do not try to do it in a month or a year. The mafia do not work like that, and neither do any of the other large criminal organisations. They may take a decade or two, and they just quietly work away until they have got what they want, which is, finally, control of the destiny of the society that they wish to dominate. I do not want to see that happen here.

I am not satisfied with the provisions that we have here because I know the limitations that exist on anyone working in the authority. It is not only the limitations of money to keep tabs on the shareholders of those overseas corporations that are subsidiary shareholders in the company which will own our casino licence; they will not have the money to do it; there will not be enough of them to do it; and in many instances they will not have access to the records of the shareholders in those companies overseas, so they will not know identities of the real people that are pulling the strings.

Other countries do not have the same requirements that we do about establishing identity of the individuals, so they can use false names. Indeed, they use a whole range of devices, yet one has to be sharp enough to guess what might be going on and then determine whether what might be going on is in fact going on. I am therefore most anxious. I am not unduly critical of the Minister. He is simply doing a job. But that has been the defence of others in history who turned out to regret what they did, because what they did was not what they thought they did.

The Hon. M.R. BUCKBY: There are gaming authorities right across the world. These gaming authorities do talk with each other on a very regular basis in terms of swapping their information. I believe that this Bill is all about the concerns that the honourable member has. As to the requirement for consultation, the ability to void a transaction if the gaming authority believes that it is in the public interest, or it is not satisfied with the information that is received, those provisions within this amendment to the Act ensure that the public is protected in terms of the wrong people, so to speak, getting hold of either shares or the licence. That is the very reason for this amendment. Previously, it was thought that it would only be the asset that would transfer, but this amendment exists because shares can now be transferred.

It also provides for consultation, and if the authority is not satisfied with that consultation then powers are contained within this Bill to allow them to void the transaction either because of their own concerns or because of what they can determine is in the public interest. I believe that the genuine concerns held by the member for Hammond are covered by this Bill. He probably has seen the application form that is required to be completed prior to becoming a licensee. It not only for provides the gaming authority but also there is a range of checks, including police checks, that have to be carried out. If any one of those does not satisfy the statutory authority, it can bring into effect the voiding of a transaction or not approving of a transaction where forward notice is given. So, I do believe that the public is covered by this Bill.

Mr LEWIS: I accept everything the Minister has said, but he has missed my point: he will not know if the overseas corporation has its changed shareholding. There may be a whole string of companies. If North Korea Pty Ltd has a wholly owned subsidiary called Dominican Republic Pty Ltd and that has two subsidiary companies in turn, one called, say, Heroin Pty Ltd and the other called Prostitution Pty Ltd, because they are foreign companies elsewhere the natural persons who own shares in those companies cannot be traced and the authority will not know if their shareholding is changing, and by that means the beneficial interest is taken without knowledge of the authority or the capacity of the authority to control it, because it is outside Australia.

The Hon. M.R. BUCKBY: If I hear what the member for Hammond says, if a change in the shares of the major company occurs and is not advised to the subsidiary company and in further progress to the authority, that would be a breach of the licence conditions, so the authority could then revoke the licence. I understand what the member for Hammond is saying: who will ensure that one company advises the subsidiary company that a change has occurred? It is part of the deal (so to speak) that that must occur. As soon as the authority becomes aware of any change and if the authority has not been advised, it can revoke the licence. If the subsidiary company does not advise the authority, it is in breach of the conditions of the licence and it would be revoked.

Clause passed.

Clause 12 passed.

Clause 13.

Mr LEWIS: This and the next two clauses are those to which the member for Hart referred in his explanation to me in his wish to help me understand the consequences of the earlier hypothetical circumstances to which I was referring. These provisions do not make it possible for the Government or the authority to revoke the licence unless the offence has occurred. If the licence has been revoked it would be available for reissue. On the other hand, if it is not revoked and it is still there in the hands of an administrator, controller or liquidator, it can still be operated in the same way it had been whilst things were going well, because the administrator, controller and liquidator would be subject to the same provisions. With reference to his concern about whether the corporation owning the licence goes into administration under the control of someone else or goes into liquidation, I point out to him that there is no necessity to create another licence. The existing licence will continue to trade; when it does not, then it can be resumed and reissued. If there is no licence in operation for two or three weeks, who gives a whatever-you-want-to-name-it, anyway? As far as I am concerned, we would be better off, getting them to sort it out quickly.

The Hon. M.R. BUCKBY: If the company or licensee becomes insolvent or goes into liquidation, this clause allows the Treasurer to take control, which I believe is what we would want, and appoint an official manager of the business. So, it gives the control of the licence back to the Minister for him to appoint an official manager to ensure that things continue on in a normal way.

Clause passed.

[Sitting suspended from 6 to 7.30 p.m.]

Clause 14 passed.

Clause 15.

Mr LEWIS: Earlier in the course of my remarks about this matter I drew attention to the fact that some of the explanation given, I am sure with the best intention and the kindest motives by the member for Hart, was directed to administrators, controllers and liquidators as to how it was otherwise necessary to ensure that it was ‘a’ licence rather

than 'the' licence. I trust that he has now carefully contemplated the contents of the provisions contained in clause 15 of division 7 which inserts a new section 64a in the Act which will deal with the way in which administrators, controllers and liquidators will still have control of the licence. Indeed. there was never any need for us to contemplate circumstances in which another licence could be issued just because the owner of the existing licence—for whatever reasons: maladministration or depression in the economy or whatever—fell on hard times and was placed in the hands of administrators, controllers or liquidators—whatever. That would include receivers. They would have continuing control of the licence and be subject to the same conditions as licence holders, so that would not have been necessary.

Before the dinner adjournment I had made the point that it was not necessary ever to have more than one licence. If it were revoked from operation in the hands of one proprietor, as of that instant it could be issued to another. In our State's Constitution, which is different from the Federal Constitution, even if there were outstanding matters, upon the State Parliament passing a law, no compensation whatever need be paid to the liquidated former administrator of the owner of the licence in return for removal of the licence from their care and operation.

We are not subject to that. We can decide as a Parliament in South Australia what compensation we pay anybody, if anything at all. That was never part of the question. I am trying to make plain to the member for Hart that I do not think his reservations about my concerns on other matters were legitimate. I thank him for his interest in trying to explain it to me, but regret that at this point we find ourselves in a situation where, if one licence—the only licence—is revoked, then it no longer exists if no-one has it; and within the next nanosecond it can be issued to someone else. No disadvantage to any of us accrues in law in consequence. No liability accrues to us in law in consequence, because of the way our Constitution is worded. Altogether I am not asking the Minister any question about this clause, but I am exercising my right under the Standing Orders to make some remarks about its effect. Proposed new section 64A(2) provides:

> (2) For the purposes of subsection (1), an administrator, controller or liquidator will only be regarded as being in control of the casino business if in control of all or substantially all of the business assets associated with the operation of it.

That is the way it is—it is as simple as that. That is properly drafted. I will, in the course of my remarks on the third reading, reflect upon the way in which it comes out of Committee shortly.

Clause passed.

Title passed.

The Hon. M.R. BUCKBY (Minister for Education, Children's Services and Training): I move:

That this Bill be now read a third time.

Mr LEWIS (Hammond): I do not like the form of the legislation as it comes out of Committee because it enables an argument to be mounted as to whether, in the event that the House now decides to pass this legislation at the third reading, ambiguity and conflict exist between proposed new section 5(3) and section 7 of the principal Act. If there is ambiguity, it is arguable that there was always the intention to issue more than one licence. The member for Hart himself has said that, if the licence became inoperable in the hands of one firm in consequence of the firm becoming placed in the hands of receivers, controllers, liquidators, managers or administrators of some kind or other, another licence could be issued. That means that, as the prospective Treasurer of South Australia in the event that the Labor Party wins an election, he contemplates that he can issue a second licence under the provisions of this legislation, given that the one that was in place cannot be operating. What would then happen?

I invite you, Sir, and other members to contemplate what would then happen if the firm came out of administration, liquidation or receivership. The Government would have issued a licence, the existing licence would be recovered and there would therefore be two Casino licences in South Australia under the administration of the member for Hart. That was never intended, neither by you, Sir, nor by the Minister or any of the other members in this place and certainly not by me. Yet the member for Hart would be able to refer to the existing law to say that that was intended. Moreover, I am worried about other aspects of the legislation.

I have explained how in some of the work I did prior to coming into Parliament I was involved in doing the things that were done then by Special Branch in the Police Force. In spite of what many members in this place think Special Branch was about, it was never about those things. It was always about trying to keep nefarious and seditious elements out of South Australia and it succeeded very effectively until that period in the mid-1970s when it was disbanded, to our detriment. Notwithstanding that, there are still now elements within our law enforcement agency that pay attention to the constraints and concerns that are contemplated in this legislation, but they do not have adequate resources.

They do not have enough money to check out what is going on overseas, nor do they have the right in law to require people to disclose what is going on in the ownership of those bodies corporate overseas, and the ownership of those bodies corporate, once accepted as owners of this Casino, can then change their natural person's shareholding—and change it subtly and over time in a way that would mean that, cleverly, organised crime could use several vehicles at several layers—this is how the Bill comes out of Committee—to obscure their interest in and control over the beneficial interests that they hold in each of those overseas corporate bodies, to the extent that collectively they could do a great deal to influence who was on the company's board of directors running the Casino and who were appointed to important staff positions to enable them to manipulate the way in which patrons of the Casino were otherwise compromised. I did not mention this in Committee or in the course of my second reading speech, but members know that in the Casino there are cameras, video cameras, on surveillance.

Mr FOLEY: On a point of order, Sir, I am respecting the right of the member for Hammond to express his views and have enjoyed his contribution tonight, but on any reading of the Standing Orders as to the appropriateness of a third reading speech the member for Hammond is revisiting the issues that were debatable at the second reading and Committee stages. I ask that he be wound up or asked to stick to the Bill as it comes out of Committee.

The DEPUTY SPEAKER: Order! There is no point of order, but I ask the honourable member to take into account the comments made by the member for Hart and to draw his remarks to a conclusion.

Mr LEWIS: I shall, Sir. As the Bill comes out of Committee it contemplates private ownership and, in consequence, it hands over to those private owners who, over time, can be manipulated in the manner in which I am saying

to eventually take control of those cameras so that they will know who is there and what they are doing and who is their easy mark. That is the fear I have when we as a Parliament agree to privatise, to sell off the ownership of the Casino licence. I am entitled in my third reading contribution to urge members to seriously consider the implications for the future of South Australia and the way in which this legislation makes it easier for organised crime to take a grip in this State—not tomorrow—but this legislation facilitates over years to come, a decade or two perhaps, the way in which organised crime could get control of South Australian society.

This would not involve blackmailing a person for money but blackmailing that person into doing what those in question wanted to be done, instead of what the person concerned would otherwise do in his or her public or private office in the department or company in which they were employed, because of their fear of exposure, their fear of being found out for having done whatever it was they were doing in the company of whoever it was they were with when they went to the Casino. There is no other place in this State where we have made it lawful for people, in the course of entertainment, to be filmed in the company of those who have gone there with them to do it than in this place called the Casino. They are the serious aspects this legislation embodies, and it is a sorry day that, desperate as we are for money, we have decided to sell the licence. I do not think there is the capacity at any time in law to appropriately provide for the control of what will otherwise be nefarious interests.

Mr FOLEY (Hart): I want to comment on the Bill as it has come out of Committee, particularly given the contribution by the member for Hammond. I will say from the outset that I respect the right of the member for Hammond to say what he has tonight and, as usual, the member for Hammond is extremely vigilant in the way that he puts forward his views on issues. But I think it needs to the said that, as this Bill does come out of Committee, it does not do what the member for Hammond has suggested that it is doing. It is not a Bill that will allow for more licences: there is but only one licence; it is the licence; it is a licence; it is one licence; and it will only ever be one licence as long as section 7 of the principal Act remains.

This Bill is not designed in any way to extend the powers or to change the way in which the Casino operates; it is in no way a further reduction in the powers, control or supervision of the Casino. It is simply a Bill to amend the Casino Act to facilitate the sale of the Casino, but with the ultimate principle always in place, that is, that there is but only one licence—and for the member for Hammond to suggest that this Bill now makes it possible for further licences to be granted is simply not correct.

I hope that anyone reading the third reading of this Bill in years to come will see that it is indeed a simple Bill to facilitate the sale of the Casino licence—a decision taken by this Parliament some three years ago—but it does not in any way allow any further licences to be issued. It is quite the opposite: it is maintaining the integrity of the initial Bill.

The Hon. M.R. BUCKBY (Minister for Education, Children's Services and Training): I support the comments of the member for Hart and also thank the member for Hammond for his contribution and his questioning. It is always of benefit to ensure that the legislation that passes through this place is in the best public interest. I agree with the member for Hart that this does not change section 7 of the Act at all and that, as a result, there will be only one licence. I thank members for their contributions.

Bill read a third time and passed.

LOCAL GOVERNMENT (ELECTIONS) BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 2, line 20 (clause 4)—After 'person' insert:
, body corporate or group of persons

No. 2. Page 5, line 12 (clause 6)—Leave out 'subsection (4)' and insert:
subsection (6)

No. 3. Page 9, line 4 (clause 14)—Leave out 'Act' and insert:
Act[1.]

No. 4. Page 9 (clause 14)—After line 27 insert the following:
[1.]Subsection (1) does not apply to the Crown (*see* section 303 of the *Local Government Act 1999*).

No.5. Page 10, line 15 (clause 15)—After 'person' insert:
, body corporate or group

No. 6. Page 10, line 16 (clause 15)—After 'person' insert:
, body corporate or group

No. 7. Page 10, line 19 (clause 15)—After 'person' insert:
, body corporate or group

No. 8. Page 10, line 20 (clause 15)—After 'of the person' insert:
, body corporate or group

No. 9. Page 10, line 20 (clause 15)—After 'by the person' insert:
, body corporate or group

No. 10. Page 12, line 1 (clause 15)—After 'person' insert:
, body corporate or group

No. 11. Page 13, line 29 (clause 16)—Leave out 'A person' and insert:
An elector

No. 12. Page 13, line 29 (clause 16)—Leave out 'a person' and insert:
an elector

No. 13. Page 15 (clause 19)—After line 23 insert the following:
(ab) a profile of the candidate that complies with the regulations; and

No. 14. Page 15, line 24 (clause 19)—Leave out 'the information' and insert:
other information

No. 15. Page 15 (clause 19)—After line 25 insert the following:
(2a)A profile under subsection (2) may include a photograph of the candidate (that complies with the regulations).

No. 16. Page 22, line 1 (clause 39)—After 'person' insert:
, body corporate or group of persons

No. 17. Page 22, line 23 (clause 39)—After 'record of the' insert:
electors and other

No. 18. Page 22, lines 25 and 26 (clause 39)—Leave out 'delivered to a particular person' and insert:
successfully delivered

No. 19. Page 22, line 27 (clause 39)—Leave out 'to a person'.

No. 20. Page 29, line 24 (clause 48)—Leave out 'voters' and insert:
votes

No. 21. Page 32, line 19 (clause 51)—Leave out 'to voters'.

No. 22. Page 32, line 21 (clause 51)—Leave out 'to persons'.

No. 23. Page 38, line 18 (clause 69)—Leave out '(a)' and insert:
(b)(i)

Consideration in Committee.

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

That the Legislative Council's amendments be agreed to.

This is a significant moment for this Chamber because it is 65 years since the Local Government Act of this State was totally reformed. If this House agrees with the amendments, it marks the passage by this Chamber of a new local government framework for South Australia. I will not detain the House long, other than to observe that it is a great credit not only to the Government and the Party of which I am proud to be part but also to the officers who have put in such effort not only during the two years that I have been Minister but also going back to the ministries of the Hon. Scott Ashenden and Hon. John Oswald—and I think preliminary

work was done before that. I cannot stress enough the debt that this House owes to diligent and hardworking officers of the Office of Local Government. Equally, those from the Local Government Association who, while they are paid by local government as a sector, have put in, with my officers, many hours much beyond the call and, particularly, the President Rosemary Craddock (who is not a paid officer) has put in countless hours in this endeavour.

Finally, I refer to the local government family and the community of South Australia. The Bill has been consulted widely and, I hope, wisely. I hope the House has considered it well. I acknowledge that the amendments have come from various quarters. The Labor Party in some cases, the Democrats and the Independents in another place have contributed to a better Bill than that with which we started. I think the consultation has proven beneficial. This House can be proud. I believe that this is the first Local Government Bill—indeed, there have been two Local Government Bills—enacted by this place that has not gone to a conference. Hopefully, we in this place and, indeed, those in the other place will agree on it. This will the last opportunity, if it does not, to acknowledge the work that all members have put into it and to thank the Opposition, the Independents in this Chamber, the member of the National Party and all those members in another place for making this a very good Bill and something for which this whole Parliament may take much credit.

Mr FOLEY: My shadow ministerial colleague, the member for Elder, has left this in my hands and, while there is a great temptation to put on the public record my personal views about local government reforms, I will do nothing to embarrass my Party or my colleague but will simply stick to the script.

The Opposition supports these changes. I do not necessarily share the Minister's view that this is of such moment that we should be getting out the marble and inscribing the Minister's name into it. But, that said, the Opposition will support these amendments and is happy to see this Bill finally wrapped up.

Mr McEWEN: In indicating full support for the amendments before us, I want to make a few observations about the process adopted to arrive to this point. The process of extensive consultation and pooling the collective wisdom of the family of local government with those charged in this place with the responsibility of governance has meant that at the time the Bill came here for debate it was close to being correct—and I compliment the Minister on the way in which he has done that.

There have been a number of landmark Bills in this place which through correct process have been milestones. The first that comes to mind was the Industrial Relations Bill that Ministers Brown and Ingerson in a complex way shepherded through two Houses over something like 18 months.

The only unfortunate thing is that we cannot give the Minister three out of three, because on one of the three he did the one thing which was going to derail the process, that is, at the eleventh hour, without consultation and without exhaustive process, he tried to slip in something to do with Barton Road and some land trust. That has not occurred in this Bill and that is why it is moving swiftly through here with the support of all concerned. I compliment the Minister on the way in which the carriage of this Bill has been handled.

An honourable member interjecting:

Mr McEWEN: Credit where credit is due.

Motion carried.

PORT STANVAC OIL SPILL

Adjourned debate on motion of Mr Hill:

That this House calls on the Government to establish an open and independent inquiry into the circumstances surrounding the discharge of crude oil into the marine environment at Port Stanvac in June 1999 and establish terms of reference for the inquiry to report publicly on:

(a) the actions of the Minister for Environment and Heritage and the Minister for Transport and the agencies for which they have responsibility;
(b) the actions of Mobil and any other companies involved in the incident;
(c) the monitoring systems of both the Government and the companies involved in the movement and storage of petroleum products at Port Stanvac;
(d) recommendations regarding changes to legislation and/or procedures to prevent future oil discharges; and
(e) the equipment and procedures used in transferring and storing petroleum products from ship to shore at Port Stanvac.

(Continued from 29 July. Page 1909.)

Motion negatived.

JETTIES

Adjourned debate on motion of Ms Hurley:

That this House calls on the Minister for Government Enterprises to guarantee continued safe public access to jetties for recreational purposes, including fishing,

Which Mr Lewis had moved to amend by leaving out the words 'Minister for Government Enterprises' and inserting in lieu thereof the words 'local government bodies in areas in which jetties are situated'.

(Continued from 10 June. Page 1676.)

Amendment negatived; motion carried.

WINE EQUALISATION TAX

Adjourned debate on motion of Ms Hurley:

That this House notes that the—

(a) Federal Government through the proposed 29 per cent wine equalisation tax (WET) intends to effectively increase the current 41 per cent wholesale sales tax on wine to a 46 per cent tax rate equivalent, raise an additional $147 million in revenue and tax cellar door sales;
(b) increases in wine prices caused by the introduction of WET contradicts the Prime Minister's assurance that prices will not rise by more than 1.9 per cent under the GST;
(c) wine industry estimates that the proposed tax would cost 500 jobs nationwide and will have a disproportionate adverse effect in South Australia, including small wineries; and

calls on the Federal Government to reduce the WET proposal to the revenue neutral rate of 24.5 per cent and provide exemptions of at least $100 000 for cellar door sales, tastings and promotions.

(Continued from 10 June. Page 1676.)

Motion carried.

ADJOURNMENT DEBATE

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I move:

That the House at its rising adjourn until Tuesday 31 August at 2 p.m.

In moving this motion I note that this is an acknowledgment that if one is in this place long enough eventually this role falls to one, that role being to thank people who make the Parliament what it is from the perspective of the parliamentarians.

Mr Atkinson interjecting:

The Hon. M.H. ARMITAGE: No, I am not reluctant at all. I am merely identifying that it means that I have been here for a long time.

The Hon. D.C. Wotton: I thought we only did it at Christmas time.

The Hon. M.H. ARMITAGE: It is Christmas in winter in South Australia. This has been a most interesting session of Parliament. Obviously it was an important one with the budget and Estimates Committees process. It has also been a momentous one for South Australia, which presents a number of creative tensions in the Parliament.

Mr Clarke: Is that what you call it?

The Hon. M.H. ARMITAGE: That is what I call them. When one has two Parties with a differing philosophy and there is constructive dialogue between them, at times there will be colourful scenes. Both you, Mr Speaker, and the Chairman of Committees deserve congratulations on keeping us all relatively under control, although I do remember you, Sir, once disciplining me, which I thought was totally unjust, but I chose not to make a point of it at the time. I understand that the Deputy Premier and the Deputy Leader of the Opposition (to whom we all send our best wishes given her infirmity, hoping that she soon gets better) have had particularly productive relations in moving forward the legislation before the House. I know that it is an unenviable task, particularly when on occasions we have a number of *prima donnas* who—

Mr Atkinson: Here?

The Hon. M.H. ARMITAGE: Yes, here. I know that we think that they are only in the Upper House but there are some here, too. I am sure that it is not easy for the business of the House to progress in the relatively smooth fashion in which it does, so I take my hat off to the managers of the business of the House on both sides. I am sure that they have to treat each other with respect, forbearance, understanding and tolerance, which is not always greatly evident in the Chamber.

Also in relation to the business of the House, I thank the two Whips for the work that they have done during this session. They are both fine gentlemen, and I say that advisedly, and they also have a difficult job, particularly—

Mr Clarke: Are you questioning their manhood?

The Hon. M.H. ARMITAGE: No, I said that they were fine gentlemen. They have a difficult job in keeping the House running to the extent that pairs and so on need to be meticulously observed, otherwise disarray occurs. The two Whips, who again keep us under control in a fine fashion, deserve congratulations.

Parliament is only of interest to the people of South Australia if what we say is relevant, and the way what is said is presented to them is of importance to them. Therefore, I thank the *Hansard* staff for the work they do. The fact that the record which comes out is in such a fine form, despite what sometimes goes into the record from members of Parliament, is a credit to them and I congratulate them on that.

Mr Atkinson interjecting:

The Hon. M.H. ARMITAGE: Absolutely not. There is not a split infinitive among us. Quite frequently *Hansard* disproves the well-known aphorism about computers—garbage in, garbage out—because there would be people in the community who might mistakenly say that sometimes the *Hansard* gets garbage in but not infrequently they make a silk purse of the sow's ear.

I thank also the attendants, the clerks and table staff, and so on, who work assiduously for us—often, I would contend, without appropriate acknowledgment—and, indeed, there are occasions when members of Parliament are tense or things are not going the way we want, or whatever, and I dare say we are perhaps a little shorter than we might be with some of those people who work in an entirely professional manner. And so I thank them also for their forbearance in looking after us, and I collectively apologise for all of us if we have upset you in any way as I collectively thank you for the work which you have done in this session.

The Parliament is a place in which the thoughts of disparate members are expounded and I think that the opportunity to research prior to making speeches (what we might say) through the library is a particularly valuable one, and I do thank the library staff, particularly the research staff, but in general the library staff for their excellent service which, on the many occasions on which I have had cause to use it, has been nothing short of outstanding. Parliament is a body where I guess there must be 300 or 400 people—does anyone know how many people work in the Parliament? There are 120 staff, 69 parliamentarians, endless ministerial staff and so on, so maybe 300 people. This is the size of perhaps a small country town in a lot of areas. Certainly in a number of countries this would be more than a village, and of course villages and towns do a lot of eating.

I thank the people who look after, if you like, the inner person—in other words, the catering staff in the dining room, the bar or Blue Room—wherever we might buy refreshments during what seems to me to becoming longer hours. I have to say that—and maybe that is just my observation, I am not sure—it seems to me as if we are utilising the facilities of the catering staff more and more, which perhaps is an opportunity for me, once again, to implore the managers of the House to take as rapid action as they can to get the gym going, because I think we need something or other to balance the input of calories of which most of us—and unfortunately I am a prime example—take far too many.

There are many other people who make our lives bearable in what is often a reasonably difficult life. No-one who is not a parliamentarian, or who indeed is not a member of the family of a parliamentarian, would know just how much intrusion our work has into our lives; and so to be able to have the routine things in running a Parliament through the finance section, the support staff, the travel staff and so on working so seamlessly and so professionally makes our life bearable. At the end of the day, that is not particularly important to the people of South Australia, but it means that we can concentrate on the reason we have been elected which, in the grander vision, is to make the lives of the South Australian community better. The prime reason why I personally thank all the staff is that, if we had to concentrate on doing the things which they do for us, we simply would not be able to concentrate on the legislation and, from the ministerial perspective, the administration of the departments to the benefit of South Australians. I thank all those people. I thank all the members of the House indeed for—

Mr Clarke: Even the member for Spence?

The Hon. M.H. ARMITAGE: Of course I thank the member for Spence—without him life would not be so interesting. I thank all members of the House for their input into the parliamentary process. The reason that I think the parliamentary process is such an excellent one is the vigorous debate which we have and, if you will allow me—and I note the incredible interest which this speech is attracting with all

the members seated here—to be very briefly philosophical, I do think that our parliamentary system is one the virtues of which we ought to proselytise more widely. The reason I say that is, as we would all do, I attend citizenship ceremonies frequently around my electorate and I enjoy them immensely. However, one of the things that always strikes me is that the members of the community who are about to become Australians frequently come from communities where rigorous debate, passion and indeed anger, as we sometimes exhibit to each other across the Chamber about issues that frankly mean little, would be settled by perhaps tanks in the street. Certainly there would not be a routine passage of the mantle of Government from one side of the Parliament to the other without insurrection, riots in the streets and people dying—

Mr Clarke interjecting:

The Hon. M.H. ARMITAGE: No, that is a very good reason for the judge not letting you have it, I suppose, so stopping all that insurrection. I think that we are advocates for a system which is one which allows conflict to be resolved to the betterment of the people whom we represent, and I know that I speak for all members of the House in saying that that is an absolute privilege. To everyone who has made this session work smoothly, I thank you all very much from members of the Government. I know that at least one member from the other side will speak on behalf of the Opposition, so I will not presume to speak for members of Opposition in this regard. I wish all members of the staff and all parliamentarians a restful break so that we can come back reinvigorated and ready to enjoin battle, girding our loins to represent the people who put us into Parliament.

Mr ATKINSON (Spence): This the second session of the forty-ninth Parliament has been long, stretching from 27 October last year to today. I thank all members of the House for their cooperation in the dispatch of business. It has been a productive session from the point of view both of Government Bills and of private members' Bills. With the general election due in about two years, we can expect the Government to wind back the number of days that the House sits in the two or three sessions before the general election. This was the pattern of the Bannon Labor Government and I do not think the current Government will be any different. I was hoping that the Deputy Premier would be present, because I thank him for his cooperation, his fairness and his integrity. He has been an enormous improvement.

The current Deputy Premier has the qualities that could result in the return to State politics of trust, forbearance and bipartisanship. We might start to look after each other because we do, after all, practise the same vocation and we have an interest in improving the reputation of our vocation. Competition between us has gone too far and descended into squabbling about matters that just leave the public to despise all of us. All of us bear some responsibility for this and I more than most on the question of travel by making the former member for Florey's trip to a remote island such a celebrated event in mid-1997. Such is my hope that the Deputy Premier may lead the way in remedying this malaise that when I was co-hosting the afternoon program on 5AA with Leon Byner I had the Deputy Premier as one of our guests on the program.

I wish to thank, first, the Whips, both of whom are well respected within their Parties but, more important than that, they respect and trust one another and they smooth the passage of business in this House. Both sides should be proud of the Whips that we have.

I also thank *Hansard*, those who take down the notes and also the editors who work so hard making sense of what we say and providing copies of it very soon after we say it. I thank Kevin Simms for his years as a fine Leader of *Hansard* and hope that he will find fulfilment in the vocation he has now chosen within *Hansard*—

Mr Lewis: Hear, hear, a million times hear!

Mr ATKINSON: Thank you, the member for Hammond—and we welcome his successor, Jim Leahy. I also thank the console operators in the *Hansard* gallery. They have a difficult job sometimes in knowing which member's microphone ought to be turned on. It is not always clear, Sir, from your directions, and that is no reflection on you but, in the hubbub of Question Time, it can be difficult for the console operators to decide which microphone ought to be on. I am really pleased to say that when I make a long and particularly good interjection I often see the microphone coming on in front of me and it just shows what good judgment they have.

Mr Clarke: It must be very rare.

Mr ATKINSON: No, not at all rare. I thank the attendants for their quietly efficient work, particularly those in Centre Hall, and Gary, who spends long hours supervising those who come to see us and presumably looking out for anyone who might be a threat to our security. When I first came into Parliament in 1982 as a reporter with the *Advertiser*, it was explained to me by the then *Advertiser* political reporter Kym Tilbrook that there were great dangers in ever offending or slighting an attendant, and that if one were foolish enough to do that the attendants would have their day.

I have always lived by that—not that the attendants have ever done anything to give me the slightest offence. They do their job in a splendid way and I thank Jim, in particular, for keeping my Notice Papers and *Hansards* up to date in my Parliament House office. I also thank the drivers for the splendid job they do ferrying us about. Some of us in the Opposition actually get a lift from time to time from the three Opposition members who are entitled to a car.

Mr Clarke: How did you get Carolyn's car? You must have great powers.

Mr ATKINSON: I am sure that the Leader of the Opposition in the Legislative Council will have her car buried with her when she passes on, but she has been kind enough to allow me to use her car on occasion for very short trips. I thank the drivers for being such models of discretion. I thank the Clerk and the Deputy Clerk for their fine fulfilment of their vocation. There have been a couple of occasions in this session when there has been a conflict between the Clerks and some members of the House over the form in which a motion or indeed amendments should be put. I am sure that the Clerks were delighted by the way the Chairman of Committees came to their defence—such loyalty!

I would also like to thank the Clerk Assistants for the unobtrusive work that they do and particularly the Clerk in charge of Questions on Notice, which the Opposition has made a particularly busy part of the agenda paper. My thanks go to the catering staff. I think that the food in the dining room is splendid. I would not eat anywhere else. I certainly do not agree with Senator Ron Elstob who once said that the Federal Parliament's dining room food would kill a brown dog.

Mr Condous: I can see that you don't go out to dinner too often.

Mr ATKINSON: What a shocking remark for the member for Colton to make. I would not eat anywhere but the dining room. In fact, our main dining room is always beautifully laid out with the linen tablecloths and the silver service. I think that it is one of members' real privileges to be able to eat in that dining room.

Mr Lewis: Taxpayers don't pay for our food.

Mr ATKINSON: No. I think taxpayers modestly subsidise our food, but the great proportion of the cost of our food is paid for by us. I am always proud to take guests to the Strangers' Dining Room because of the excellent service there, especially from Lorraine, the drinks' waitress. I would also like to thank Bridie and her crew in the Blue Room. I do not often have time to get down there but notably recently I was able to take Adelaide radio personality Derryn Hinch to dinner in the Blue Room and it was a splendid occasion.

Mr Lewis: Really? For him or for you?

Mr ATKINSON: For both of us, really. I think our appreciation should also be expressed to the caretakers, who keep the structure of the Parliament well defended during the wee small hours. People are lurking about both outside and inside the Parliament who can sometimes be a threat to the fabric of the building, but the caretakers do a fine job. They also, I think, particularly in the last few days, have been models of discretion because sometimes they see us (particularly at the end of session when we have had a bit to drink) not on our best behaviour.

I would like to thank you, Sir, for the fairness and justice with which you have discharged your duty as Speaker. You are a colossal improvement on what went before you and we are very grateful that you are Speaker and we certainly support your continuing in that role. We know that you have to do it within the limitations of being a member of the governing Party but, within those constraints, we think you certainly do your best, and I thank the Chairman of Committees for being such a jovial fellow.

I would also like to express the Opposition's appreciation to the Library staff, particularly those on the front desk who bear the brunt of our urgent requests for information. I thank those who organise the current reading service, which is a useful source of information, and those who do the research papers for members of Parliament on Bills and other matters of public interest.

Our thanks should also go to the accounting division. There has never been an occasion in my nine years in Parliament when I missed out on my pay. They do their work efficiently and unobtrusively. Indeed, we do not see much of them anymore because, of course, they are over the road on the other side of North Terrace.

I am particularly grateful to Parliamentary Counsel for their expertise, diligence and even-handedness. Their advice is available not just to the Government but also to the Opposition for amendments to Government Bills and for private members' Bills. I have been pleasantly surprised by how much time the Parliamentary Counsel is willing to give to the Opposition. I would like to thank Geoff Hackett-Jones and his staff for the work they do for us and for being on call at all times of the day and night to rustle up an amendment.

I would also like to thank the travel officer, Kim Harding, who looks after us so well, and the clerks in the travel office who are models of discretion in ensuring that our travel reports are available only to those who are authorised to read them.

Mr Clarke: Exactly.

Mr ATKINSON: The member for Ross Smith says 'exactly'. I know that he is a keen traveller and a keen reader of other members' travel reports.

Mr Clarke: Absolutely.

Mr ATKINSON: He confirms that and says 'absolutely'. I would like also to express the Opposition's appreciation to the people who work in the Bills and Papers Office, keeping a record of all the paper work—the enormous, plethora of paper work—that we generate in this place.

I should also thank the Legislative Council members, I suppose—we are, after all, a bicameral Parliament.

I thank also the journalists from the various media organisations, the ABC radio, radio 5AA, radio 5DN, the *Advertiser* and the television stations who challenge us.

Mr Clarke: Did you mention the ABC?

Mr ATKINSON: Yes, I did mention the ABC; I think I mentioned it first, actually. It was not in order of ratings! Although sometimes they do hurt our feelings, on the whole their job is done with fairness and integrity.

Last of all I would like to thank the ministerial Opposition and electorate staff who work such long hours and who are so faithful to their employers—the members of Parliament in South Australia. Like the Minister for Government Enterprises, I believe that we are here working for the betterment of South Australia. We live in a civilised State that is moderately wealthy, living under the rule of law, and we lead a lifestyle which is not nasty, short or brutish.

Mr LEWIS (Hammond): With due respect, I rise to make my own endorsement of those who provide all the services in the Parliament which enable those of us entrusted with the honour and responsibility to represent the wider community of South Australia effectively to do so. I will not regale the House or waste the time or the space in the record to reiterate the very eloquent remarks of both the Minister for Government Enterprises and the member for Spence. It has all been said and said so well. I want to make some remarks about the way I see things from here at this time, since it is a chance to do so, and I want to do that in the best humour possible. I am not really like a blue healer cattle dog at a sale wandering around every ute and truck whenever the opportunity presents itself to make sure everybody knows I have been there.

Mr Hanna: What bones are you going to pick up tonight?

Mr LEWIS: I did not come here to make friends or enemies; I came here to make improvements, and I do that to the best of my conscience and ability. I want to endorse the remarks made by the two speakers who have stood before me and go on from that and hopefully make some constructive contribution to the way things might change in the future.

For instance, I have said before and I say again, I do not think it is appropriate for a Minister of Government to have control of the budget for the Parliament, and I know you share that view, Sir. I trust that in the very near future we can set an example to other Parliaments by taking unto ourselves that control and as it were exposing ourselves to full scrutiny of the press and the way they report what money is appropriated and for what purpose here in the Parliament. To that extent, let me say that the very good job we do in the library could be enhanced if we had control of our resources and placed in the Parliamentary Library the media monitoring equipment and the professional expertise which is presently located in various offices, including those of the Premier, some Ministers, the Leader of the Opposition and some

members. That would result in meeting that expense only once from the public purse, and enable anyone from all those other places to access that information.

I would also draw attention to what I think is the very sensible way in which we go about providing facilities and support for ourselves without it being in any sense gross, and make that more open and accountable through the mechanism I have just mentioned. To that extent, the process by which computers are delivered to us on a sort of 'tick this box or that—two choice deal' has resulted in my case in a lemon being delivered to my office, along with my Libretto. In the first instance, let me talk about the desk top computer I have had installed in my electorate office during the last 12 months. The damn thing has crashed more than 200 times since it was installed.

The Hon. M.D. Rann: A lemon, not an Apple?

Mr LEWIS: That's right, and it is fruity because you cannot follow its logic. Sometimes it saves almost everything you have done up to the point it crashes. On other occasions it wipes out everything you have done since the last crash and everything you did before that for several crashes back. I do not know what the hell drives the thing to do that. It seems to have a mind of its own—

Mr Clarke: You're supposed to use your fingers, not—

Mr LEWIS: I have used my fingers and I have used my prayers and all manner of sugar and carrot to get it to perform. I have even prayed to it, but I promise the member for Ross Smith that I will put an axe through the bloody thing. I will throw it down the stairs, like the goose that was wandering around. It is the bane of my electorate assistant's life. It is not a consequence of any fault in the electrical circuitry in Parliament House, and it is not a fault of the users of that computer. It just crashes because there are faults in its circuitry, not caused by me or anyone else. It has been there since day one, and that circuitry extends to the manner in which it saves or fails to save and erases stuff on the hard disc. It has crashed over 200 times, and it is excruciatingly frustrating, to the extent that we are paranoid about putting anything on it at all without saving it on disc immediately and then swapping it over. On one occasion it cleaned the floppy disc that we had—

The Hon. M.D. Rann: Don't put your memoirs on it!

Mr LEWIS: I don't have any. I just wish, I just pray, and I just hope. None of those things are methods—they are illogical in the extreme. It has reached the point where it is getting me down, and I might need a break from it. If it is not soon fixed, then I will fix it and I will learn to do without it or otherwise replace it.

The other remarks I wish to make, leaving that behind me, are that I think we do very well in this Parliament. We manage to do things for much less expense than other Parliaments when we make changes, and we do that because the people who work here know that they are appreciated, and they know that they are valued. In consequence, they will try, and in so trying achieve the change that we all desire. A classic illustration of that is the manner in which we produce *Hansard*, which has resulted in great savings to the State's taxpayers. Although, in the course of so doing, it may have changed where some jobs exist as opposed to where they were used to exist, that is what happens in the course of progress.

What we did not need to do was do what had been done in the Federal Parliament. It cost over $12 million in the Federal Parliament to achieve what we managed for less than $600 000. It is the same Parliament, it sits about the same number of days and produces about the same number of pages of the record of proceedings of Parliament and its committees. Altogether, I think we did very well, and I have to say that you, Sir, and your predecessors, were effective in making all that possible through the Joint Parliamentary Service Committee which employs the members of the staff of *Hansard*, who applied themselves to bringing in those changes at a rate at which they could manage. I thank them for it, particularly so. I had a little bit to do with it.

I am not now honoured with the responsibility of representing the members of this House on the Joint Parliamentary Service Committee. You are, Sir, as Presiding Officer, as is the Chairman of Committees. In consequence of which, I urge you to take care to ensure that the checks and balances remain in place during this next 12 months so that we do not find ourselves in a situation where politics are being played within the institution that is to the detriment of the function of the institution, other than the politics which are played by those of us who are elected to be politicians, whatever that may mean to anybody who reads or hears it.

Mr Clarke: Statesmen!

Mr LEWIS: All of us, I am sure, see ourselves in that role, and it is not for me to judge. I want to mention a couple of other words which I found curious in meaning. There is a word called 'vigour' which means, if you like, 'flourishing physical condition', 'healthy growth', 'vitality', 'vital force'. 'Vital force' is 'mental strength or activity as shown in thought or speech or literary style'; 'forcibleness'. That means doing it with some force, then, I guess.

Mr Atkinson: What word are we talking about?

Mr LEWIS: 'Vigour', and that means something different to the word 'rigour'.

Mr Atkinson: 'Different from'.

Mr LEWIS: I thank the member for Spence for reminding me that I am mistaken in using 'different to'. That is bad grammar. Whenever I have used it, 'rigour' is intended to mean that sort of strictness of observance of doctrine or mathematical purity, respect for the accuracy of the fact upon which the decision and action are based. Otherwise, it means 'severity', 'strictness', 'harshness', 'strict enforcement', 'the extremity of excess of weather', 'hardship', 'famine', 'great distress', 'austerity of life' or 'puritanical in approach'. When I use the word 'rigour' in relation to the process to determine fact, it means dependence on actual data and mathematical principles in analysis of that data. Other people use it to mean different things. Often I think they really mean 'vigour', not 'rigour'.

Having made that observation about the way things are done in Parliament, let me further extrapolate from it that, if more of us used rigour and fewer of us used vigour—indeed, if we all used more rigour and less vigour—the public interest would be better served. Our argument and opinion would be tempered by factual information based on sound data and not upon our feelings or, if you like, the energy we expend in expressing them. It would be helpful to use more precise information rather than greater strength of feeling in coming to the conclusions that we reach. I thank all staff in the Parliament for being capable of exercising greater rigour and less vigour than I often observe among the elected members. Accordingly, on that note I want to say 'Thank you' once again to everybody who makes it possible for this place to function.

Mr CLARKE (Ross Smith): Much has already been said by the member for Spence very eloquently and by the

member for Adelaide, and I concur in all their sentiments. In part I would agree with the member for Hammond, but I am not sure which parts at this stage; I would have to read *Hansard* to work out the difference between 'vigour' and 'rigour' before I would be able to come down conclusively on one side or the other. I have got used to the idea of standing up and thanking members of the staff and officers of the Parliament since I first became Deputy Leader and since that time. As the member for Spence pointed out, 'Why not do it now? You were always a bit of the old Pretender, the Jacobite influence seeking to reclaim the throne.' I also extend my thanks to the staff. I will not list them all; that has been done very well by the members for Spence and Adelaide and that encapsulates everyone in here who makes it all possible for us to carry out our work as members of Parliament and legislators.

In particular I thank you, Mr Speaker, for the way in which you have conducted your office as Speaker for the House of Assembly. As the member for Spence has indicated, you have a difficult task. Any Speaker has a difficult task, particularly given that over the years they are mainly drawn from the governing Party and have some constraints, but you have carried out your position with great honour and respect from all sides of the House. We thank you for the manner in which you have done your job.

One estate has not been mentioned particularly by either speaker, and that is the journalists, although the member for Spence may have alluded to them. As far as journalists are concerned, I have had a patchwork quilt relationship with them. I am probably suing, if not all of them, most of them at the present time, and if I have not sued them yet I probably will be suing them soon. In the main, I would like to thank them for trying to disseminate news to the broader public about the affairs that are conducted in Parliament. At times I have been extremely disappointed that they go for the salacious rather than the substance of what happens in Parliament, where they report what they would regard as salacious news items but which in the great scheme of things, as far as the average punter is concerned, are of no interest whatsoever. Members of the community are interested in their schools, hospitals, job opportunities, the state of drug control, law and order, the administration of and access to justice.

Journalists, and in particular the news media they work for, play a very important part in informing the general public about what is going on in Parliament, the affairs of State, what is supposedly good or bad and the failings of Governments and Opposition. They would do well to listen to their own lectures that they give to members of Parliament concerning what standards of behaviour they expect of members of Parliament and apply those same moral tenets with respect to the manner in which they conduct their own businesses. Whilst I do not have any quarrel with any individual journalist *per se*, many of them work for organisations which thunder out in their editorials and news comment generally statements lecturing members of Parliament on how they should conduct themselves privately, in their business lives or as members of Parliament—statements which those journalists themselves do not live by.

Given that they occupy a position where, by and large, they are subject to little public scrutiny—except in the events of John Laws of Radio 2UE and the investigations that are now taking place with respect to 'infotainment' on the part of journalists generally, and the allegations that some of these pseudo journalists get paid to give bad commentary about a particular product or service that is offered or in return getting paid for favourable comment—I think it would be very useful indeed for those public inquiries to take place to scrutinise those so-called journalists and presenters who spend so much time looking over our shoulder.

In conclusion, on behalf of all of us (and I am sure it has been mentioned by the member for Adelaide), I mention the building attendants, maintenance workers and cleaners who do a tremendous job in ensuring that this building is up to scratch and comfortable so that members and all staff members can carry out their functions effectively and efficiently. They also ensure the comfort of the general public and community, who come here to witness their Parliament in action.

The SPEAKER: From the Chair I will sum up in broad terms. The Minister and the member for Spence have had a thorough roll call; it behoves me from the Chair to support those remarks. I well recall a couple of years ago the member for Ross Smith in full flight in debate or in Question Time saying that this House was not a monastery. It has stuck in my mind for about two and a half years, although I was not in the Chair at the time. It is very true that this place is not a monastery: on some days it is a place of high tension and a time when members politically need to get something off their chest, and from time to time that I do not please people on both sides.

This is an appropriate time for me to thank members on both sides for their cooperation on most occasions. I thank the Whips for their cooperation and the Leaders of both sides of the House, and I hope that we can continue that cooperation over the next couple of years.

The members have referred to the staff of the Parliament. We have a very professional staff and, if I do nothing else this evening, I must congratulate the staff on their professionalism. I will refer to them not necessarily in order of seniority or importance around the building, as they are all important, but I thank the administration, the support services, and the pay people over the road who make sure that that function is fulfilled.

In mentioning the dining room staff, I applaud their professionalism also. I refer to the chef and recognise the awards that he has achieved over the past year. It has been a credit to him, those who work around him and to the way in which the dining room is conducted.

I thank the ever hard working *Hansard* staff. We know how they have helped us all collectively over the years and we thank them as well. I thank the building attendants and, in particular, the Building Services Manager, who is now well and truly settled into his position. We thank them for the effort they have put in.

I also thank the table officers, the attendants in the Chamber and those who attend us but do not come into the Chamber. They are some of the unsung heroes. I know of occasions when they have come to work and should not have because of illness. I remember the nights when we head home in the wee hours of the morning and they have the taxis out there for us; we get into the taxi and they stand on the cold footpath.

Two people on the roll call who were not mentioned earlier were our hard working telephone attendants, Colleen and Claudette, who sit down there on the lower ground floor on their own. Although they have relief from time to time, it is a fairly lonely job and we appreciate the efforts that they make there for us.

The professionalism of the South Australian Parliamentary Library is something that I do not need to emphasise: it is an excellent service. It helps us in our work, and many of us would not be able to function without their services.

I refer also to Ray Whittle, the police officer who works quietly around the building; he is there and is in contact with the police over in Hindley Street. We should recognise through Ray the work and support of the Hindley Street police.

I also thank the printing staff at Riverside. I think with that we have covered between us most of the staff who provide support. I sum up by saying that a very professional organisation supports us, and certainly we would not be the parliamentarians we are without them. To the table officers who have contact back through the staff, I pass on our thanks.

Motion carried.

[Sitting suspended from 8.50 to 11.55 p.m.]

SITTINGS AND BUSINESS

The Hon. M.R. BUCKBY (Minister for Education, Children's Services and Training): I move:

That Standing Orders be so far suspended as to enable the House to sit beyond midnight.

Motion carried.

RESIDENTIAL TENANCIES (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council agreed to the Bill without any amendment.

STATUTES REPEAL AND AMENDMENT (LOCAL GOVERNMENT) BILL

The Legislative Council agreed to the Bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Page 1, line 16 (clause 2)—Leave out 'This' and insert:
Subject to subsection (2), this

No. 2. Page 1 (clause 2)—After line 16 insert the following:
(2) Section 41A will come into operation on the day on which section 359 of the *Local Government Act 1934* is repealed.

No. 3. Page 3 (clause 5)—After line 23 insert the following:
(ia) by striking out from section 24(1) 'will' and substituting 'is entitled to';

No. 4. Page 3, line 33 (clause 5)—After 'regulations' insert:
(unless the member declines to accept payment of an allowance)

No. 5. Page 4, line 9 (clause 5)—Leave out 'will' and insert:
is entitled to

No. 6. Page 4 (clause 5)—After line 25 insert the following:
(na) by inserting after paragraph *(e)* of section 32(2) the following paragraph:
(ea) issues of equity arising from circumstances where ratepayers provide or maintain infrastructure that might otherwise be provided or maintained by the council;;

No. 7. Page 5 (clause 5)—After line 14 insert the following:
(ya) by inserting after section 37 the following Part:

PART 3A
THE ADELAIDE PARK LANDS

Interpretation

37AAA. In this Part—
'Adelaide Park Lands' means the park lands of the city described in section 37C.

Protection of the area of Adelaide Park Lands available for public use

37AAB. (1) In this section—
'land trust' means the land (in the nature of open space) forming part of the Adelaide Park Lands that is available for unrestricted public use and enjoyment.

(2) For the purposes of this section—
(a) the Adelaide City Council will be credited with 1 credit unit for every 2 square metres of land that the Council adds to the land trust after the commencement of this section; and
(b) the Crown will be credited with 1 credit unit for every 2 square metres of land that the Crown, or any agency or instrumentality of the Crown, adds to the land trust (including by the return, surrender or redelineation of land so as to add land to the Adelaide Park Lands) after the commencement of this section.

(3) Before the Adelaide City Council, or the Crown or an agency or instrumentality of the Crown, adds land to the land trust under this section—
(a) in the case of the Council—the Council must—
(i) take reasonable steps to consult with the Crown; and
(ii) ensure that the land is suitable for public use and enjoyment as open space;
(b) in the case of the Crown or an agency or instrumentality of the Crown—the Crown or the agency or instrumentality of the Crown must—
(i) take reasonable steps to consult with the Council; and
(ii) ensure that the land is suitable for public use and enjoyment as open space.

(4) Any dispute between the Adelaide City Council and the Crown as to whether subsection (3) has been complied with in a particular case will be referred to the Capital City Committee.

(5) The Adelaide City Council may only grant a lease or licence over land that forms part of the Adelaide Park Lands, or take other action to remove land from the land trust, if—
(a) the Council is acting—
(i) with the concurrence of the Crown; or
(ii) in pursuance of a resolution passed by both Houses of Parliament; and
(b) the Council holds credit units equal to or exceeding the number of square metres of land to be subject to the lease or licence or to be otherwise so removed from the land trust.

1. If the Adelaide City Council grants a lease or licence or takes other action to remove land from the land trust under this subsection, then the number of credit units held by the Council will be reduced by an amount equal to the area, in square metres, of the land that is subject to the lease or licence or otherwise so removed.

2. This subsection does not apply—
(a) to the extension or renewal of a lease or licence, or to the granting of a lease or licence in place of an existing lease or licence or a lease or licence that has expired within the preceding period of three months (to the extent that land is not added to the area of the lease or licence); or
(b) to the extension or renewal of a lease or licence, or to the granting of a lease or licence in place of an existing lease or licence or a lease or licence that has expired, in a case where section 207 of the *Local Government Act 1999* applies; or
(c) to the extension or renewal of a licence, or to the granting of a licence in place of an existing licence or a licence that has expired, for a term not exceeding 12 months if the grant of the licence is authorised in an approved management plan for the Adelaide Park Lands under the *Local Government Act 1999* (to the extent that land is not added to the area of the licence); or
(d) to a lease or licence for a term (including any right of renewal) not exceeding three months, or to any other temporary removal of land from the land trust for a period not exceeding three months; or
(e) to a licence that does not confer a right to occupy land.

3. This subsection does not in itself confer a right on the Adelaide City Council to remove land from the land trust.

(6) The Crown, or an agency or instrumentality of the Crown, may only take action to remove land from the land trust if—

(a) the Crown, or the agency or instrumentality, is acting—

(i) with the concurrence of the Adelaide City Council; or

(ii) in pursuance of a resolution passed by both Houses of Parliament; and

(b) the Crown holds credit units equal to or exceeding the number of square metres of land to be so removed.

1. If the Crown, or any agency or instrumentality of the Crown, removes land from the land trust under this subsection, then the number of credit units held by the Crown will be reduced by an amount equal to the area, in square metres, of the land that is so removed.

2. This subsection does not apply to a temporary removal of land from the land trust for a period not exceeding three months.

3. This subsection does not in itself confer a right on the Crown, or any agency or instrumentality of the Crown, to remove land from the land trust.

(7) The Crown may (by instrument executed by the Minister) assign credit units held by the Crown to the Adelaide City Council and the Adelaide City Council may assign credit units held by the Council to the Crown.

Constitution of fund to benefit the Adelaide Park Lands

37AAC. (1) The Adelaide City Council must establish a fund entitled the *Adelaide Park Lands Fund*.

(2) The fund consists of—

(a) all amounts paid to the credit of the fund under subsection (3); and

(b) any income paid into the fund under subsection (5).

(3) A person or public authority proposing to undertake development on land forming part of the Adelaide Park Lands must not commence the development unless or until the prescribed amount in respect of the development has been paid to the credit of the fund.

(4) Subsection (3) does not apply to—

(a) development undertaken by the Council to maintain the Adelaide Park Lands; or

(b) development undertaken by a public authority to increase or improve the use or enjoyment of the Adelaide Park Lands by the general public; or

(c) development undertaken by any person or public authority for the beautification, rehabilitation or restoration of the Adelaide Park Lands; or

(d) development of a prescribed class.

(5) Any money in the fund that is not for the time being required for the purposes of the fund may be invested by the Council and any resultant income must be paid into the fund.

(6) The money standing to the credit of the fund may be applied by the Council for the beautification or improvement of the Adelaide Park Lands.

(7) If an amount is paid to the credit of the fund by a person or public authority in respect of a proposed development and the development does not subsequently proceed, the Council may, in its absolute discretion, repay the amount to the person or public authority from the fund.

(8) The Council may require a person or public authority to provide reasonable information or evidence in connection with the determination of a prescribed amount for the purposes of this section.

(9) If the Council believes on reasonable grounds that information or evidence provided under subsection (8) is incomplete or inaccurate, the Council may make a determination of the prescribed amount on the basis of estimates made by the Council.

(10) A person who—

(a) commences development in contravention of subsection (3); or

(b) fails, without reasonable excuse, to comply with a requirement under subsection (8) within a reasonable time,

is guilty of an offence.

Maximum penalty: $10 000.

(11) The Council must, on or before 30 September in each year, prepare a report relating to the application of money from the fund during the financial year ending on the preceding 30 June.

(12) The Minister must, within six sitting days after receiving a report under subsection (11), have copies of the report laid before both Houses of Parliament.

(13) The Council must ensure that copies of a report under subsection (11) are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) by the public at the principal office of the Council.

(14) In this section—

'development' has the meaning given in the *Development Act 1993*;

'prescribed amount', in respect of a development, means—

(a) if the total anticipated development cost does not exceed $5 000—$50;

(b) if the total anticipated development cost exceeds $5 000—$50 plus $25 for each $1 000 over $5 000 (and where the total anticipated development cost is not exactly divisible into multiples of $1 000, any remainder is to be treated as if it were a further multiple of $1 000), up to a maximum amount (*ie*., maximum prescribed amount) of $150 000;[1]

[1.] The regulations may prescribe matters that will be included or excluded from total anticipated development costs for the purposes of this definition.

'public authority' means—

(a) the Crown;

(b) an agency or instrumentality of the Crown;

(c) a council or other body established under the *Local Government Act 1999*.

No. 8. Page 6, lines 36 to 38 (clause 5)—Leave out subclause (10) and insert:

(10) A person, body corporate or group may, within one week after a preliminary revision is made available under subclause (8), object to the chief executive officer on the ground that the name of the person, body corporate or group has been omitted in error from the roll.

No. 9. Page 7 (clause 5)—After line 11 insert the following:

(zda) by striking out subclause (8) of clause 7 of schedule 1 and substituting the following subclause:

(8) A person, body corporate or group is only entitled to one vote for each (or any) ward for which the person, body corporate or group is enrolled.;

(zdb) by inserting in clause 7(9) of schedule 1 ', body corporate or group' after 'A person';

(zdc) by striking out subclause (10) of clause (7) of schedule 1 and substituting the following subclause:

(10) If a person, body corporate or group is entitled to vote in more than one ward, the person, body corporate or group is still only entitled to one vote for the area of the Council as a whole.;

No. 10. Page 9, line 1 (clause 5)—After 'person' insert:

, body corporate or group

No. 11. Page 9 (clause 5)—After line 12 insert the following:

(zla) by inserting in clause 12(8) of schedule 1 ', bodies corporate and groups' after 'the persons';

(zlb) by striking out from clause 12(9) of schedule 1 'delivered to a particular person' and substituting 'successfully delivered';

(zlc) by striking out from the note to clause 12(9) of schedule 1 'to a person';

No. 12. Page 9, line 18 (clause 5)—Leave out 'is not invalid by reason only of the fact' and insert:

may be admitted to the count notwithstanding

No. 13. Page 9, line 35 (clause 5)—Leave out 'four' and insert:

three

No. 14. Page 9, line 36 (clause 5)—Leave out 'four' and insert:

three

No. 15. Page 10 (clause 6)—After line 17 insert the following:

(2a) The Minister must, in taking steps under subsection (2), have regard to the duties of the Minister responsible for the administration of the *Harbors and Navigation Act 1995* under section 86 of that Act.

No. 16. Page 11 (clause 8)—After line 16 insert the following:

(ha) by striking out paragraphs *(a)* and *(b)* of section 25(1) and substituting the following paragraphs:

(a) if the agency concerned is not a council—

(i) the Government of the Commonwealth or of another State; or

(ii) a council (including a council constituted under a law of another State);

(b) if the agency concerned is a council—

(i) the Government of South Australia or the Government of the Commonwealth or of another State; or

(ii) another council (including a council constituted under a law of another State).;

No. 17. Page 13, lines 9 to 13 (clause 8)—Leave out paragraph (a) and insert new paragraph as follows:

(a) it contains information communicated to the Government of South Australia or a council by the Government of the Commonwealth or of another State or by a council constituted under a law of another State; and

No. 18. Page 13, line 14 (clause 8)—Leave out 'council or Government' and insert:

Government or council

No. 19. Page 13, line 15 (clause 8)—Leave out 'this Act or'.

No. 20. Page 13, line 21 (clause 8)—Leave out 'or the' and insert:

, the

No. 21. Page 13, line 22 (clause 8)—After 'another State' insert:

or a council constituted under a law of another State

No. 22. Page 13, line 26 (clause 8)—Leave out 'or the' and insert:

, the

No. 23. Page 13, line 27 (clause 8)—After 'another State' insert:

or a council constituted under a law of another State

No. 24. Page 13 (clause 8)—After line 30 insert the following:

(wa) by striking out subclause (2) of clause 5 of schedule 1;

No. 25. Page 14 (clause 9)—After line 14 insert the following:

(2a) The Minister must, in taking steps under subsection (2), have regard to the duties of the Minister responsible for the administration of the *Coast Protection Act 1972* under section 36A of that Act.

No. 26. Page 23, line 5 (clause 18)—After 'of that' insert:

or any other

No. 27. Page 23 (clause 19)—After line 20 insert the following:

(2) The validity of a notice published by a council pursuant to Division 11 of Part 2 of the 1934 Act on the basis of a certificate of the Electoral Commissioner under section 24(11) of that Act cannot be called into question.

(3) A council cannot be required to undertake a review of its composition and ward structure under section 12(24) of the 1999 Act by virtue only of the fact that a variation in representation levels has occurred as a result of the enactment of the 1999 Electoral Act[1].

[1.] This provision does not affect the powers of the Electoral Commissioner under section 12(4) of the 1999 Act.

No. 28. Page 24 (clause 23)—After line 19 insert the following:

(2a) A council may, in fixing an allowance under subsection (1), determine that any increase in an allowance will be backdated to 1 July 1999.

(2b) A regulation made for the purposes of Part 5 of Chapter 5 of the 1999 Act before the periodic election to be held in May 2000 may be brought into operation on 1 July 1999 even if that date is earlier than the date of its publication in the *Gazette*.

No. 29. Page 24, lines 36 to 39 (clause 25)—Leave out this clause.

No. 30. Page 25 (clause 31)—After line 40 insert the following:

(3a) A council must, in respect of each of the first three financial years for which the council has a rating policy under Division 7 of Part 1 of Chapter 10 of the 1999 Act, prepare and publish a report in accordance with the following requirements:

(a) the report must provide information on—

(i) the number of applications for rebates of rates under section 167(1)*(h)* of the 1999 Act received from retirement villages in respect of the relevant financial year; and

(ii) the results of those applications; and

(iii) the way in which the council's policy on issues of equity arising from circumstances where ratepayers provide or maintain infrastructure that might otherwise be provided or maintained by the council has been applied in relation to each application (insofar as that policy is relevant to the application); and

(b) the council must ensure—

(i) that a copy of the report is submitted to the Presiding Members of both Houses of Parliament in conjunction with the council's annual report for the relevant financial year; and

(ii) that copies of the report are available for inspection (without charge) and purchase (on payment of a fee fixed by the council) by the public at the principal office of the council for at least 12 months following its publication under subparagraph (i).

No. 31. Page 26, line 12 (clause 32)—After 'for the purposes of that' insert:

or any other

No. 32. Page 26, line 24 (clause 33)—After 'for the purposes of that' insert:

or any other

No. 33. Page 26—After line 35 insert new clause as follows:

References to controlling authorities

33A. A reference in another Act to controlling authorities established under the 1934 Act will be taken to be a reference to subsidiaries established under the 1999 Act.

No. 34. Page 28—After line 24 insert new clause as follows:

Certain road closures to cease to have effect

41A. (1) The closure of a prescribed road to vehicles generally or vehicles of a particular class in force under section 359 of the 1934 Act immediately before the repeal of that section ceases to have effect (unless already brought to an end) six months after the repeal of that section (and the relevant council must, on the closure of a prescribed road ceasing to have effect pursuant to this subsection, immediately remove any traffic control device previously installed by the council to give effect to the closure).

(2) However, subsection (1) does not apply if continuation of the closure of the prescribed road is, before the expiration of the six month period referred to in that subsection, agreed to by resolution passed by the affected council under this subsection.

(3) In this section—

'affected council', in relation to a prescribed road, means the council into whose area the road runs;

'prescribed road' means a road that runs into the area of another council.

(4) For the purposes of this section, a road that runs from the area of a council into an intersection and then changes to a different road in the area of another council on the other side of the intersection will be taken to run into the area of another council.

No. 35. Page 29, line 33 (clause 44)—After 'relevant day' insert:

subject to the qualification that if a council is proposing to take action in a case where it is required by the 1999 Act to follow a public consultation policy then the council must adopt a public consultation policy under Chapter 4 Part 5 in order to comply with the 1999 Act.

No. 36. Page 29, lines 34 to 36 (clause 44)—Leave out subclause (2).

EMERGENCY SERVICES FUNDING (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council agreed to the Bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Page 4, line 6 (Long Title)—Leave out all words after '1998'.

No. 2. Page 6, lines 20 to 27 (clause 27)—Leave out this clause.

Consideration in Committee.

The Hon. R.L. BROKENSHIRE: I move:

That the Legislative Council's amendments be agreed to.

I thank all members for their input and tolerance at the end of this session with respect to this Bill and I also place on the record my appreciation of the staff, both in the parliamentary arena and in my own office.

Motion carried.

APPROPRIATION BILL

Returned from the Legislative Council without amendment.

LOCAL GOVERNMENT BILL

The Legislative Council agreed to the House of Assembly's amendments to amendments Nos 65, 73, 75 and 153 without any amendment, did not insist on its amendments Nos 114 to 143 and 152 but agreed to the alternative amendments made by the House of Assembly to the words reinstated by the said disagreement, and did not insist on its amendments Nos 46, 47, 66, 67, 76 and 83 and agreed to the consequential amendments made by the House of Assembly.

MOTOR VEHICLES (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council agreed to the amendment made by the House of Assembly without any amendment.

NEW TAX SYSTEM PRICE EXPLOITATION CODE (SOUTH AUSTRALIA) BILL

The Legislative Council agreed to the amendment made by the House of Assembly without any amendment.

[Sitting suspended from 12.27 to 1.25 a.m.]

FISHERIES (GULF ST. VINCENT PRAWN FISHERY RATIONALIZATION) (CHARGES ON LICENCES) AMENDMENT BILL

Returned from the Legislative Council without amendment.

CONTROLLED SUBSTANCES (FORFEITURE AND DISPOSAL) AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 1, line 10 (clause 1)—Leave out "Forfeiture and Disposal" and insert:

Miscellaneous

No. 2. Page 1—After line 12 insert new clauses as follow:

Amendment of s. 13—Manufacture, production and packing

1A. Section 13 of the principal Act is amended by inserting after subsection (2) the following subsection:

(3) In proceedings for an offence against subsection (1), the paragraphs of the subsection are to be treated as providing exceptions, and, if the complaint negatives the exceptions or alleges that the defendant acted without lawful authority, no proof will be required in relation to the exceptions by the prosecution but the application of an exception will be a matter for proof by the defendant.

Amendment of s. 14—Sale by wholesale

1B. Section 14 of the principal Act is amended by inserting after subsection (2) the following subsection:

(3) In proceedings for an offence against subsection (1), the paragraphs of the subsection are to be treated as providing exceptions, and, if the complaint negatives the exceptions or alleges that the defendant acted without lawful authority, no proof will be required in relation to the exceptions by the prosecution but the application of an exception will be a matter for proof by the defendant.

Amendment of s. 15—Sale or supply to end user

1C. Section 15 of the principal Act is amended by inserting after subsection (2) the following subsection:

(3) In proceedings for an offence against subsection (1), the paragraphs of the subsection are to be treated as providing exceptions, and, if the complaint negatives the exceptions or alleges that the defendant acted without lawful authority, no proof will be required in relation to the exceptions by the prosecution but the application of an exception will be a matter for proof by the defendant.

Amendment of s. 18—Sale, supply, administration and possession of prescription drugs

1D. Section 18 of the principal Act is amended by striking out subsection (4) and substituting the following subsection:

(4) In proceedings for an offence against subsection (1) or (3), the paragraphs of the subsection are to be treated as providing exceptions, and, if the complaint negatives the exceptions or alleges that the defendant acted without lawful authority and, in the case of a complaint for an offence against subsection (3), without reasonable excuse, no proof will be required in relation to the exceptions by the prosecution but the application of an exception will be a matter for proof by the defendant.

Amendment of s. 31—Prohibition of possession or consumption of drug of dependence and prohibited substance

1E. Section 31 of the principal Act is amended by inserting after subsection (4) the following subsection:

(5) In proceedings for an offence against subsection (2), subsections (3) and (4) are to be treated as providing exceptions, and no proof will be required in relation to the exceptions by the prosecution but the application of an exception will be a matter for proof by the defendant.

Amendment of s. 32—Prohibition of manufacture, sale etc., of drug of dependence or prohibited substance

1F. Section 32 of the principal Act is amended by inserting after subsection (6) the following subsection:

(7) In proceedings for an offence against this section, subsection (2) is to be treated as providing exceptions, and no proof will be required in relation to the exceptions by the prosecution but the application of an exception will be a matter for proof by the defendant.

Consideration in Committee.

The Hon. M.H. ARMITAGE: I move:

That the Legislative Council's amendments be agreed to.

Motion carried.

WATER RESOURCES (WATER ALLOCATION PLANS) AMENDMENT BILL

Returned from the Legislative Council without amendment.

ADJOURNMENT

At 1.37 a.m. the House adjourned until Tuesday 31 August at 2 p.m.

Corrigendum:

Page 1349—Column 1, line 31—For '5384' read '5834'.

HOUSE OF ASSEMBLY

Tuesday 3 August 1999

QUESTIONS ON NOTICE

PLUMBERS

102. **Mr KOUTSANTONIS:** Are plumbers required to submit drawings to SA Water when installing pipes, fittings or equipment and if so—

(a) when and where are they lodged, what are the compliance procedures in place and what actions are taken against non-compliance; and

(b) for each year since 1996, how many drawings were lodged, how many plumbers did not comply with this requirement and how many were prosecuted?

The Hon. M.H. ARMITAGE: Licensed Plumbing contractors who install pipes, fittings or equipment are required to submit drawings showing the position and dimensions of the work which has been carried out in accordance with the Sewerage Regulations 1996, Division 3, Work Standards, Regulation 15, Inspection of Work.

(a) Drawings, together with a certificate signed by the Plumbing Contractor certifying that the work has been carried out in accordance with the Sewerage Act, Regulations and the Directions, are to be provided to the Internal Drains Unit at SA Water and the owner or occupier of the land within seven days after completing the work. If SA Water rejects the drawing, the person who carried out the work must, within fourteen days, provide a new drawing that meets SA Water's requirements.

If SA Water does not reject the drawing within seven days after it has been provided, the Corporation will be taken to have accepted it.

The maximum penalty for persons failing to comply with the Regulations, as set out in Part 6 of the Regulations, is $2 000.

(b) The number of drawings lodged since 1996 and the number found to be non-compliant is as follows:

Drawings Lodged

1996	1997	1998	1999	Total
6 080	5 513	5 959	464	18 016

Non Compliant Drawings

1996	1997	1998	1999	Total
117	172	194	10	493

SA Water works in consultation with the Plumbing Industry and, when drawings do not comply, SA Water returns a copy of the original drawing, together with a letter explaining the reason why the drawing was rejected. If after two weeks SA Water has not received the amended drawing, the contractor is contacted by telephone.

This follow up system has worked satisfactorily with no outstanding non-compliance that has been rectified and there has been no need to impose penalties.

SA Water relies on the Plumbing Industry to act in a professional manner and comply with the requirements of the regulations. Audit inspections are carried out on all commercial and industrial installations and 5 per cent of residential work that is advised in accordance with the regulatory provisions. Full inspections are performed on all sites that affect core business. This includes sites that generate trade wastes.

Where SA Water is aware of completed work with no drawing provided contact is made with the plumbing contractor to ensure a drawing is submitted.

MINISTERIAL STAFF

123. **Mr KOUTSANTONIS:** With respect to all ministerial and public service staff employed in each Minister's office—

1. What are their names, job titles and salaries;

2. What overtime allowances are available to each staff member and what additional benefits apply including mobile phones, telephone allowances, credit cards, carparking and use of government vehicles; and

3. When were these salaries and entitlements last reviewed or altered?

The Hon. J.W. OLSEN: Details regarding ministerial and public service staff employed in each Minister's office have been gazetted in the Government *Gazette* dated 18 March 1999.

QUEEN ELIZABETH HOSPITAL

170. **Mr ATKINSON:** Will the Minister rule out the recommendation of the South Australian Health Commission Cardiac Services Study that the clinical unit at the Queen Elizabeth Hospital be transferred to the Lyell McEwen Hospital over 10 years?

The Hon. DEAN BROWN: No decisions have been taken. The Cardiac Services Review Report from the Clinical Workgroup has yet to be formally considered by the Department of Human Services Executive prior to being forwarded to me with the department's recommendations. The report is currently being considered by hospital boards and other key stakeholders who will be providing comment to the department in relation to the recommendations.