

HOUSE OF ASSEMBLY

Tuesday 2 October 2001

The **SPEAKER (Hon. J.K.G. Oswald)** took the chair at 2 p.m. and read prayers.

INDUSTRIAL NOISE

A petition signed by 44 residents of South Australia, requesting that the House amend the industrial noise policy to establish mandatory noise levels that recognise residential status in the Kuitpo area consistent with local council zoning, was presented by Mr Hill.

Petition received.

HOSPITALS, NOARLUNGA

A petition signed by 1 312 residents of South Australia, requesting that the House urge the government to fund intensive care facilities at Noarlunga Hospital, was presented by Mr Hill.

Petition received.

TOTALIZATOR AGENCY BOARD

A petition signed by 1 014 residents of South Australia, requesting that the House amend legislation to allow the TAB to offer fixed odds betting on races, was presented by Mr Lewis.

Petition received.

MATTER OF PRIVILEGE

The **SPEAKER**: Last Thursday the member for Price rose and asked me to rule as to whether there was a prima facie case for a breach of privilege with respect to carrying out his duties as a member of parliament. Erskine May, on page 108, states:

Generally speaking, any act or omission which obstructs or impedes . . . any member . . . in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence.

Further, on page 121, Erskine May states:

The House will proceed against those who obstruct members in the discharge of their responsibilities to the House or in their participation in its proceedings. Not all responsibilities currently assumed by members fall within this definition. Correspondence with constituents or official bodies, for example, and the provision of information sought by members on matters of public concern will very often, depending on the circumstances of the case, fall outside the scope of 'proceedings in parliament' . . . against which a claim of breach of privilege will be measured. . .

While there was no specific precedent to guide me in the matter raised by the member for Price, I do take the view that, if a member can demonstrate a link between his or her duties within the electorate office and proceedings in parliament, it may constitute a contempt. By extension, in impeding a member of staff in assisting the member may also constitute a contempt. However, neither situation arises in this case as on the member's own admission the activity alleged to be impeded was of a political nature, namely, soliciting support for the member's own re-election.

It is also my view that the potential loss of Labor Party membership by Mrs Harris, as canvassed by the member for Price, should not impede the honourable member in the

discharge of his duties as it falls outside the scope of proceedings in parliament, against which the claim of breach of privilege is to be measured. I therefore rule that a prima facie case has not been made out.

AUDITOR-GENERAL'S REPORT

The **SPEAKER** laid on the table the Auditor-General's Report for the year ended 30 June 2001.

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

That the report be published.

Motion carried.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for Primary Industries and Resources (Hon. R.G. Kerin)—

Bio Innovation SA Charter—September 2001

By the Minister for Human Services (Hon. Dean Brown)—

Administration of the Development Act—Report, 2000-01

By the Minister for Education and Children's Services (Hon. M.R. Buckby)—

Department of Treasury and Finance—Report, 2000-01
Distribution Lessor Corporation, Report to 30 June 2001
Electricity Supply Industry Planning Council—Report, 2000-2001

Funds SA—Report, 2000-2001

Generation Lessor Corporation—Report to 30 June 2001

Motor Accident Commission—Report, 2000-2001

Office of the Liquor and Gaming Commissioner—Gaming Machines Act 1992—Report, 2000-2001

Office of the South Australian Independent Industry Regulator—Report, 2000-01

RESI Corporation—Report, 2000-01

RESI FP Pty Ltd—Report, 2000-01

RESI Gas Pty Ltd—Report, 2000-01

RESI OE Pty Ltd—Report, 2000-01

RESI Syn Pty Ltd—Report, 2000-01

South Australian Asset Management Corporation—Report, 2000-01

South Australian Government Financing Authority—Report, 2000-01

South Australian Parliamentary Superannuation Scheme—Report, 2000-01

South Australian Superannuation Board—Report, 2000-01
State Supply Board—Gaming Machines Act 1992—Report, 2000-01

By the Minister for Police, Correctional Services and Emergency Services (Hon. R.L. Brokenshire)—

Commissioner of Police—Witness Protection Section—Report, 2000-01

By the Minister for Local Government (Hon. D.C. Kotz)—

State Electoral Office—Local Government Activities—Report, 2000-01.

QUESTION TIME

GOVERNMENT FUNDED ADVERTISING

The **Hon. M.D. RANN (Leader of the Opposition)**: Will the Premier rule out the use of all taxpayer funded government advertising intended for promotional purposes between 11 October and the end of the state election campaign given the government's failure to introduce clear

guidelines for the use of taxpayer funded advertising? Four years ago the Auditor-General recommended that guidelines and conventions be drawn up so that government agencies had a clear set of rules about the appropriate use of taxpayer funded advertising. The government has ignored the Auditor-General's recommendation and repeated calls by the opposition to introduce these guidelines. Various government agencies spent thousands of dollars in promotional advertising during the 28 day state election campaign four years ago.

The Hon. J.W. OLSEN (Premier): A number of government agencies and departments—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The leader will remain silent.

The Hon. J.W. OLSEN: —issued publications which are designed to inform the public of a range of services from those government agencies and departments. There is a legitimate right for the public of South Australia to be able to access that information; to know what services are available; what, if any, cost applies; and where they access those services. That has been a legitimate appropriate responsibility—

The Hon. M.D. Rann interjecting:

The Hon. J.W. OLSEN: Does that mean after 11 October in the health area we should not be indicating where people can get health services? It makes an absolute nonsense of what the leader has had to stay in prefacing his question to the House today.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The leader has asked his question. He will remain silent.

The Hon. J.W. OLSEN: The government is continuing practices of the past as they relate to the provision of government services and agencies, information on those government services and agencies, where they can be accessed, and where people can obtain further information about them. That is an appropriate government service. Former Labor governments provided the service—and so will we.

The Hon. R.L. Brokenshire interjecting:

The SPEAKER: Order, the Minister for Police!

ANSETT AUSTRALIA

Mr CONDOUS (Colton): Can the Premier update the House on the government's commitment to working in the interests of South Australia and its efforts to ensure that Ansett's South Australian work force is back flying sooner rather than later?

The Hon. J.W. OLSEN (Premier): At my direction, a team from the Department of Industry and Trade met with the administrators of Ansett in Melbourne yesterday. Our argument for the case for South Australia is a simple one: that the Adelaide route is profitable. That is why Virgin Blue came to Adelaide, and it is why they have established a profitable Virgin Blue operation out of this state linking with other states. That is why we have seen an increase by Qantas in its capacity through Adelaide with the introduction of wide-bodied aircraft over the past week or so.

Over the last 12 months, South Australia has been one of the fastest growing gateways in terms of passenger numbers of any destination in Australia. In part, that is due to the *Secrets* campaign and other marketing of the Minister for Tourism and the Tourism Commission. It was interesting to see Queensland's Premier, Peter Beattie, and then, I think it was, Victoria's Premier, Steve Bracks, talking about bringing

in an intrastate, and within Australia, marketing campaign to holiday at home.

South Australia has been leading for the field for the past two or three years in that, and their Johnny-come-lately policy approach has been implemented by us over a period of time and has been successful. The success of our tourism and hospitality industry is a result of the targeted approach over the past couple of years on the eastern seaboard in particular.

We are the hub for north-west connections of traffic between Adelaide-Sydney and Adelaide-Melbourne, representing the fourth and fifth busiest routes in the country respectively. We argued with the administrators that, the longer we waited before we got Adelaide flying again with an addition to the Qantas and Virgin flights, the greater the risk in terms of market share. At this stage, Virgin does not fly to Perth, nor, as I understand, does it do the Alice Springs-Darwin route or the Hobart route. At least in that context we should have two airlines operating out of South Australia. That is the reason why Virgin has nominated that Adelaide would be the hub of its next step, that is, to take on western and northern routes out of Adelaide. In fact, Brett Godfrey alluded to that fact at a recent Israeli Chamber of Commerce luncheon.

The most positive sign to come from the meeting yesterday is an undertaking from the administrators that Adelaide is part of their plans for a rebadged airline. It is important that the administrators' focus remain on selling the airline as a going concern rather than its being dissected into various routes and pieces. The government believes that this has to happen for the maximum number of Ansett jobs to be retained not only in South Australia but across the country. The administrators have raised with the government a range of matters to which we will give some consideration.

The other issue that became quite clear in talks with the administrators is the significant role of the union movement through the ACTU. We have been advised that the ACTU is a major player at the table, having a direct input in relation to the routes that get up first, which Ansett workers go back first and when wages and other conditions will be negotiated with the airline in question. In fact, I understand that that was one of the problems when Qantas wanted to wet lease a number of these aircraft to get back into the air quickly. That is why we have also contacted the ACTU direct to urge it to reconsider the matter in terms of flying in and out of Adelaide with Ansett.

Last week I understand that that got up the nose of the ACTU's Mr Combet. It seems that the union became a little sensitive when the South Australian government pointed up the role of the ACTU, and we are yet to get a reply from it as to what it is doing in South Australia's interests, as well as those of the eastern seaboard. What about our interests in helping to get aircraft back in the air, with South Australian crews as part of those aircraft? It is important to make that point. Of course, last week we had the leader doing what he does best—trying to use the Ansett—

The Hon. M.D. Rann interjecting:

The Hon. J.W. OLSEN: You wrote to the administrator. What about writing to the ACTU and getting your union mates to give some consideration to South Australia rather than, as I perceive, ignoring South Australia? If you are really serious about looking after the jobs of the Ansett staff, then join us, pick up the telephone to Mr Combet, your mate in the union movement, and ask him to give some real consideration to South Australia. Our focus is simple: it is getting Ansett's

South Australian work force back into the air sooner rather than later—but importantly—in a permanent capacity. There is no point in a mark II being a short-term option. This is about servicing the tourism and hospitality industry in our state—a large employer—over a longer period of time, not just a stop-gap, short-term measure. That is what we are looking at.

As a government, one our key planks has been and will continue to be creating an environment which gives confidence to invest in jobs in our state and retain existing jobs. I note that the member for Hart has not brought in the *Financial Review*; it is again missing today. Why might that be?

An honourable member interjecting:

The Hon. J.W. OLSEN: No, I will tell you why the member for Hart does not have it here: because he does not like page 43 of the *Financial Review*, where it states that South Australia tops the ratings. As it relates to small business, South Australian government support leads the country. We know when South Australia is doing well in the *Financial Review*; it does not turn up in question time with the member for Hart. That is clearly the case again today. The *Financial Review* quotes a family business survey that says South Australia is streets ahead of Victoria, Queensland and New South Wales and that South Australia scored a satisfaction rating with family businesses of 62 per cent, compared with 21 per cent in Victoria and 17 per cent in New South Wales. There is the compare and contrast. We are continuing to focus on working in the long term best interests of the state.

Is it any wonder that people are somewhat confused about what Labor's focus would be? The minister for education has pointed that up earlier today, with the revelation from the member for Spence. The member for Spence went on radio and said that Labor suddenly supports basic skills testing, six years after its introduction and after six years of destructive opposition by the teachers' union. The member for Spence said on the radio in the past day or two that on basic skills testing he did not believe the education union (AEU) 'had the interests of students at heart'. What a backflip from the 1997 Labor Party policy. The leader wanted to review basic skills testing with a view to scrapping it in 1997. In 1997 he wanted to scrap the basic skills testing.

Ms WHITE: I rise on a point of order, Sir. I fear that the Premier has misled the House in misrepresenting the Labor Party's position on basic skills testing—

The SPEAKER: Order!

Ms WHITE: —because at no stage did Labor say it would scrap the basic skills testing.

The SPEAKER: Order! There is no point of order. Traditionally in the House over many years members on both sides have used question time to ask questions on matters of comparing policy, and ministers have used that in the course of their reply.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The leader will remain silent too. If the House proceeds down that line of comparing policies, as has happened in the past, the chair will not interfere. I ask ministers to keep to that guideline.

The Hon. J.W. OLSEN: I am glad of the interjection from the shadow spokesperson on education. What is your policy? Do you want basic skills testing? We know the member for Spence does, and therefore you have jettisoned your 1997 policy. Okay; we have had a policy unfold today. They will dump their 1997 policy. They have had a change

of heart. We welcome the change of heart and the Labor Party's endorsement of the Minister for Education's determination to use literacy and numeracy testing so that parents can find out the skills base in their schools and, importantly, look after best interests of children in the schools. The Minister for Education can take a bow: the Labor Party is now supporting the policy and the thrust of the government.

Members interjecting:

The SPEAKER: Order!

GOVERNMENT EXECUTIVE STAFF

The Hon. M.D. RANN (Leader of the Opposition): I direct my question to the Premier. Given the comments in today's Auditor-General's Report about public governance and the employment contracts of chief executive officers, and given that in nine days time it will be four years since the Olsen government was narrowly re-elected, will the Premier provide—

Members interjecting:

The Hon. M.D. RANN: Yes; the *Financial Review* said 'loser of the century'—you might remember that edition.

The SPEAKER: Order! The leader will get on with his question.

The Hon. M.D. RANN: Given that in nine days time it will be four years since the Olsen government was narrowly re-elected, will the Premier provide a commitment that no further contracts will be signed for appointments of senior executive staff to high level government positions, including chief executive officers, after 11 October and before the election; and will the Premier assure the House that there will be no early renewals of contracts prior to their expiry?

The Hon. J.W. OLSEN (Premier): The Leader of the Opposition has spent so much time preparing questions today that he has revamped a press release put out by the member for Hart over the weekend. The leader is trying to catch up to the member for Hart. The member for Hart put out a press release on the weekend along the lines of, 'We are in caretaker mode: you should not sign any more contracts.' Wrong! We have not called any election yet. The member for Hart should show just a little patience. We will observe and honour the conventions, as always, and not until such time as the caretaker period is put in place.

MAJOR EVENTS

The Hon. G.A. INGERSON (Bragg): Can the Minister for Tourism inform the House about recent successes in securing events for South Australia and what benefits such events bring to our state? From a personal point of view, I have a particular interest in the \$1 million golf event announced today.

The Hon. J. HALL (Minister for Tourism): I acknowledge that the member for Bragg has, as I understand, one of the best golfing handicaps of any member in this chamber. The member's question is particularly relevant, because we have now—

Members interjecting:

The SPEAKER: Order! Let us compare golf handicaps a little later on. I will put in mine as a contribution—it is not good!

The Hon. J. HALL: The member for Bragg's question is particularly relevant because, about two weeks ago, this state entered in what I can only describe as 'an event peak season' from now until about the end of April next year. It

was a delight to be able to announce this morning the South Australian government's involvement in and participation and partnership with Orlando Wyndham as a principal sponsor of the Jacob's Creek Open Golf Championship. We have signed that commitment of sponsorship for the next three years. The most important part of that sponsorship is that the PGA tour of Australasia has been co-sanctioned by the US PGA tour, and has co-sanctioned status within the international tour.

Not being a golfer, I must confess that the excitement and enthusiasm at Kooyonga this morning was quite extraordinary, and the prize money of \$1 million has certainly attracted the attention of golfing enthusiasts around the country. I have been reliably informed that the latest ABS statistics indicate that golf is now the largest participation sport in Australia.

This television coverage will reach more than 500 million households in our key international markets. Given the uncertainties that abound in the tourism market at present, those key markets in Europe and North America are very important to us.

The major events contribution to the state's economy over the past 12 months has been, in my view, pretty spectacular. Since AME was formed in 1994, under the leadership of the member for Bragg, it has played a very important role in the economic development and focus of this state internationally.

A number of members of the House attended Parsifal last week, and people will be interested to know that tonight is the final performance. The Sensational Adelaide International Tattoo was held several weeks ago, and certainly the accolades have been very numerous with respect to that event. In coming weeks we are about to see Tasting Australia, and I have no doubt that many members of this House will be enjoying the gastronomic delights and activities that that event will generate.

AME's contribution over a significant number of years now is estimated to be close to \$280 million worth of economic activity in direct AME supported, managed or sponsored events. Event tourists internationally and Australia-wide are extremely important to the growth and future development of the industry. The golfing activities, I guess, are probably better known to more members in this chamber than to me, but I do know that it was one of the first sporting events in which AME was involved some six years ago, and I believe that it will continue to be extremely important.

I am sure that many members of this House know of some of AME's more recent successes, and I thought that I might list a few just in case some members opposite have forgotten them. I remind members of the House of those successes in the securing of the 2007 World Police and Fire Games; the 2002 and 2006 Australian University Games; the 2003 Southern Regional University Games; the 2003, 2004 and 2005 Australian BMX Championships; the Eleventh Australian and New Zealand Police Games; the 2002 and 2003 Sensational Adelaide Australian Duathlon Championships; the 2004 World Aerobic Championships; and, again, Adelaide is the only Australian state to stage the Australian Masters for three years, that event to take place in 2005.

I believe that it is a great tribute to the organisers and volunteers of this state who have made such an enormous contribution to the success of the activities and events in which AME and the government are involved. Certainly I, along with others, look forward to the huge success of the Jacobs Creek Golfing Championship.

BUDGET UPDATE

Mr FOLEY (Hart): Will the Premier provide a pre-election budget update by the state's Under Treasurer to the Leader of the Opposition and me on the state of the budget in the first week of the forthcoming state election campaign as provided by the Commonwealth Government and several other states? In today's Auditor-General's Report, when analysing recent state budgets, the Auditor-General states:

It is noticeable that in the last three years projected—

Members interjecting:

The SPEAKER: Order!

An honourable member interjecting:

The SPEAKER: Order, the minister!

Mr FOLEY: As I said in my explanation, in today's Auditor-General's Report, when commenting on the budget, the Auditor-General states:

It is noticeable that in the last three years projected outcomes before abnormals have not been achieved and, in fact, persistent higher than budgeted deficits before abnormals have been incurred.

Will the Premier allow the Leader of the Opposition and me—

The SPEAKER: Order!

Mr FOLEY: —to have a briefing as the Prime Minister, John Howard, does?

The SPEAKER: The honourable member will resume his seat. The honourable member knows that he does not need to repeat his question at the end.

The Hon. J.W. OLSEN (Premier): As I have mentioned on a number of occasions in the House, when members opposite quote from various extracts and then put a position around it, it is always wise, first, to refer to the quotes, because we have seen that the quote and the context within which it is taken are quite often different. But, having said that—

Mr Foley interjecting:

The Hon. J.W. OLSEN: No. I think it was Standard and Poor's, in its recent report concerning South Australia, that said that the budget laid down and what it delivered was pretty well a consistent approach and that this government has performed well in laying down and sticking to a strategy.

Mr Foley interjecting:

The SPEAKER: Order, the member for Hart!

Mr Foley interjecting:

The SPEAKER: Order, the member for Hart! The member for Hartley.

ADELAIDE CONVENTION CENTRE

Mr SCALZI (Hartley): Will the Premier outline to the House the success of the opening of the Adelaide Convention Centre extensions and the world stage exhibition that occurred over the weekend?

The Hon. J.W. OLSEN (Premier): I would be delighted—

The SPEAKER: Order! There is a point of order.

The Hon. J.W. OLSEN: —to respond to the member for Hartley in relation—

The SPEAKER: There is a point of order. The Premier will resume his seat. The member for Ross Smith.

Mr CLARKE: Given the abundance of public information in the printed media concerning the success of the opening of the Convention Centre at the weekend, I ask you, sir, to follow the ruling of the Speaker of the ancient parlia-

ment of Scotland (that traces its lineage back to the year 1323) when, in relation to an answer to a dorothy dixer (similar to this question), he said:

We do not expect to read in the newspapers what will be said in parliament. We expect to read what has been said.

The SPEAKER: I guess that, as a Scot and a bagpiper, I should support my colleague the Presiding Officer of the Scottish parliament. However, I have ruled on this occasion, and before, that until the minister responds the chair really has no idea of the tack that the Premier will take. It is the view of the chair that the Premier is free to develop the answer as he sees fit, as he is responsible for his own words.

The Hon. J.W. OLSEN: Thank you, Mr Speaker. Just by way of observation, I note that Ansett has received a lot of publicity. Members opposite would be the first (although they have not been today) to show concern or ask a question related to Ansett and its future. But there is one factor that has not been in the media, and I would like to address that. I would like to commend the Minister for Tourism for the outstanding job she has done in the stewardship of bringing the Convention Centre to pass in South Australia. There can be no doubt that the convention facility that we have—

Members interjecting:

The SPEAKER: Order! The Premier has the call.

The Hon. J.W. OLSEN: What we have seen in the delivery of this project—and I can understand the member for Reynell's sensitivity that something as outstanding like this has been delivered for South Australians. It is a piece of infrastructure to serve—

Ms Thompson interjecting:

The Hon. J.W. OLSEN: Including the Southern Expressway running down your way. It is a piece of infrastructure to look after the interests of people, compared to delivering them a bankrupt state. That is the difference. I can understand why the member for Reynell would be a little bit sensitive, despite her activities on the Public Works Standing Committee from time to time, that we are delivering major projects and infrastructure of this nature to underpin. If the member for Reynell would like to, turn up next Saturday at the National Wine Centre and she will see another good bit of infrastructure in the long-term interests of the state.

But as it relates to the Convention Centre, the fact that some 47 000 South Australians turned up on Saturday and Sunday to look through the facility underscores the importance that South Australians give to this particular piece of infrastructure. There was a great celebration. It was an important day. It was celebrating faith in our state's future and, importantly, a piece of infrastructure that will underpin the tourism and hospitality industry in the future.

There is no doubt that the Convention Centre is a magnet to bring people to South Australia. Interestingly, I understand that not one convention has been cancelled. The US delegates to various conventions are down in number, but in fact the Convention Centre picked up one additional convention which was due to be in Broken Hill—I think it was the mining industry. That has been transferred from Broken Hill to Adelaide because of regional airline difficulties. Not one convention lost, it has picked up one additional convention of which I am aware, and, importantly, for young South Australians the Convention Centre facility is a work experience training ground for those undertaking a tourism and hospitality course.

We are not only doing this but we are feeding the tourism industry by bringing people to the state, who then go to

Kangaroo Island, the Fleurieu Peninsula, the Adelaide Hills, the Barossa Valley, the Riverland, the Flinders Ranges or Eyre Peninsula. When they come here they add on two or three days. It is that two or three days that is underpinning tourism and hospitality in our country and regional towns and communities. That is the benefit of the Convention Centre.

The fact that we had approximately 310 staff working over the weekend at the Convention Centre underscores its importance, and the fact that as at 30 June employment numbers at the Convention Centre were 355 while now they are 600. We knew that it would generate additional jobs. They have been delivered for South Australians. That is why the focus of this government, through its various tourism ministers, has seen the development of this important piece of infrastructure.

The government had the option of taking some cheaper versions, but it took the view that if we wanted this Convention Centre to underpin, in a meaningful way, the long-term future, if we were going to do it, we would do it properly. What we have is a multipurpose Convention Centre that I am advised is of its type the only one in the world. We are now able to attract conventions from around the world that previously we had to cancel. Between 1996 and 1998, we had to cancel 162 conventions simply because the facility was not big enough. Take that in comparison to the place now being booked out to the end this year—\$120 million worth of forward bookings taking us through with some bookings to the year 2012. This is about South Australia's future, having confidence and faith in it and putting the infrastructure there to underpin it in future.

Someone chipped in regarding the Chief Executive, Pieter van der Hoeven. I acknowledged on Friday night and Saturday the performances of Peter and his staff that have put that Convention Centre in the top 10 in the world two years in a row—almost an annual event. That is judged by 42 000 people involved in the convention business worldwide. To have them judge our Convention Centre and staff in that way is an absolute accolade to those who have been involved throughout its history.

I also acknowledge the Chairman, Colin Dunsford, and the board. Their stewardship over the intervening period has meant that it has not at any stage, I am advised, had a loss in its years of operation. That is good management and good focus and is underpinned with marketing campaigns. As I said in the first question, regarding the Minister of Tourism and the Tourism Commission, with its *Secrets* campaign and now its intrastate campaign, it is really a campaign to underpin the tourism and hospitality industry. This is a piece of infrastructure that starts the work upon which we embarked to turn the city of Adelaide and to embrace the River Torrens as one of the great precincts of the city that has been ignored in the past.

We are developing down there a lifestyle environment that will be second to none. It will be a better environment than applies in South Bank in Melbourne because you will have the trees and parks as well as the river, the cafes, the restaurants and an area where people can have a relaxing day, weekend or couple of hours. That is doing it the South Australian way: a smarter way, a better way and delivering for the long term.

To summarise, I commend the Minister for Tourism for the work that has been done in recent years in particular to bring about this great piece of infrastructure for our state's future.

SCHLUMBERGER CONTRACT

Mr CONLON (Elder): My question is to the Minister for Government Enterprises. Did the minister mislead the House when he persistently defended the benefits of the Schlumberger contract and persistently denied any failings in the contract in the light of today's Auditor-General's Report? In volume 1, part B of the Auditor-General's Report at page 149 it states, in referring to the Schlumberger contract:

Audit held the view that there was fundamental evidence of non-performance and failure to validate any achieved export targets and other measures of economic development.

In the Auditor-General's overview of the audit he went on to say:

Audit concluded that there was non-performance of contractual obligations and 'that the processes associated with contract administration have been inadequate to assure the achievement of contractual objectives'.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): As the Premier said before, I would be silly if I took particular comments and looked at them in the context in which opposition members provide them. There is no question—

Mr Conlon interjecting:

The Hon. M.H. ARMITAGE: And I continue to do—that the Schlumberger contract is a good one for South Australia. We have had this discussion time and again.

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: I was briefed a short time ago about this matter, and I will be more than comfortable, once I have read all the details provided, in bringing back the relevant information to ensure the House that once again members understand that a contract that is providing employment in South Australia, that originally started by offering employment to people with a disadvantage where the contractor (which presumably members of the opposition were in favour of because of their continued haranguing of Schlumberger in this area)—

Members interjecting:

The Hon. M.H. ARMITAGE: All I am saying is that the facts are on the table and I am very comfortable in bringing back the information.

WINE EXPORTS

Mr VENNING (Schubert): Can the Deputy Premier provide to the House information on the latest wine export figures, as well as a comparison between the key regions of wine grape production in rural areas of South Australia?

The Hon. R.G. KERIN (Deputy Premier): I thank the honourable member for his question, knowing that he is a great supporter of the wine industry in several ways and that, with his cellar, he has always been very generous to the rest of us. Last year we saw yet again enormous growth in the export of wine. It is an industry that is obviously going from strength to strength. Our wine industry now exports to 103 countries, which is a terrific achievement. Last year 231 million litres of wine worth \$1.103 billion was exported—up nearly 23 per cent on the previous year. That is real growth on real growth over successive previous years. In addition, a lot of wine production out of South Australia goes to both the South Australian and Australian domestic markets.

The total wine industry in South Australia last year was worth an incredible \$1.9 billion. Of course, exports are extremely vital, and they added up to 800 000 bottles per day every day of the year, which makes a real difference to the economy in not only regional areas but also the whole of South Australia. The total wine grape harvest last year was 679 000 tonnes, worth \$755 million, which was a volume crushed up by 40 per cent, with an average price up by 14 per cent. Red wine is now up to 66 per cent of the state's production.

I think the important thing to note is the jobs being generated by the wine industry. Currently, it is estimated that 4 200 people are engaged in grape production; 4 900 in wine production; 10 000 in supportive industries; and another 6 000 in related jobs as well. It is making a major difference to the state's unemployment figures in not only regional areas but the state overall.

In relation to tonnage, the Riverland is in front with 327 000 tonnes worth \$215 million; McLaren Vale, 56 000 tonnes worth \$94 million; Barossa Valley, 54 000 tonnes worth \$77 million; Langhorne Creek, which often does not receive enough recognition, 51 000 tonnes worth \$73 million; Padthaway, 36 000 tonnes worth \$53 million; and the Clare Valley, with the world's best rieslings, 23 493 tonnes worth \$33.4 million. Of course, the impact of that on regional South Australia is enormous and presents challenges as far as infrastructure is concerned, but this is an industry that is really leading the way.

It is creating enormous export dollars, with a flow-on occurring in tourism. It is terrific to see the impact this has in terms of bed and breakfast accommodation and the restaurants, hotels and motels being established. It is reinvigorating quite a few areas of South Australia, and full credit must go to all those who have invested in the wine industry and to those involved in the industry's leadership. It is an industry which the government has encouraged and they are a terrific group to work with.

HOLDFAST SHORES DEVELOPMENT

The Hon. M.D. RANN (Leader of the Opposition): Can the Premier explain why taxpayers will suffer a major slump in revenue from the completion of the Holdfast Shores project? In today's Auditor-General's Report, the Auditor-General, Mr Ken MacPherson, reveals that, instead of receiving a return to government of \$9.6 million which is budgeted, the expected return is now only \$3.7 million, and that this figure is calculated before taking into account the enormous blow-out in sand management costs. The Auditor-General is also critical of the government for not obtaining an independent valuation of the land for both the hotel and the entertainment precincts.

The Hon. J.W. OLSEN (Premier): Here goes the Leader of the Opposition again! Since the mid 1980s we have had Jubilee Point and Premier Bannon's Glenelg development (and you, Mr Speaker, would know it very well). We had about five versions.

Members interjecting:

The Hon. J.W. OLSEN: Marineland! I had forgotten Marineland just for a moment. I had forgotten just temporarily the wastage of money on Marineland. As it relates to Holdfast Shores and the Glenelg development, Labor talked about it and could never deliver a project. In about 15 years and five proposals, the Labor Party never delivered for South Australia and its future. It took a Liberal government to

actually deliver a marina development at Glenelg, and what a success it has been.

Members interjecting:

The SPEAKER: Order! The chair would like to hear the reply to this question.

The Hon. J.W. OLSEN: For the first time in South Australia we are able to sell off the plan. It was often said that only in places like Sydney, and perhaps some areas in Queensland and Melbourne, would you be able to buy property or sell property off the plan. These developments changed circumstances in South Australia. What has occurred as a result of that? The City of Holdfast Bay would be delighted, I am sure, because it now has a few ratepayers down there paying a dollar or two in rates to that community. In addition to that, we have seen property values move in South Australia. It does not matter whether it is the country or the city, through the 1980s and the former Labor administration we had stagnation in property values.

If you had a house or commercial or industrial property, it did not change in value from year to year. If your property value is not increasing, merchant bankers and the banking and financial institutions are very hesitant about loaning against the valuation of the property. In recent years—and it does not matter whether it is homes or residential properties in the country or the city, or commercial and industrial properties—we have seen a very significant increase in property values. That has not happened by a fluke; it has happened as a result of deliberate policy setting to create a business and investment climate.

Every South Australian is a beneficiary. Every homeowner is a beneficiary, because their asset value—their home—has increased as a result of this government's policies. If you are a small business and you have your commercial property or industrial property, you now have a capacity to put in new plant and equipment or expand that. Why? Because your asset value and borrowing capacity have increased, and you are able to pursue those initiatives. Let not the Leader of the Opposition come into this House and talk about doom and gloom. If the Leader of the Opposition was worth his salt he would get up and say, 'We tried for 15 years and we failed. Congratulations to the government on delivering for South Australia.'

The Hon. G.M. Gunn interjecting:

The SPEAKER: The honourable member for Heysen.

Members interjecting:

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

The Hon. M.D. RANN: I rise on a point of order, Mr Speaker. The member for Stuart has just launched an extraordinary attack on the independence of the Auditor-General who is an independent officer of this parliament. Is that your response to criticisms of shonky deals?

The SPEAKER: Order! The leader will resume his seat. There is no point of order. If the member has a point he particularly wants to make he does not do it by means of a point of order.

YOUTH ADVISORY COMMITTEE

The Hon. D.C. WOTTON (Heysen): Will the Minister for Youth provide some details to the House on the progress being made with the Youth Advisory Committee initiative?

The Hon. M.K. BRINDAL (Minister for Youth): I acknowledge the honourable member's longstanding interest in the young people of South Australia. The government's

recently established integrated youth strategy has at its heart the Youth Advisory Committee Grants Scheme. Some \$250 000 contained in the integrated youth strategy budget has been provided for this initiative, aimed at giving youth a voice in local affairs. Grants of up to \$3 000 a year per council region for up to three years will be provided to support the youth advisory committees throughout the state in the following ways: training members in public speaking and dealing with the media; project design and management; subsidies and assistance for transport; events and functions which promote youth advisory committees; and consultation costs and fees for relevant conferences and seminars. In addition, Youth Plus, my ministerial advisory committee on youth issues, will develop links to ensure that youth advice is reflected in a broad range of youth issues.

The first round has closed, and members on this side of the House in particular will be interested to note that we have received 34 applications, including three requests for funding to develop indigenous youth advisory groups; there have been 18 applications from regional councils and 16 from metropolitan councils. It is interesting that, in our country areas at least, the councils seem to be more enthusiastic in picking up and involving young people as an integrated part of today, while in the city some councils still see youth as a part of tomorrow and perhaps someone whom they can forget about—at their peril.

A brief cross-section of applications and recurring themes received so far includes greater input into the development of Youth Week; planning for local youth forums to express viewpoints and opinions on social issues such as employment, youth activities, transport issues and recreational activities; and research into the building of local skate parks. If accepted, the applications reflect the potential for 520 young people getting actively involved in youth advisory committees around the state, and more than 1 200 young people taking part in consultations and forums that feed into local decision making within the community.

I believe that one of the real gains in this parliament under this Premier has been a greater empowerment of young people in South Australia. Over the past four years we have moved away from listening to people over 40 telling this parliament what young people think, and now we have Youth Plus and this local council involvement. I acknowledge that some of the members opposite have councils that are very good at empowering; the City of Salisbury is a good one, as are a number of others—I do not name just the city of Salisbury. It is interesting that over the past four years this government has sat down and worked hard to see that young people are not just part of some nebulous future: they have a right to a voice in the present. They are being given a voice in the present, and it is this government that has sought to empower them.

LE MANS RACE

Mr FOLEY (Hart): Will the Minister for Tourism explain why, in addition to a \$7.4 million loan to stage the Le Mans car race, the Motor Sports Board needed a \$2.25 million short-term, non-interest bearing loan to meet immediate cash flow requirements; and will the minister guarantee that these funds will be repaid to the Treasurer by 31 December this year? In today's Auditor-General's Report the Auditor-General states:

In June 2001, the [Motor Sport] Board received \$2 250 000 from the Treasurer by way of a short-term non-interest bearing loan to

meet the Board's immediate cash flow requirements. These funds are to be repaid by 31 December 2001 unless otherwise approved by Cabinet.

In his annual report released today the Auditor-General states that he has given only a qualified audit opinion for the board, stating that if the board had reported its financial position in line with proper standards it would have recorded an operating deficit of \$1.9 million rather than the \$698 000 that it reported.

The Hon. J. HALL (Minister for Tourism): Unlike the member for Hart, I have been attentively listening to question time and not reading the Auditor-General's Report. I am fairly conscious of the fact that sometimes selective quoting can be very dangerous, so I have absolutely no intention of selectively answering his question.

Mr Foley interjecting:

The SPEAKER: Order, the member for Hart!

The Hon. J. HALL: Clearly, the Labor Party—and particularly the member for Hart—has an absolute obsession about the success of motor sport in this state, and—

Mr Foley interjecting:

The SPEAKER: Order! The member for Hart will not ignore the chair.

The Hon. J. HALL: I would not mind if the member for Hart, along with a number of his colleagues, enjoyed the success of the Clipsal 500. The community certainly enjoys it. I will consider the question asked by the member for Hart and bring back a response to him at an appropriate time.

Mr Foley interjecting:

The SPEAKER: Order, the member for Hart!

Mr Hanna interjecting:

The SPEAKER: Order, the member for Mitchell!

Mr Foley interjecting:

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

PHYSICAL ACTIVITY INITIATIVES

Mr HAMILTON-SMITH (Waite): Will the Minister for Recreation, Sport and Racing advise the House of the government's most recent initiatives to increase levels of physical activity by South Australians?

The Hon. I.F. EVANS (Minister for Recreation, Sport and Racing): About a year ago, the world celebrated one of the best ever Olympics in Sydney, and politicians, the community and the press subsequently went through a stage of celebrating and highlighting all the achievements of our elite athletes. Indeed, South Australia, under a former government, was the first state to introduce an institute of sport. I think it is important that the parliament take note of some of the interesting current statistics concerning physical activity and the long-term effects that it will have on the health budget. I know that the health minister has an interest in this area—as, indeed, the education minister has with respect to the education budget.

I think that the current level of physical activity in the general community has to be a matter of concern to parliaments around the country. Between 1980 and 1995, the statistics are quite damning, in that obesity rates in men have increased from 8 per cent to about 18 per cent and, for women, from about 7 per cent to about 16 per cent. The *Medical Journal of Australia* recently reported that 20 per cent of people are far too inactive. Diabetes has doubled over the past 12 years, from 4 per cent to 8 per cent, and that will have significant long-term effects for people in the

community and our health budget. We are told that, in Australia, about 8 000 people a year die due to issues related to physical inactivity. We are also told that, if the community became 10 per cent more active, there would be a saving to the Australian health bill of about \$600 million per annum.

At the recreation and sports ministers' conference, a decision was made that we would try to make the community more physically active, and the government has done a number of very positive things in relation to physical activity in the community. The Minister for Education has announced the \$16 million Active for Life program over four years, which is about trying to make our school children more physically active and, of course, fitter than they now are. Hopefully, they will enjoy developing the habit of being physically active at a young age and will carry it into their adult life, which, of course, will provide long-term health benefits for those people who take it up as a discipline.

In regard to recreation and sport, we were very pleased to be able to announce an extra \$17 million over three years going to community facilities. In the past fortnight, letters have gone out to all members of parliament about the number of grants available to their electorates, and I know that they will be very positively received right around the state. In this respect, we are investing not only at the elite level—through the netball stadium, the athletics stadium and others—but also at the community level right around the state, because there is not one Olympic champion or one Magarey medallist who has not started at the community level in their local facility.

Also, of course, we need to recognise that recreation and sport is not just about the competitive sport element: there is now an increasing trend towards the non-competitive recreation style of sports. That is why the government has put \$6 million over five years into recreational trails; that is why we brought in the greenways legislation, to try to make access to recreational trails easier for the walking and horse riding community. We also have worked with the recreational horse industry to develop a recreational horse strategy for the state. Governments have always had a very keen interest in the racing industry, but have not necessarily had the same level of interest in the recreational horse industry.

Over the last two years we sat down with the recreational horse industry and developed what I think is a very good recreational horse strategy for the state. On a similar basis, we have been working with the mountain bike group to develop a statewide mountain bike strategy, and that is a first in Australia. Again, it is just a recognition that recreation as we in this parliament may have known it when we were younger has significantly changed. Far more options are available to people. We need to make those options available and fund them properly so that people are more active.

The latest initiative—and I think that this is an excellent initiative long term for the state—means that we are the first state in Australia to establish an Institute of Physical Activity, in the Office of Recreation and Sport. Just as we have the South Australian Sports Institute (which concentrates on the elite end of the market), we are now in the process of establishing the position of Director of the Institute of Physical Activity. The person who wins that position will have a focus within the department on developing physical activity strategies and programs across government so that every physical activity gain that is possible from our programs can be made.

The long-term aim, of course, is to get South Australians more physically active and fitter, not only for their own benefit but also for the benefit of the government in relation

to the health system. Some excellent programs have been announced by the government over the last three or four years. The Institute of Physical Activity is a positive step, and I am sure that in the future we will look back on this as a reform that is as successful as the Sports Institute.

SCHLUMBERGER CONTRACT

Mr CONLON (Elder): My question is directed to the Minister for Government Enterprises. On what evidence did the minister last year inform the opposition that Schlumberger was not in breach of its contract over the economic development requirements that were part of its \$25 million contract to supply new water meters for SA Water? In his report today, the Auditor-General said that there is 'fundamental evidence of non-performance and that there is no evidence that the Schlumberger contract achieved any export targets at all'.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I have had time, since the member for Elder asked his previous question, to look at page 149. What the member for Elder does not read to the chamber is that the corporation, in fact, responded to the Auditor's comments. The report states:

The corporation's response to audit's management letter provided clarification on a significant number of the matters raised by audit, which in some instances had altered the previously held opinion of audit.

The simple facts—

Mr Hanna interjecting:

The SPEAKER: Order, the member for Mitchell!

Mr Conlon interjecting:

The Hon. M.H. ARMITAGE: We can all do that, Patrick.

Members interjecting:

The SPEAKER: Order! The members for Mitchell and Elder will come to order.

The Hon. M.H. ARMITAGE: What the opposition dislikes about the Schlumberger contract, I have to say, I do not know, because in fact this was a grossly better bid for the particular contract than the other unsuccessful tenderer. As I have said in the House before, hell hath no fury like a tenderer scorned. These are the figures, whether or not the member for Elder likes them. The target employment number to be achieved for the second year of the contract is 77 full-time jobs; the target during year four is 90; and the target in year six is 93.

Schlumberger reported that employment resulting from the contract stood at 76 at the end of August 2001—76 employees who were not previously Schlumberger employees. Schlumberger employment reached a peak of 82 during May 2000. These are the sorts of numbers of employment that Schlumberger is actually getting. It also reports that it expects further employment to result from a range of other activities, such as work on industrial metering with the South Australian University and the expected production and sales of electricity meters. A new pre-payment system introduced in March 2000 generated two new positions and a further two jobs are coming, and so on. In mid last year Schlumberger committed to invest over \$9.15 million to create a state-of-the-art training centre at the University of Adelaide, providing advanced training in sophisticated seismic data analysis and advanced reservoir characterisation of water and petroleum reservoirs. This is all investment in South Australia. There is a contract in United Utilities, which has an order for 282 500

water meters in the United Kingdom. That has been a little slower to develop because—

Ms Hurley interjecting:

The SPEAKER: Order! The Deputy Leader will remain silent.

The Hon. M.H. ARMITAGE:—of regulator decisions in the United Kingdom, but I am informed that as those meters are needed Schlumberger will be providing them. Schlumberger has advised that a total of 12 550 meters have been supplied to United Utilities from South Australia, and so on and so forth. So, we have a contract that is operating and we have employment that is being provided.

Members interjecting:

The Hon. M.H. ARMITAGE: It is not being provided by the contractor that the Labor Party wished to get the contract, but it is all happening.

MINISTERIAL STATEMENT: ADELAIDE FESTIVAL

The Hon. DEAN BROWN (Minister for Human Services): On behalf of the Minister for Transport and Urban Planning in another place, I lay on the table a ministerial statement concerning the Adelaide Festival made today by the minister.

PREMIER'S REMARKS

Ms WHITE (Taylor): I seek leave to make a personal explanation.

Leave granted.

Ms WHITE: Today in question time the Premier incorrectly stated to this House that at the last state election Labor had a policy to abolish the basic skills test. This follows a press conference—

The SPEAKER: Order! The House has given the member leave to make a personal explanation. I ask the member to be cautious where she is going with it.

Ms WHITE: Thank you, sir. This follows a press conference held today by the Minister for Education in which—

The SPEAKER: Order! The member must give a personal explanation. You are not doing that at the moment. Perhaps she may wish to grieve in a minute on the subject.

Ms WHITE: Okay, I will do that sir.

GRIEVANCE DEBATE

Mr CONLON (Elder): I was not intending to take a grievance today until I heard the disgraceful performance from the Minister for Government Enterprises, once again attempting basically to have people understand a situation about a contract which is not actually true. I cannot put it any more mildly than that. The minister in this place accused me of misquoting the Auditor-General and selectively quoting him, and then read a paragraph himself and would not go on to read the next paragraph which said that the Auditor-General, despite the response from SA Water, still had his concerns.

Without getting into a quoting war, I will merely offer the House the quote which is not part of the debate but which in the overview is the concluding comment of the Auditor-

General on the Schlumberger contract. After raising concerns with other contracts, he says this:

The management of this contractual relationship also raises issues of concern. The processes associated with contract administration have been inadequate to ensure the achievement of contractual objectives.

I say that slowly because it could not be more plain. The contract has failed to meet its objectives, and it has failed to meet its objectives because it has not been properly administered. It is therefore no wonder that the Minister for Government Enterprises would want to deny that there are problems with the contract, because the Auditor-General makes it absolutely plain that it is his responsibility. The contract has not been properly administered. We might go so far as to say that the contract probably was not wisely entered into.

But it is absolutely plain. The Auditor-General could not make it more plain. The contract has not been met. There is fundamental evidence of breaches, and there is no evidence—not even slight evidence—of any export contracts. This House has been much occupied lately with the failings in the latest great privatisation of the Olsen government, that being the electricity privatisation, and it is timely, given that an election is coming soon, that we get a reminder from the Auditor-General of that last great failure of Premier Olsen, namely, the water privatisation and water contracts. Some of us would have read recently, in the inside pages of the *Advertiser*, of the failings, the misreportings and the rubbery figures in all areas of the water contract. What we have here today is clear evidence of ongoing failures and this government's obsession with privatising the important public assets of the people of South Australia. It has been done, and once again, just like ETSA, Riverland water and the rest of them, with Schlumberger the taxpayer got duded again. Let us be plain about why our water was privatised: South Australians got ripped off in respect of their water supply because we had a minister who was determined to get a big name for himself and bring down his Premier.

The government was prepared to put forward any rubbery figures to defend it; it was prepared to mislead this place and mislead people as to the benefits; and it has been caught out once again by the Auditor-General. I have no doubt what the response will be. As soon as the minister has got over his attempting to rewrite the Auditor-General's Report and is prepared to face up to what the report says, he will be back in here again telling us that the Auditor-General got it wrong and that he got it right. I have seen them both in action and I know who my money and the very smart money is on.

Ms Hurley interjecting:

Mr CONLON: It has been pointed out by the deputy leader that we still have the Ports Corp to go. I do not know how we will do on that. I do note that the Lotteries Commission consultants were paid \$1.5 million according to the Auditor-General's Report today before the House prevented the government's going ahead with another embarrassingly bad privatisation. ETSA, water, the TAB—all their failings and all their betrayals of the people of South Australia—will soon be coming home to roost.

The Hon. G.M. GUNN (Stuart): I am pleased to participate in a grievance debate again. Last week when I spoke in this debate I invited the shadow treasurer and the leader to respond to a number of questions in relation to agriculture and rural policy. We have not heard anything from them yet. In particular, we never hear anything from the Labor Party in relation to rural matters. We never hear

anything about agriculture or about the positive contributions that the aquaculture and mining industries and the provision of tourism infrastructure make to the economy of South Australia. We are still waiting. We hear the member for Hart at length. I have had it put to me that the member for Hart is well named, although we do not know whether he has a heart; we know that he has a glass jaw and that he can hand it out but cannot take it. That is why it is important for him to come into this House and tell us where he stands on this issue.

The member for Hart reads the *Financial Review*, but I do not know whether he reads the agricultural economics report put out in Canberra which states that the value of farm exports is forecast to rise by just under 4 per cent to in excess of \$30 billion in the year 2001-02, following an increase of 21 per cent in 2000-01. These are significant figures. It looks as though we will have a good agricultural season across the whole of South Australia, which will be great for the state's economy and will provide lots of jobs and bring about lots of improvements. It is important to know where the alternative government, the opposition in this state, stands on these issues, because many important decisions have to be made, and it would be the view of most responsible people that industries that have the ability to provide opportunities and income to the state ought to be nurtured, encouraged and not hindered.

One of the concerns is that the previous Bannon government got in the way of aquaculture, mining and agriculture. We see today that the shadow minister for the environment is being advised by one of the chief spokesmen for the Wilderness Society. People involved in agriculture and mining in South Australia ought to be made aware of the type of people who have the ear of the shadow minister and the Labor Party—the sort of people who have tried to stop the mining and aquaculture industries and who, if they were successful, would get in the way of proper, ongoing agricultural development. The questions that have been raised need to be answered.

It is all right for the member for Spence. I understand that he had an interesting discussion with Father John Fleming, who counselled the honourable member at some length, I am told. I am sorry that I did not hear it—it would have been most interesting.

Mr Atkinson: A vast audience.

The Hon. G.M. GUNN: But I understand that the honourable member was not giving the answers that John wanted. He went into some sort of politician's trick of deliberately trying to avoid the real substance of the question.

Mr Atkinson interjecting:

The Hon. G.M. GUNN: I do not know whether it got the honourable member out of it: that is his explanation. The current silence among the shadow environment minister, the shadow treasurer and the leader in regard to these agricultural industries will not help them in not answering the question. Where does the honourable member stand on the freeholding of agricultural land? We want to know where members opposite stand in relation to the exceptional road funding program. The shadow treasurer said that he would change Liberal priorities. We had the budget settings right. We know that the shadow education minister was moaning about too much money being spent on education in rural areas. Where does the shadow treasurer stand on these important issues? We want to know. He indicated that he would change the priorities. What priorities will be changed?

Mr Atkinson: What do you say about the Auditor-General?

The Hon. G.M. GUNN: In due course the honourable member will get the answer.

Time expired.

Ms WHITE (Taylor): I refer to an issue that the Premier raised today in question time and an issue that the Liberal Government has been hawking over the last week and longer with regard to incorrectly attributing policy to the Labor Party. I will talk about some media reporting of that as well. Today in question time the Premier incorrectly told this House that at the last state election Labor had a policy to abolish the basic skills test. That is not correct. It follows a press conference given by the education minister today, at which he distributed a copy of a pre-1997 election press release by the then Liberal education minister (Hon. Rob Lucas) which claimed that 'Rann would ban the BST tests'.

Labor took to the last state election the policy to improve the basic skills test, not abolish it. To quote directly from our literacy and numeracy policy, one of the key points is as follows:

A Rann government will review basic skills testing and reporting to ensure that assessments are relevant, that teachers are involved in assessing performance and that information flowing to parents is relevant.

We also stated that a Rann government would ensure that children identified by testing as having learning difficulties would receive remedial programs, that is, that testing is supported by Labor but that we want remedial programs and improved resourcing of children who need those resources as identified by the tests and an improved testing of children that encompasses more than is involved in the current tests.

Unfortunately, last Thursday night—and again following a press conference given by the education minister—one Adelaide television station's news service indicated Labor's opposition to the basic skills test. That news service did not contact me, nor did it contact any member of the opposition before running that story. The journalist involved and the station representatives have since apologised to me, representing the opposition, for running those comments. They were not what had Labor had said. In fact, we were not contacted for the story. This follows a press release which was put out by the current Liberal education minister a few months back and which claimed that Labor opposed the tests. I do not believe that any journalists ran that story because I was able to prove to them that was not the case but, rather, scaremongering on behalf of the Liberal government. Just because Liberal ministers say Labor has a certain policy does not make it so. I ask the media to contact us directly rather than running lines that can only be derived from Liberal press statements and comments.

Why has the minister said something on this issue three times in the last week? Last week in parliament—and not reported on last Thursday evening at all—was the fact that the minister admitted to what turns out to be a \$30 million cut in his department—as I read in the newspaper yesterday. That is why he is trying to run on these issues and trying to muddy the waters. When students, parents and teachers are screaming out for resources in schools, this Liberal government in an election year is cutting vital funds to education. That is why we have this focus from the government making up Labor policy and attributing stances to us that we do not hold. This is just an example of that. Just because the Liberal government says it is the case, does not mean it is the case. I ask the media to ask the opposition and not to take the word of the government about Labor Opposition policy.

The Hon. D.C. WOTTON (Heysen): I doubt that there would be any member in this place who has not visited on a number of occasions the small hamlet of Hahndorf in the Adelaide Hills. In fact, as a result of surveys carried out worldwide, it is amazing the number of people around the world who know about Hahndorf. There are probably more people who know about Hahndorf than there are who know about the Adelaide Hills; and we are trying to do something about that because it is important the Adelaide Hills and Hahndorf have equal representation and recognition.

Hahndorf is recognised as a major tourist attraction in South Australia and attracts many hundreds of thousands of people. It is also known for its heritage values and for its contacts in very early days when people first came from overseas. They made their way to Hahndorf where they lived. I am also aware, sir, as a result of your reminding from the chair, that you also play golf at Hahndorf. It has a very nice—

Mr Atkinson interjecting:

The Hon. D.C. WOTTON: It was hardly a display, I point out to the member for Spence. The Speaker was reminding me of the enjoyment he receives from playing at Hahndorf. There are many reasons why people go to Hahndorf. Hahndorf has seen many difficult periods. People tried to come to grips with the issues of development versus heritage versus tourism. Hahndorf has been in my electorate for the time I have been in this place, some 26 or 27 years, and it is not that long ago when some people in Hahndorf did not recognise the significance or the value that tourism brought to a particular area as far as the economy, in particular, was concerned.

One gentleman did an enormous amount of work to make people aware of the need for the recognition of heritage values, the importance of sustainable appropriate development and the importance of tourism. That person was John Storey who, regrettably, passed away last month. I was fortunate enough to know John Storey for some 30 years, and I have to say that John was a mentor to me and a person whom I respected enormously. I attended John's funeral service at St Michael's Lutheran Church on 6 September. At that service one of the family members gave a eulogy, and he reminded us that John Storey was first and foremost a people's person. He had a positive impact on those around him and in the community. His last three decades were spent in the beautiful village of Hahndorf, which he treasured so much. During that eulogy Peter Hine, who is also very involved and has been for many years in the tourism industry, said:

When John and the family moved to Hahndorf in 1971 and purchased the historic smithy in Main Street, John's 30 year dedication to heritage and tourism development commenced. He was among the first to recognise that heritage and tourism needed to work together if heritage was to survive. Positions on the local National Trust and Heritage Association—to the level of President in both bodies—gave John the opportunity to pursue this end, eventually resulting in Hahndorf being declared a state heritage area.

His voluntary interests were not restricted to Hahndorf, but extended to the Adelaide Hills region and he was President of the Hills Tourist Association for several years. By now, John's complete dedication to tourism resulted in the local press (*Mount Barker Courier*) dubbing him 'Mr Tourism', an accolade most deserved. In recent years, John served as a member of the Hahndorf Business and Tourism's sub-committee, responsible for the Adelaide Hills Visitor Information Centre. He has played an active role in the Hahndorf Community Association.

Time expired.

Mr SNELLING (Playford): I rise to address the report of the Solicitor-General, Mr Brad Selway QC, into the retention of body parts after post-mortems, which was released on 6 August during the recess of the parliament. I remind the House of the story of my constituent Mrs Pina Archangeli, whose daughter Julie was killed in a tragic accident on Montague Road, Ingle Farm, in 1982. There was a coronial inquest into her death. An autopsy was performed, of which the family were not informed. They only discovered an autopsy had been done upon preparing the body for burial, which understandably caused enormous distress.

Last year Mrs Archangeli came to me because she had discovered on making inquiries that some of her daughter's tissues, and indeed her whole brain, had been retained after the post-mortem by the Institute for Medical and Veterinary Science. In his report to the Minister for Human Services, Mr Selway wrote about Mrs Archangeli as follows:

Towards the end of my inquiry Mr Naughton arranged for a person who was obviously aggrieved and distressed to write to me in relation to her particular concerns. I was already aware of her circumstances and I had already reviewed the file held by the Attorney-General's Department in relation to her concerns (as I had reviewed the files of some others who had made complaints over the years in relation to post-mortem practices).

The particular case involved a coronial post-mortem in 1982 where the family had apparently not been informed that the Coroner had authorised a post-mortem. The family also claims to have been misinformed as to whether any organs were retained. It is clear that organs were retained. The Attorney-General wrote to that person on 18 June 2001 setting out in considerable detail what in fact occurred. That case provides another example of disrespect for the family of the deceased and of the considerable concern and distress of the families involved.

The Archangeli case prompted me to ask the Minister for Human Services about the wide-ranging powers of clinicians to retain organs after a coronial post-mortem. As I pointed out to the House at that time, the Transplantation and Anatomy Act provides for the retention of organs for purposes other than establishing cause of death.

I believe these powers must be curtailed. The Coroner should have far-reaching powers as far as determining the cause of death, including if necessary the retention of organs. However, the act goes much further and allows organ retention for 'therapeutic, medical or scientific purposes'. This section of the act needs revision so as to provide for consent for tissues to be retained for these purposes. I was disappointed that the Solicitor-General in his report stopped short of such a recommendation.

The Archangeli family has been put through too much. It first had to deal with the tragic death of its young daughter. Then it had to deal with the discovery that an autopsy had been done without its being informed of it. Then, to top it all off, 18 years later, it discovered that some of its daughter's tissues—in fact, her whole brain—had been retained and later destroyed. Those who argue that there are great discoveries to be made from retaining organs without consent need to understand the pain through which they put unwitting families.

Mr LEWIS (Hammond): This afternoon I want to address that matter to which I drew attention last week in the course of the question that I asked of the Deputy Premier—and I am pleased that he is here in the chamber.

An honourable member interjecting:

Mr LEWIS: Yes, it's about branched broomrape or, more particularly, about the adverse consequences for the people on whose properties it has been discovered. They are not

criminal, and they have not done anything wrong. It has not been of any consequence that they have failed to do that they should have done, or something they have done that they should not have done that branched broomrape has turned up on their properties. It is a direct consequence of the ineptitude of the government in identifying the problem and then dealing with it properly the moment it was identified.

That problem is ruining many of those families. It is simply destroying not only the means of their income but also their life savings and asset. The farms cannot be marketed, and the produce from them is restricted in the manner in which it can be shifted to be sold, and it will be sold at a lower price. That arises in consequence of the fact that it is contaminated or at risk of being contaminated.

No customer wants to buy a sheep which may in its stomach contain hundreds of thousands of broomrape seeds. No customer wants to buy wheat, other grain or hay which may be contaminated with the seeds of broomrape. But that is not the end of the ineptitude of the government in dealing with this manner. It really makes you wonder at the competence and professionalism of the people in senior policy advisory positions to ministers when you find such senior policy advisers giving such poor advice. In this case, I am referring to the decision that was made in the first instance not to go in and eradicate it but, rather, to try to contain or control it. That was wrong.

There is only one way to deal with cancer, and that is to cut it out. There is only one way to deal with a pest like broomrape, and that is simply to kill it or eradicate it for the same reasons. Whereas, just over a decade or so ago, when it was first discovered, it was on an area of about 180 to 200 square metres—an area of 40 by 50 metres—we now find that it covers not 180 square kilometres, not 1 800 square kilometres but something approaching 3 000 square kilometres, and that is in 10 years. If we do not get on top of it this year and eradicate it wherever we find it, we might as well give up, and we will have the mess that they have had in Cyprus and other places in the Mediterranean where *Orobanche ramosa* is established.

The other problem that arises in consequence of this is the fact that the government is not telling the people who are wanting to install these public utilities called gas pipelines or underground fibre optic cables, and so on, that they cannot go into the quarantine area digging trenches and carrying their dirt from paddock to paddock and property to property at the risk of spreading the damn thing. It is simply unnecessary to go through the region in the first place.

It ought to be a requirement of everybody who seeks to construct such infrastructure that they avoid the quarantine area. That is what farmers must do. They cannot shift their machinery around their farms even, without even decontaminating it, if they have broomrape in one paddock and not the other, leave alone take the machinery and/or their farm truck or vehicle out on the road and drive it to town. You can imagine the difficulty that imposes not just on the farmer but also on his spouse and their children, and anyone who wants to visit them at their own home, because they run the risk of taking broomrape seeds off the property. That imposes an enormous stress socially on those people so adversely affected.

The least the minister could do—if he had a bloke who had half a wit to advise him to do it—is simply tell these people who are digging trenches and wanting to put in fibre optic cables, pipelines or whatever, 'Dont go here!' and stop the unpleasant confrontation that is resulting in consequence.

Indeed, members of the staff in the Department of Primary Industries need to be given greater authority to make that plain, bald statement about what the quarantine area means so that we do not have what I have just referred to arising, where I am being told by farmers who do not have broomrape now, 'If anyone attempts to come on my property with machinery, I will take a gun to him.' That is how strongly they feel about it. They do not want their livelihood, their families and their lives destroyed. Is it any wonder? I do not think anyone of us would, either.

GRAFFITI CONTROL BILL

The Legislative Council agreed to the amendments made by the House of Assembly without any amendment.

FREE PRESBYTERIAN CHURCH (VESTING OF PROPERTY) BILL

The Legislative Council agreed to the amendment made by the House of Assembly without any amendment.

VOLUNTEERS PROTECTION BILL

The Hon. I.F. EVANS (Minister for Environment and Heritage) obtained leave and introduced a bill for an act to protect volunteers in the community from personal liability; and for other purposes. Read a first time.

The Hon. I.F. EVANS: 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.

In 1999, the State Government sponsored a Volunteer Summit and Forum in Adelaide to identify the needs of the volunteer community. Over 350 volunteers participated in this process and the results from that meeting have since shaped the Government's volunteer policies and programs.

Of particular concern to volunteers is a very real and increasing fear that volunteers face potential liability in carrying out their community work. The volunteer community believes that the willingness of volunteers to offer their services to organisations is deterred by the perception they may be held to be personally liable for actions arising out of their services rendered to a voluntary or community organisation; that is, because of concerns about personal liability, volunteers are withdrawing from services in all capacities.

The *Volunteers Protection Bill 2001* represents the culmination of 16 months of investigating a solution that provides protection to individual volunteers from possible liability.

Globally, the threat of legal liability discourages people from offering their services in a voluntary capacity. As a result, voluntary organisations struggle to recruit and retain sufficient human resources; existing volunteers carry the burden of fulfilling increasing demands. National leaders around the world have been discussing this issue for some time. In fact, parliamentarians from the Council of Europe's 41 member states recently adopted a recommendation urging governments to remove those legal obstacles that hinder people from engaging in voluntary roles.

To direct the Government's response to this issue, a thorough global investigation of current mechanisms that provide this type of protection to volunteers was driven by a whole of Government working party.

This investigation showed that there are, currently, no such mechanisms in Australia from which to draw. Consequently, the investigation turned to international sources and, in particular, to the U.S.A. During June 2001, 2 representatives travelled to the U.S. to research further the American Federal and State legislation that protects volunteers against personal liability. Meetings were held with key legislators, lawyers, peak community and voluntary organisations, and representatives from Federal and State Government departments—key people who had worked on the development and implementation of the American Federal volunteer protection legislation.

In March 2001, a discussion paper detailing the proposed legislation was released for public comment. Over 6 000 papers were distributed for comment and over 20 public forums were held in 14 regional centres across the State.

As a result of the community consultation, 84% of formal respondents agreed with the proposed model for protection. No opposition to the principal of protection was voiced. In response to the community's feedback, and from observations of the American experience, this Bill will immune individual volunteers from personal liability; that is, individuals involved as a volunteer for an incorporated body that directs or co-ordinates the carrying out of community work will not be held personally liable for an act or omission done or made in good faith while carrying out the community work. Liability will, instead, rest with the incorporated body.

The Government recognises that over 400 000 South Australians provide essential and necessary voluntary services to all communities. It is intended by this Bill to reduce the liability exposure and potential costs of litigation to volunteers in order to encourage and support voluntary services in our communities.

The purposes of the Bill are set out in the preamble to the Bill. The preamble is couched in the following terms:

1. The Parliament recognises that volunteers make a major contribution to the South Australian community and seeks to foster and encourage volunteering in the community by all possible means.
2. The Parliament recognises, however, that a major disincentive to volunteering is the prospect of incurring—
 - (a) serious personal liability for damages; and
 - (b) legal costs in proceedings for negligence.
3. The Parliament seeks to achieve a reasonable and expedient balance between the need to protect volunteers against personal liability and the interests of those who suffer injury, loss or damage in the following ways:
 - (a) by limiting the personal liability for negligence of a volunteer who works for a community organisation and transferring the liability that would apart from this Act attach to the volunteer to the community organisation;
 - (b) by limiting the right to bring proceedings against the volunteer personally and hence reducing the risk to a volunteer of incurring legal costs as a result of the voluntary work.

To further support the volunteer community in understanding this Bill, a comprehensive, free, risk management campaign for the volunteer community will be an integral part of the implementation of this Bill.

I commend the bill to the House.

Explanation of clauses

Preamble

The purposes of the Bill are set out in the preamble to the Bill as follows:

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3. The Parliament seeks to achieve a reasonable and expedient balance between the need to protect volunteers against personal liability and the interests of those who suffer injury, loss or damage in the following ways:
 - (a) by limiting the personal liability for negligence of a volunteer who works for a community organisation and transferring the liability that would apart from this Act attach to the volunteer to the community organisation;
 - (b) by limiting the right to bring proceedings against the volunteer personally and hence reducing the risk to a volunteer of incurring legal costs as a result of the voluntary work.

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Interpretation

This clause contains definitions of terms used for the purposes of this measure. In particular, a community organisation is defined as a

body corporate that directs or co-ordinates the carrying out of community work by volunteers. This definition specifically includes the Crown as a community organisation.

Community work means work for any one or more of the following purposes:

- for a religious, educational, charitable or benevolent purpose;
- for promoting or encouraging literature, science or the arts;
- for looking after, or providing medical treatment or attention for, people who need care because of a physical or mental disability or condition;
- for sport, recreation or amusement;
- for conserving resources or protecting the natural environment from harm;
- for preserving historical or cultural heritage;
- for a political purpose;
- for protecting or promoting the common interests of the community generally or a particular section of the community.

Other work may, by regulation, be classified as community work, or excluded from community work, for the purposes of this measure.

A volunteer is a person who carries out community work on a voluntary basis and a person works on a voluntary basis if the person—

- receives no remuneration for the work; or
- is remunerated for the work (but within limits fixed by regulation for the purposes of this particular definition).

A person who carries out community work under the order of a court or a condition of a bond is not to be regarded as working on a voluntary basis.

Clause 4: Protection from liability

Subject to the following exceptions, a volunteer incurs no personal civil liability for an act or omission done or made in good faith and without recklessness in the course of carrying out community work for a community organisation.

The exceptions are as follows:

1. The immunity does not extend to a liability that falls within the ambit of a scheme of compulsory third-party motor vehicle insurance or a liability for defamation.
2. The immunity does not operate if the volunteer's ability to carry out the work properly was, at the relevant time, significantly impaired by a recreational drug (as defined in clause 3).
3. The immunity does not operate, in the case of a volunteer who works for a community organisation, if—
 - (a) the volunteer was acting, and knew or ought to have known that he or she was acting, outside the scope of the activities authorised by the community organisation; or
 - (b) the volunteer was acting, and knew or ought to have known that he or she was acting, contrary to instructions given by the community organisation.

Clause 5: Application of doctrine of 'respondeat superior' to volunteers

If a volunteer works for a community organisation, a liability that would, but for this Act, attach to the volunteer attaches instead to the community organisation.

A person (the injured person) who suffers injury, loss or damage as a result of the act or omission of a volunteer may not sue the volunteer personally unless—

- it is clear from the circumstances of the case that the immunity conferred by this measure does not extend to the case; or
- the injured person brings an action in the first instance against the community organisation but the community organisation then disputes, in a defence filed to the action, that it is liable for the act or omission of the volunteer.

Clause 6: Regulations

The Governor may make regulations for the purposes of this measure.

Mr ATKINSON secured the adjournment of the debate.

**STATUTES AMENDMENT (CONSUMER AFFAIRS)
BILL**

Adjourned debate on second reading.

(Continued from 27 September. Page 2315.)

Mr ATKINSON (Spence): A national competition policy review of the Second-hand Vehicle Dealers Act laboured

mightily to bring forth one modest recommendation. The review decided that the ban on persons convicted of an offence of dishonesty was too wide reaching. The bill proposes to change this to a ban on a person who has been convicted of an indictable offence of dishonesty or who has, within the 10 years before applying for the licence, been convicted of a summary offence of dishonesty.

The bill also enables the Office of Consumer and Business Affairs to fulfil its wish to include a photograph of all licensees on occupational licence cards. All new applicants for licences or registration will need to pose for a high security digital photograph at one of 18 locations around the state. These have already been introduced on a voluntary basis. New applicants will also have to provide suitable identification evidence. The photograph will have to be renewed every 10 years. The bill does not require a photograph of conveyancers, land agents, travel agents or second-hand motor vehicle dealers, and perhaps if he wishes to avoid a committee stage the Deputy Premier might explain to the House why those vocations are not included.

Although occupational licensing acts require applicants for a licence to provide the commissioner with certain information, applicants have not been under a formal legislative obligation. The bill introduces such an obligation so that the requirement for identification would be on a par with that for a driving licence or firearms licence. The commissioner has had a difficulty with applicants providing, say, a police record check and financial information but not another required credential. Some months later the applicant provides the credential but the other information is out of date. The bill provides that, if the commissioner sends a notice to the applicant asking for relevant information and the applicant does not supply it, within 28 days the commissioner may suspend the application and indeed keep the application fee. The commissioner may allow the applicant more than 28 days to supply this information.

If the applicant owes any money under the relevant act, namely, licence fees, registration fees or a default penalty, the Commissioner for Consumer Affairs may require the applicant to pay the outstanding money before the application is processed. The opposition supports the bill.

Mr CLARKE (Ross Smith): I would like to make a number of points around the general issue of consumer affairs which I would not mind teasing out with the minister, perhaps in committee later. The concerns that have come to my attention with respect to the legislation handled by the Minister for Consumer Affairs involve many areas. One example deals with the building industry. I can think of one occasion in particular when the son of a constituent of mine did some damage to a building while driving her motor vehicle. This warranted some repair work being undertaken on the veranda post that had been knocked down, for which she believed she was excessively charged by the insurance company's contractor who had done the repair work.

This woman was on a single parent's income only. She just had a gut feeling that she was being overcharged by the insurance company. She did not have insurance on her car so she had to meet the cost herself on behalf of her son. She needed some advice as to whether or not the work undertaken was fair and reasonable in all the circumstances, and she approached me on it.

I am no builder, but I did have a look at the damage, and I did not believe that the cost that was being charged by the insurance company's contractor—some \$2 000—was

warranted, given the amount of work that I could see on the surface. It seemed to me that he was charging at a rate you would expect if he had rebuilt the pyramids on his own! When I approached the department of consumer affairs, as this lady had done, to seek expert advice from the department in the building area, none was forthcoming, because there is no-one in the department with any building or technical skills able to assist consumers. So, although the Office of Consumer and Business Affairs is there to give advice to consumers, my experience (and I will deal with another concerning second-hand cars in a moment) is that the department does not have the expertise or skill within itself to be able to answer consumer queries with any degree of accuracy.

I do not expect a department to be able to go out and inspect every little nook and cranny of a job or to give definitive answers over the telephone on matters concerning complex building work that they had not seen; obviously, they need to inspect it. But, when you provide them with a list of material that is being used, the costs that are quoted and the hours for which the contractor is seeking payment, you would hope that somebody in consumer affairs actually has some experience and expertise in this area to enable a general answer to be given to the consumer so that he or she can feel more confident in either paying the bill or demanding another look at it, or indeed to take the risk of spending \$200 to \$300 themselves to bring out an independent consultant to act on his or her behalf and give another appraisal. None was forthcoming from the department.

Indeed, after I sent all that information on to the department and they came back to me on it, I asked what was their view on it. In reply, they said, 'We have none; we have no idea. We thought we had someone with a bit of building experience who could have given some advice, but that person has gone.' I think this is all too typical in the consumer affairs department.

The second example concerned a second-hand dealer. A person who lives in Mannum came into my office, but the car yard with which he was dealing is just down the road from high office. In exasperation, he came to my electorate office seeking some assistance. He had bought this car from a car yard in my electorate. It was under warranty and there was no argument about that, but the car had broken down. He was resident in Mannum, and he paid all the expenses to bring that car under tow from Mannum to Adelaide to be repaired at this car yard. The car yard said, 'Yes, we will do it,' and 11 weeks later they still had not done it. He had incurred the expense of having to hire a car for several days. There is no public transport in Mannum to enable him to go about his normal business; and he had taxi expenses and a variety of other expenses. He had contacted the department of consumer affairs and asked whether there was a time limit within which these second-hand car dealers are to repair their vehicles under warranty. The answer the constituent got was that, no, there was no time limit. He came to me about it. I thought that was a bit odd, and I telephoned consumer affairs and asked the same question. I got the same answer: 'No, there is no time limit.' So I checked the act, and whilst there is no time limit in the sense of seven days, 14 days or whatever, it does say under section 24(2)(a) of the principal act:

Enforcement of Duty to Repair.

If the purchaser delivers the vehicle to the dealer as required under this section, but the dealer refuses to discharge the duty to repair or fails to discharge the duty to repair the defect expeditiously. . . the purchaser may apply to the commissioner for a conference

to be convened under this section for the purpose of attempting to resolve the matter by conciliation—

And, if the matter cannot be determined by conciliation, or if the commissioner determines that it is not appropriate to convene a conference, then the purchaser may apply to the Magistrates Court for relief. None of that was explained either to me or to the consumer. Whether it was the same or separate officers within the department with whom both the consumer and I had spoken on separate occasions, we got the same answer, which was that there was no time limit under the act. No explanation was given to the consumer that it was their right to have it repaired expeditiously, and if it was not dealt with expeditiously, a procedure was in place that could be followed.

How many other people are getting incorrect advice from Consumer Affairs officers who are untrained in it, or how many members of the general public have had drawn to their attention the powers of the act under which they operate? I was able to settle the matter by telephoning the car yard concerned, speaking with the owner and asking what time would be convenient for me to present myself at the car yard the following day, with four television cameras in tow, giving a press conference as to why the law should be toughened with respect to secondhand car dealers. The car was on the hoist within 24 hours and was being looked at, but it still took a further 10 days for it to be done. So it took approximately 12 weeks.

I will be contacting this particular consumer and asking him to detail all his costs and we will go through the process, if necessary, of suing the car yard in the Magistrates Court for the unnecessary costs incurred, including the costs of having the vehicle towed from Mannum to Adelaide. I think there are certain fundamental things that the Department of Consumer Affairs officers should know and be able to advise consumers about. It was just fortunate that this particular person, who was frustrated with what was happening to him, knew of me, and that my office was within close proximity to where the car yard was after he left it in his rage and frustration. He came to see me, and it was fortunate that I was in the office at the very moment he walked in.

Some of the matters could be expedited under the act. I think the act is a little convoluted in the sense that we have now bypassed all of the procedures that are set out in section 24, and it seems to me that it ought to be a simple matter for the person concerned to be able to go straight to the Magistrates Court to seek redress rather than having the commissioner to convene a conference and go forward from there. I would like to see the department itself actually initiate more prosecutions in this area—

Ms Thompson interjecting:

Mr CLARKE: That is a very good interjection by the member for Reynell who, when I said 'more prosecutions', said, 'More? They would have to do some.' That also is a point I would like to raise in the committee stage. What has been the level of activity by this Department of Consumer Affairs in enforcing our consumer legislation because, like the member for Reynell, I fear it has been very little over the last several years.

People are missing out on their rights because of wrong or incorrect information being given to them over the telephone, and there is an attitude of, basically, 'We are here only to give advice, not to enforce any of our state legislation with respect to this area.' This would be true in a whole range of areas, including occupational health and safety and, while

we have this bill before us, it is a good opportunity to ask a number of questions of the minister and try to obtain some answers that may be a bit broader than simply the bill that is currently before us. I look forward to the committee stage.

Mr MEIER (Goyder): I was interested to hear the member for Ross Smith's comments. They brought to mind a couple of examples that I have had referred to me in the past 12 months. The first concerns a young gentleman at Maitland who was taken in by a used car company in Adelaide and ended up buying a vehicle that he thought was in reasonable condition. However, when he looked at the paperwork and compared the engine number of the vehicle that he had, and I think also the chassis number, he found that they did not match up. He also found that the motor was not working properly. He therefore took the matter to consumer affairs and said he believed that he could get out of that transaction because the numbers did not match up with those of his vehicle and the paperwork that he was given. However, after consumer affairs' employees had looked at the matter for some time, they said that, although there were some anomalies, it still did not constitute a situation where the gentleman could return the vehicle, so he was stuck with it. It has cost him a lot of money to have that motor done up—I believe the used car people did it—and, similar, to the member for Ross Smith's story, it took many weeks, if not months, to have the repairs undertaken. That is totally unsatisfactory.

A second example was brought to my attention, again from constituents in my electorate who had given their son the family car some months earlier when he began work in Adelaide. It was an older model car, and it was still in the father's name. After visiting a used car lot, the son decided that he liked the look of a particular Holden Commodore, and he went to see if he could trade in what had been the family's car but now was legitimately his, on this Holden Commodore. There were no problems; the employees of the car yard were happy to take the trade. However, when they found out that the car was registered in the father's name, they said, 'We cannot accept this as a trade-in; it is not in your name.' The lad was a little disappointed, but they soon overcame that: they knocked \$2 000 off the price of the car. They said, 'Without a trade-in, we can do a better deal with you on this one.' The lad then said, 'I do not have a deposit,' because the car was to be the deposit for the better part of \$2 000. They said, 'We can arrange finance for you,' and they then arranged finance.

The lad (who I think was 19 years of age) signed the documents. He was to pay off this car over five years, I believe (I do not think it was six). When the father heard about it, he literally went through the roof and said, 'You have really been taken for a ride: first, you paid far too much for the second-hand vehicle; and, secondly, you cannot afford to pay off this car.' The father went to the used car dealer and said, 'My son cannot afford that sort of money,' and they said, 'The finance company is happy to take it there.' I think the interest rate worked out in excess of 20 per cent—so they charged him at the very highest rate. I think everyone who has bought cars knows that the used car dealers have a sliding scale and, whilst one can get interest rates of somewhere in the vicinity of 7 or 8 per cent at present, one can also pay in excess of 20 per cent, depending upon what sort of a deal the dealer has done which, in turn, depends upon one's financial status within the network, so to speak.

This lad was really taken for a ride, and the father could see that it would be a burden around his neck for the next five years, so he said to the employees of the used car lot, 'Look, I want you to take the car back. I do not think you have been fair on him. He has no right to seek that loan.' The father was proven wrong, and the only way in which the son could get out of the contract was if the father paid \$500 to the dealer and gave the car back. That is exactly what happened. The father said, 'I will pay the \$500 for you, son, and this has to be a lesson that, hopefully, you will learn from, because it could have been an imposition on you for many years to come.'

I have not been able to take up all those matters with the Minister for Consumer Affairs, but I have certainly taken up the issue of credit that is given to young people—I suppose to anyone, for that matter; they do not have to be young. This motor car was financed subject to the availability of finance being available; it did not say 'subject to the owner being able to obtain credit'. It was literally an open-ended cheque and, therefore, the son was bound by the contract.

Matters such as that need to be addressed. I do not know that that can be accomplished in this current bill, but I hope that the minister and all members will take this on board so that we start to toughen up on these areas where young people are being taken advantage of. There is always the case of buyer beware but, unfortunately, so many people, when they start off, without any assistance or guidance, can be taken in, and we need to have protections which are not unduly restrictive but which, at the same time, create a greater sense of fairness in our community than is currently the case.

The Hon. R.G. KERIN (Deputy Premier): I thank members for their contributions. The member for Spence asked about photographic licences and why certain vocations, namely, conveyancers, land agents, second-hand vehicle dealers and travel agents, were excluded. The policy decision on that matter was made on the basis of the needs that have been identified by complaints from consumers over time, and that mainly involves people who come to a property and want to give quotes or offer to do work. It was identified that those who were included in that category were people such as builders and other trades people who come to a property; that is where the need had been identified by consumers to consumer affairs.

In the case of conveyancers, land agents, second-hand vehicle dealers and travel agents, a need has not been identified by consumers to the department that would warrant putting all those classifications through a photographic system. So, it is based on the recognised need which has come about as a result of complaints that have over time been made to consumer affairs. I hope that satisfies the member for Spence. I thank members for their contributions.

Bill read a second time.

In committee.

Clauses 1 to 3 passed.

Clause 4.

Mr CLARKE: My question to the minister is basically along the lines of what I said in my second reading contribution. What skills does the Department of Consumer and Business Affairs have in terms of giving advice to consumers on whether or not they are being ripped off over building work being performed by various contractors? I cited the example (which I will not repeat unless the minister wants me to) relating to some work that needed to be done on a verandah post. I might add that, when we finally went to the

Minor Civil Actions Court over that matter, the costs of that work were reduced from \$2 200 to \$800 because the contractor had charged his labour costs twice over at extortionate rates.

Within three minutes of the court case proceeding and the contractor giving evidence, the magistrate indicated that the insurance company's representative had better step outside and have a discussion with my constituent as to resolving the matter amicably. As I said, the costs were reduced from \$2 200 to \$800, which is a marked reduction. Not one person with any experience or expertise in the Department of Consumer and Business Affairs when I telephoned (I also forwarded information to the department) was able to give any advice whatsoever to either the consumer or me as to whether, in their opinion on what they had been shown in terms of quotations and the like, they thought the costs were within a ballpark figure.

The concept of their making an on-site inspection was anathema to them because they did not have anyone who knew what they were doing in any event. What is the state of play in terms of the skill and expertise of officers within that department who can give reasonable and accurate advice to consumers upon request?

The Hon. R.G. KERIN: Certainly, I understand the issue raised by the honourable member. The role of the department is more about advising people of their rights on contractual issues, and whatever. Officers of the department do not make on-site judgments in terms of the cost of a particular job. As far as building work is concerned, local government plays a role, as the honourable member would understand. The basic answer to the honourable member's question is that Consumer Affairs does not supply the expertise in terms of double checking or charges.

Mr CLARKE: I understand that to be the case, but when consumers telephone the Department of Consumer and Business Affairs they want to get some understanding of whether or not they are being ripped off on an issue. I can understand some caveats that the department must have, but many of these people are pretty impecunious. If they must hire a consultant they have to chance their arm on spending, perhaps, \$200 or \$300 on getting separate advice. They may do it if they think that they have a reasonable case.

Do I take it from the minister's answer that, in terms of building work, there is virtually no expertise within the department to be able to give some sort of technical advice to consumers? If it is the case that the department does not have anyone with that type of experience or expertise, I find it extraordinarily difficult to understand how the department can act in the defence of consumers if it is simply a referral system.

The Hon. R.G. KERIN: To talk only about building work somewhat simplifies the work that is done by the Office of Consumer and Business Affairs. The department deals with a range of issues, and if, in fact, it were to have the personnel with the expertise to look at all these separate issues it would need a range of people with expertise in areas such as electrical, electronic, consumer goods, wiring of houses, building work and motor cars. Consumers buy so many goods and services. I know that Jan McMahon and others might be happy, because we would need to build a kingdom within the department. Specifically with respect to building matters, unfortunately, to a large extent in this world 'buyer beware' is still very much an issue.

How much a particular job should cost, I think, is an issue of negotiation with the tradesperson concerned. In certain

cases of work in the range of \$200 to \$2 000, people should be very careful to get more than one quote so that they do get a grip on what something will be worth.

Mr CLARKE: The insurance company gave it.

The Hon. R.G. KERIN: Yes. If work goes beyond a certain size, obviously, the consumer should have two quotes or, perhaps, a consultant or someone who might be able to evaluate the quotation, or whatever it is. If the department handled only building matters perhaps it would be possible, but Consumer Affairs deals with such a broad range of issues, and to expect expertise relating to all matters to be resident within the department would be quite an onerous ask on it.

Mr CLARKE: I would not expect the minister to have an answer to my next question readily at hand but, with respect to building work under the building work contractors legislation, could the minister tell me by calendar year how many prosecutions have taken place for breaches of that act since, say, the last election in 1997? Further, is it the department's policy to prosecute companies or contractors for breaches of the act or is it simply to offer advice and service, with the consumer having to meet the cost of any prosecutions of any building contractor who fails to fulfil their statutory obligations?

The Hon. R.G. KERIN: Obviously, I would have to take on notice the first part of the question. With respect to the second part of the question about sanctions or prosecution, the answer is: yes, depending on the seriousness. Of course, any civil action would be up to the consumer, but the case of a builder having done something extremely illegal, or whatever, would be investigated by the department, which in some cases would take legal action.

Clause passed.

Clauses 5 to 17 passed.

Clause 18.

Mr CLARKE: This clause deals with the Second Hand Motor Vehicle Dealers Act. My concern first and foremost, as I said in my second reading contribution, is the inaccurate information that was supplied both to the consumer and to me. I accept that, from time to time, we all make mistakes in terms of giving advice to consumers. What procedures does the department put in place to ensure that those officers in the department who are giving advice to consumers are up to date and very familiar with the legislation so that their advice is an accurate reflection of a consumer's rights and obligations? As I said, on two separate occasions involving the same consumer, he and I were given incorrect advice with respect to the act, and if it had not been per chance by luck that that fellow had come to see me, he would not have realised that he had redress available to him.

The Hon. R.G. KERIN: In response to the honourable member's question, yes there is training. There is also an intranet set up and exercises conducted within the department on the various issues. Importantly, I am advised that when there is a complaint, such as the one the member for Ross Smith has brought forward, that is taken up with the relevant employee, which is important in these cases.

Mr CLARKE: Would the minister be able to provide statistical information on the number of investigations and prosecutions launched by the Department of Consumer Affairs since the commencement of this parliament with respect to breaches of the Second-hand Vehicle Dealers Act 1995? How many complaints have been lodged by consumers? I assume some form of statistical record is kept of the number of complaints lodged with the department under that act since the commencement of this parliament.

The Hon. R.G. KERIN: I will take those questions on notice. There has been a significant program and I will bring those figures back for the honourable member.

Clause passed.

Remaining clauses (19 to 25) and title passed.

Bill read a third time and passed.

ADJOURNMENT DEBATE

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

That the House do now adjourn.

Ms THOMPSON (Reynell): I wish this afternoon to continue the exploration I have been doing recently of some figures relating to the state of employment in South Australia. I do this because I want decisions made in this state about our future to be based on hard evidence. I know that members opposite like to see things with a rosy glow. They like to think that things are really booming in South Australia and that the world is our oyster—and, indeed, I acknowledge that we export many oysters to the world. However, I cannot see how we can make proper decisions on the future of this state if everything is seen through rose coloured glasses. We have to acknowledge our strengths and weaknesses.

The way that members of the government seem to fail to look at where we need to put in the hard yards is really damning South Australia to being the lowest employment state on the mainland, the lowest wage rate state on the mainland and the highest proportion of part-time work state on the mainland. All those things mean that South Australians are not well off. They are the sorts of reasons why our young people leave South Australia when they can see that they can get jobs in Sydney that pay \$80 a week more. We may say that the housing is \$80 a week more too, but they can see their career plans there and cannot see them here.

While the government fails to acknowledge what is going wrong here and fails to look at some of the detail of where the problems are, it will not address our problems. I believe this government is incapable of addressing our problems. One only has to look at the Auditor General's Report to see the number of times he raises the fact that the government cannot manage risk. The biggest risk is that this state not catch up with the rest of Australia. I will now put further figures on record about where the government needs to look and where the opposition is looking and will look in government about how we can improve the situation for the people of our state. I acknowledge at the outset that I draw heavily on figures provided by John Spoehr, the Executive Director of the Centre for Labour Research.

I notice that his figures consistently reflect the figures provided by the federal Department of Workplace Relations and Small Business and the analysis consistently reflects the analysis of Professor Blandy. Of late, Professor Blandy and the Labor Party have agreed on a number of occasions, but if you look over the years this has not been a normal situation. Professor Blandy has been a well known conservative for some time. However, I am not dealing with the analysis but with the facts and figures that can be verified by the Australian Bureau of Statistics, and members opposite only need to pop out to the library to check them. Many of my figures also come from the library.

If we look at what has happened in South Australia over the eight years since this government has been mismanaging our affairs, we see that full-time employment has declined. In the period 1990 to 2000, full-time employment in South

Australia declined by 4.3 per cent, that is, 21 100 jobs. If one looks at the details year by year, this did not happen in the three years that Labor had stewardship. The only other mainland state to experience a decline in full-time employment over this period was Victoria, which lost just 1 000 full-time jobs compared with our 21 000 jobs. Full-time employment grew most strongly in Queensland, Western Australia and New South Wales. There we are talking about growth figures of 17.4 per cent in Queensland, 13 per cent in Western Australia and 7.7 per cent in New South Wales. So the rest of Australia has been growing its full-time jobs while we have been declining by 4.3 per cent. I wonder why our young people leave.

The growth of part-time employment in South Australia has been significant and that is what we keep on hearing, but it has not been as significant as what has happened in other states. In the period 1990-2000 part-time employment in Australia grew by 42 per cent. In South Australia it rose by 24 per cent from around 160 000 jobs to 199 000 part-time jobs. So, when we hear this government talking about what has happened, it only talks about the growth. It does not talk about the fact that our growth was about half that of the rest of Australia. It is no wonder our young people leave.

When we look at the figures for the south, the situation is even more worrying. The southern Adelaide statistical region starts at Mitcham, takes in Glenelg and Brighton, and goes to Victor Harbor. Things are going quite well, I understand, in Mitcham, Glenelg, Brighton and even as far as Happy Valley and Flagstaff Hill. The micro figures of the ABS updates of employment rates each quarter tell us that those areas are doing quite nicely. The problems begin, unfortunately, around Reynella, Morphett Vale, Christie Downs (my electorate) and then in the electorate of Kaurna at Christies Beach, Seaford and Aldinga. Things are not happening there.

But this government does not do anything. It has put in the expressway, which will benefit businesses in Lonsdale and, hopefully, Hackham, but it has denied requests from the City of Onkaparinga for all sorts of economic development assistance which is needed to work with small business to enable it to catch up with the rest of South Australia—poorly as South Australia is doing. Let me tell you why.

In the southern Adelaide statistical region, which includes some prospering areas and some not so prospering, employment has fallen. Full-time employment has fallen since November 1993. At that time 104 400 people were employed on a full-time basis; it is now only 102 900 people. We have even had a fall in the number of people employed part-time, despite the fact that there has been 24 per cent growth in South Australia. In the south, the number of people employed on a part-time basis has fallen from 43 300 in November 1993 to 41 300. In other words, the total of employed people in the south has fallen from 147 700 in November 1993 to 144 200 in November last year, the last full year for which we have figures.

What the Premier would talk about is the fact that the unemployment total has fallen in the south. It has fallen from 14 000 people to 7 600 people. But we have already heard about the fall in employment, so the question is what has happened to the people, and the answer is that they have gone out of the labour force. They cannot see the jobs in the south; they cannot get to the jobs that are around; and they do not have the skills or the qualifications that are needed. TAFE fees are going up and there are not enough places in TAFE for people whose skills do not match those currently required

to get in. They are not able to get enough study units in TAFE to get full social security support.

The number of people in the south not in the labour force has increased from 97 500 in November 1993 to 109 000 in November last year—an increase of 12 000 in the number of people who are now not participating in the labour force in the south; these people are not receiving incomes to support their families or to enable them to contribute to our community life. The participation rate has fallen from 62.4 per cent to 58.2 per cent, the lowest in South Australia other than the Whyalla area, where we know there are dramatic problems.

The member for Mawson thinks I am dreaming these things. He also thinks I am negative. I have said that, unless we look at the reality of the situation, we will not be able to deal with it. The south should be the top priority area for this government, yet all it has given us is an expressway. It will not provide the funds to the City of Onkaparinga to counteract the reduction in Mobil rates. It has argued over that for three years. It needs to address reality.

Time expired.

Mr VENNING (Schubert): I wish to raise a serious matter of concern. I have been accused of acting in an improper manner. Last Wednesday, the channel 7 news contained allegations that I had acted improperly in destroying letters informing me about a misuse of taxpayers' money. The allegations have been raised in other places and questions have been asked, so I wish to put the record straight.

In the 11 years that I have been honoured to be a member of parliament, I have never been accused of being other than honest—as I was last week on channel 7's TV news. Mr Russell Iles of Kapunda and I were interviewed on the news last Wednesday night, and I was totally dumbfounded at the accusations against the Sister Vivian Bullwinkel Committee in Kapunda, the Kapunda community, and me as the local member. Some 18 months ago, I was extremely pleased to assist the committee that wished to commemorate the life of a past resident of Kapunda, Sister Vivian Bullwinkel, a World War Two heroine. The sum of \$2 000 was granted from the Premier's Community Fund (with no strings attached) to assist, the only proviso being the return to the Premier's department of the relevant paperwork to confirm that the money was spent correctly.

Members of this House have made references to that lady and speeches have been made in this place about that ceremony. Everyone paid due recognition to Sister Vivian Bullwinkel. Mr Iles received the cheque from me (in front of the local media) and appeared to be very pleased. I have a picture that was taken at the time—if any member wants to see it. Mr Iles resigned a few weeks later. His reasons for so doing were unknown to me. Six months later (and I emphasise that), Mr Iles wrote to me alleging impropriety of one of his ex-committee members and making allegations that I will not repeat. He also alleged that the money was acquired under false pretences. I did not answer the letter in writing. A telephone call from my assistant assured that I did not have a verbal disagreement with him. My assistant said that there were no false pretences. I said that, if Mr Iles had a gripe with one of his ex-committee members, he should deal with that within his committee. I certainly did not think it was my role to adjudicate in that matter.

A week later, Mr Iles wrote another letter castigating me for not answering his letter in writing and casting aspersions against my character. I let it be, but I wrote to the secretary

of the committee advising that, as far as I was concerned, it was all okay; that I had contacted the Premier's department and reported the accusation; and that there was no problem, particularly as the whole commemoration ceremony had passed and it was an outstanding event, with the Governor officiating and Ita Buttrose compering. I finished off my letter by congratulating the committee. The letter also stated:

... in relation to the personal allegations toward the committee member, that the matter was closed as I had removed the letters from my office—

And I had destroyed them. The copies had been sent to the Premier's department. That was the end of the matter—or so I thought. That last letter to the secretary was delivered to channel 7 a week ago, and it was certainly selectively quoted from.

While I was chairing the Environment, Resources and Development Committee last Wednesday, I was confronted by a channel 7 TV camera. I was totally unaware of Mr Iles' allegations that I had destroyed letters because they were evidence that the Vivian Bullwinkel Committee had acquired money from the Premier's department under false pretences, that is, a dishonest act. It was quite distressing, especially when it was bounced upon me. The camera was there for 10 minutes, with the lights turned on, taking photographs of my chairing the committee, and I was wondering what was going on. When the meeting was over, I walked to the rear of the hall and was told, 'We have a copy of the letter. . . ' Part of that footage was used; it was cut in halves.

I told Mike Smithson, the reporter, the exact position. I told him that I had destroyed the letter to avoid any hurt or court action between those people in relation to Mr Iles' personal reflection on the other committee member, not for any other reason. But Mr Smithson ran Mr Iles' story anyway. The allegation was that the money was paid to the committee on the proviso that there were matching funds in the account—and that is totally false. There were no such conditions on the receiving of the \$2 000 cheque. If there were, why did Mr Iles accept the cheque from me with a smile on his face in front of the local media cameras? For the record, there was \$2 000 or more in the account at the time, as a donation from a local business, and I have that documentation with me. In total the committee raised \$13 213.62 towards the commemorative plaque and ceremony, and finished with a surplus of \$2 015, which was donated to the local hospital and the war memorial gardens refurbishment.

As a member of parliament, I suppose I am expected to take a slur such as this, but I totally resent the slur against the memory of Sister Vivienne Bullwinkel, the committee who did such a great job in commemorating her memory, and the Kapunda community itself. Why did Mr Iles not raise the matter before accepting the cheque? Why did he wait six months before writing to me? Why was the matter raised last week, 10 months after the letter was written and a few days after the dedication (again, by the Governor, Sir Eric Neal, and compered by Ita Buttrose) of the refurbished Kapunda War Memorial Gardens, another very successful Kapunda milestone?

Why is one person causing so much angst in a small community and destroying the good work of others? I have always tried to play the game as I see it: be fair, be available and be helpful where I can. In my 11 years in this job, this issue has been the most scandalous and unfair, not only to me but to the Kapunda community, and I am pleased to be able to put the record straight.

I wonder whether this has anything to do with Mr Iles' standing as an Independent candidate at the next election. Well, again, he has certainly got it wrong. The whole Kapunda community is unified behind the Vivienne Bullwinkle committee, as indeed I am. I wish to congratulate Mr Ron Tuckwell, the chairman of the committee, and the Sister Vivienne Bullwinkle Committee for having the initiative to commemorate the life of this great Australian who used to live in Kapunda, and also for conducting a wonderful commemorative and plaque unveiling ceremony.

I would like further to congratulate the Kapunda Memorial Gardens Committee, including Mrs Olive Weston, its president, and Mr Charles Smyth, its director, for a fantastic war memorial that was rededicated last week, particularly recognising our valiant war nurses. It is a beautiful memorial and a fitting focus to the service of all Australian war nurses. Held on 23 September, the ceremony was attended by the State Governor (Sir Eric Neal) and compered by Ita Buttrose.

There was a marvellous attendance of many decorated Second World War nurses from all over Australia, including

Nancy Wake, who, for those who do not know, was known as the 'white mouse', being the Gestapo's most wanted woman in the Second World War. Also in attendance was Olive Weston, Vivienne Holmes and many others. It is a credit to both the Kapunda community and the Light council which contributed many resources.

Nurses from all over Australia are visiting Kapunda to see and pay tribute to not only the war memorial gardens but also the Sister Vivienne Bullwinkle memorial plaque. I say 'Well done, Kapunda.' We will get over this blip, and I am confident that the community will go on achieving things together. It is a great town with a great history, good spirit and good people. Why does one person want to cloud this enthusiasm? I hope that he has received the message and will decide to pull the rope along with everybody else. I am pleased to be associated with the people of Kapunda.

Motion carried.

At 4.43 p.m. the House adjourned until Wednesday 3 October at 2 p.m.