HOUSE OF ASSEMBLY

Tuesday 29 April 2003

The DEPUTY SPEAKER (Hon. R.B. Such) took the chair at 2 p.m. and read prayers.

ELECTRICITY (PRICING ORDER) AMENDMENT BILL

Her Excellency the Governor, by message, assented to the bill.

PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. K.O. Foley)—

Regulations under the following Acts—
Parliamentary Superannuation—Prescribed Offices
Southern State Superannuation—Enterprise Agreements
Superannuation—Enterprise Agreements

By the Attorney-General (Hon. M.J. Atkinson)—

Classification of Films and Computer Games Guidelines
Rules of Court—
Supreme Court—Format Change

By the Minister for Consumer Affairs (Hon. M.J. Atkinson)—

Regulations under the following Acts—
Liquor Licensing—Long Term Dry Areas—City of Onkaparinga
Recreational Services (Limitation of Liability)—Code Requirements

By the Minister for Health (Hon. L. Stevens)—

South Australian Council on Reproductive Technology for 2000
Regulations under the following Acts—
Controlled Substances—New Prohibited Substances
Occupational Therapists—Fees

By the Minister for Education and Children's Services (Hon. P.L. White)—

Teachers Registration Board of South Australia for the Year Ended 31 December 2002

By the Minister for Environment and Conservation (Hon. J.D. Hill)—

Environment Protection Act 1993

By the Minister for Transport (Hon. M.J. Wright)—

Regulations under the following Act—
Metropolitan Adelaide Road Widening Plan—Application for Consent

By the Minister for Industrial Relations (Hon. M.J. Wright)—

Regulations under the following Act—
Shop Trading Hours—Hardware and Building Materials

By the Minister for Tourism (Hon. J.D. Lomax-Smith)—

Regulations under the following Act—
Fisheries—Marine Scalefish

By the Minister for Employment, Training and Further Education (Hon. J.D. Lomax-Smith)—

Vocational Education, Employment and Training Board Annual Report 2002

By the Minister for Local Government (Hon. R.J. McEwen)—

Rules—
Local Government—Superannuation Scheme—Payment.

ECONOMIC GROWTH SUMMIT

The Hon. M.D. RANN (Premier): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.D. RANN: It is just over two weeks since 280 South Australians sat in this chamber to discuss the economic future of our state, and they came from a wide variety of backgrounds and interests: business people, community organisations, farmers, trade union leaders, arts groups, environmentalists, sports bodies, regional leaders, innovators, exporters and politicians of various persuasions. They met in a positive, constructive atmosphere over a day and a half to debate the draft economic plan put forward by the Economic Development Board. I asked delegates at the conference to challenge the government's thinking, to stimulate debate and discussion about new ideas, and to provide us with an action plan.

Today I want to inform the house about where we go now. The Economic Development Board is finalising the economic plan and will present it to government next month. Its final recommendations will then be considered in detail. However, work has already begun on some of the recommendations such as the review of government boards and committees. Warren McCann, the Chief Executive of the Department of Premier and Cabinet, will head the team which will oversee implementation of the recommendations accepted by government. Announcements will be made in the coming weeks and months about progress on the implementation of recommendations. After each recommendation is considered, endorsed or funded, I will inform every delegate personally, as well as making announcements publicly.

I have also asked all the conference delegates to return exactly one year from the end of the summit, on 12 April next year, to tell us what they have done and to allow the government to explain what it has done in terms of enacting the plan, which is about, of course, where we want to be economically by the year 2013. This is a partnership. It is not just about government action: it is also about business and community action.

I have also established my own set of targets for the state, and they can be achieved if all sections of the community work together. I want the partnership to achieve these goals: a near trebling of South Australia's overseas export income from $9.1 billion to $25 billion by 2013; $5 billion in wine industry sales by 2010; at least a doubling of the size of Roxby Downs by Western Mining—

Members interjecting:

The Hon. M.D. RANN: I would have thought—

The DEPUTY SPEAKER: Order! The member for Davenport can restrain himself. The Premier has the call.

The Hon. M.D. RANN: I would have thought that members opposite would support Western Mining at Roxby Downs and Olympic Dam. Quite frankly—

Members interjecting:

The Hon. M.D. RANN: —it beggars belief—

The DEPUTY SPEAKER: Order, the Premier!

The Hon. M.D. RANN: —for them to make this kind of attack on one of our most—

The DEPUTY SPEAKER: Order! The Premier will resume his seat. The Premier will not goad the opposition. He will simply make his statement.

The Hon. M.D. RANN: Thank you, sir. Pre-eminence for Port Adelaide as the centre of the nation's naval shipbuilding—

The DEPUTY SPEAKER: Order! The member for Bright has a point of order.

The Hon. W.A. MATTHEW: I rise on a point of order, Mr Deputy Speaker. Prior to your sitting the Premier down, he said that the opposition was attacking Western Mining. I ask the Premier to withdraw that. He knows that not to be the case. The only person who is attacking—

The DEPUTY SPEAKER: Order! That is not a point of order, but the Premier should read his ministerial statement—

The Hon. M.D. RANN: I just noticed that when I mentioned our goal of at least doubling the size of Roxby Downs by Western Mining there were howls of abuse from members opposite. I try not to respond to individual taunting. I continue with the list of my targets for the state: pre-eminence for Port Adelaide as the centre of the nation's naval shipbuilding worth more than $12 billion over the next 15 years; a continued 20 per cent annual growth in the electronics industry over the next 10 years; more than $15 billion in food industry sales by 2010; and new export markets abroad for our car industry to underpin jobs growth at home.

The summit delegates, who were a lot better behaved than members of the opposition today (and I point out to opposition members that there are school students in the gallery), recognised the need to grow this state's economy. They recognised that we are going to have to do things differently to make that happen. That is why their communique insisted that change is the only option. The delegates listed nine key priorities: increasing population; promoting export capability; linking economic and social development in an equitable way; creating a sustainable environment; invigorating education; streamlining the processes of government; funding infrastructure maintenance and development; obtaining finance for economic growth; and building on South Australia's research and its innovative and risk-taking spirit.

Mr Speaker, the word 'spirit' is important for members of this house. I am sure that you, sir, and other members who attended the summit would agree that the delegates were quite explicit in what they want from their elected representatives: they expect and demand a spirit of bipartisan cooperation regarding the state's future.

I thank the Leader of the Opposition and all members for their enthusiastic support of the Economic Development Board and the summit. I am sure that I can continue to count on their cooperation as we embark on this great endeavour. Members will be encouraged to learn that the Economic Development Board will continue to work closely with the government to ensure that prompt action is taken on their economic plan.

I would also like to place on the record my appreciation for the Chair of the Economic Development Board, Robert Champion De Crespigny; board member, Cheryl Bart for her leading role during the summit; other board members for their outstanding work; summit chairs, Bob Hawke and Ian Sinclair; and summit delegates and the many organisers and staffers involved in making the summit such an outstanding success.

The summit has fired a starting pistol in the race to shape and change for the better our state's future, but the hard part, the responsibility for implementation, now falls to the rest of us: business, government, the opposition and the wider community. The prize is a more prosperous future for South Australia with the opportunities and social justice we all want for ourselves and our children. We cannot—must not—fail them.

PAN PHARMACEUTICALS

The Hon. L. STEVENS (Minister for Health): I seek leave to make a ministerial statement.

Leave granted.

The Hon. L. STEVENS: The sale of pharmaceutical products in Australia is regulated by the Therapeutic Goods Administration, a division of the commonwealth Department of Health and Ageing. Yesterday, it was announced that the Therapeutic Goods Administration had audited Pan Pharmaceuticals, Australia's largest contract manufacturer of complementary medicines such as herbal, vitamin, mineral and nutritional substances. This audit revealed serious deficiencies in compliance with the Code of Good Manufacturing Practice for Therapeutic Goods and, as a result, the Therapeutic Goods Administration has decided to suspend the manufacturing licence of Pan Pharmaceuticals for a period of six months. As a consequence, all their products are automatically removed from the Australian Register of Therapeutic Goods and must be recalled. Products made by Pan Pharmaceuticals for other companies will also be recalled.

Most complementary medicines are sold through pharmacies, supermarkets and health food stores and, for many recalled products, alternative brands will be available. Further information on the recall is available by ringing the TGA hotline on 1800 220 007 or at the TGA's web site www.tga.health.gov.au. Obviously, this recall will affect many South Australian consumers. A consumer can dispose of an item that is the subject of a recall or choose to take the product back to the place of purchase for disposal. Undoubtedly, one issue that will arise is that of a consumer's right to a refund.

On advice from my colleague the Minister for Consumer Affairs, the consumer's right for a refund is a right against the retailer; therefore, the consumer may be required to prove to the retailer that the item is not fit for the purpose for which it was sold and that the consumer bought the item from that particular retailer. The right to a refund on the basis that a product is not fit for its purpose is contained in the Fair Trading Act 1987 and the Trade Practices Act. Retailers' responses to the refund issue will become clearer over the next few days and will be monitored by the Office of Consumer and Business Affairs.

QUESTION TIME

WORKCOVER

The Hon. R.G. KERIN (Leader of the Opposition): Is the Minister for Industrial Relations aware that the decline in the WorkCover Corporation system health index for the March quarter is mainly attributed to an increase in claims costs?

The Hon. M.J. WRIGHT (Minister for Industrial Relations): I thank the Leader of the Opposition for his question—

The Hon. K.O. Foley interjecting:

The DEPUTY SPEAKER: Order! The Deputy Premier is not responsible for WorkCover.

The Hon. M.J. WRIGHT: It is far too late for opposition members to cry crocodile tears over WorkCover. They know full well whose responsibility it is for the current climate that we are in. They know full well that the role of the former Liberal government is really at the epicentre of the current situation that we are in. The Liberal Opposition wants to ignore the fact that WorkCover has publicly said that its unfunded liability could have been understated by as much as $100 million when it made its levy rate decisions—liabilities that were as much as $100 million more than the figures that were tabled in parliament by the former Liberal government. That is the real story here: liabilities understated by as much as $100 million. Of course, the next chapter in the story is WorkCover's giving away $135 million through the rebate and the reduction in the average levy rate. And when did it do that? It did it when this mob was in government. The former premier—

Mr BRINDAL: Sir, I rise on a point of order.

The DEPUTY SPEAKER: Before taking the point of order, the house needs to settle down. People have had a break for a few days, and they should be in a fairly calm and relaxed state.

Mr BRINDAL: Standing order 98 requires that, when a minister or other member replies, they must reply to the substance of the question and not debate the matter. I ask whether the minister is debating the matter or whether he is, in fact, answering it.

An honourable member interjecting:

The DEPUTY SPEAKER: Order! It is hard to hear the answer and to know whether or not it is relevant. If the house listens, we might all hear the answer and know whether or not it is relevant.

The Hon. M.J. WRIGHT: The former premier and the then minister for government enterprises wrote to employers and took the credit. They said that 'their government established a WorkCover levy rebate policy' and that they had 'managed the scheme into a solid financial position'. This was nothing more than an election stunt undertaken by the previous Liberal government in the lead-up to the last election. They have their fingerprints all over this, and they well and truly know it.

The Hon. D.C. KOTZ: Sir, I rise on a point of order. The point of order is exactly the same as previously. This is not the substance of the question, which related to claim costs currently.

The DEPUTY SPEAKER: The minister has some discretion, but his answer must be relevant to the general question.

SARS

Ms CICCARELLO (Norwood): My question is directed to the Minister for Health. How many people worldwide have been affected by severe acute respiratory virus (SARS) and what quarantine powers exist to protect the South Australian community?

An honourable member interjecting:

The DEPUTY SPEAKER: Order! This is a very important issue.

The Hon. L. STEVENS (Minister for Health): I thank the honourable member for this very important question. This is a very serious matter, and I can assure the house that we are taking every precaution to keep South Australia SARS safe. So far, worldwide, there has been a total of just over 5 000 probable cases of SARS and 321 deaths recorded in 26 countries. Four probable cases have been reported to the World Health Organisation from Australia, one from New South Wales and three from Victoria. The case from New South Wales was later determined to have influenza, and the three cases from Victoria were Canadian children, who have recovered. In Australia there is currently one case under investigation in New South Wales and, as reported in the media, there were two suspect cases here in South Australia. I am informed today that one of those people has been discharged from hospital and the other person is improving.

The task of keeping SARS out of Australia is being coordinated on a national basis and we are in daily contact with health officials from the commonwealth and other states and territories. In South Australia our hospitals and health professionals are on full alert checking for any signs of SARS. Our infection control staff are highly trained and well supported. The commonwealth has briefed all general practitioners on SARS. In addition to international arrangements requiring departure and in-flight checks for incoming international passengers, we have nursing staff at the Adelaide International Airport to check passengers and provide advice.

In South Australia, three medical officers in the Communicable Diseases Control Branch of the Department of Human Services are authorised to use wide powers under the commonwealth Quarantine Act to control the movement of any person who might be infected and who is at risk of infecting others. Under these powers any person who does not cooperate may and will be detained.

In relation to security at workplaces, the commonwealth Chief Medical Officer has issued Australian Infection Control Guidelines for SARS. These guidelines set out precautions for any traveller returning to Australia who has visited a SARS area or had contact with a SARS case. The Commissioner for Public Employment has written to the chief executives of all government departments providing guidelines for the workplace and has also conveyed this advice to the Secretary of the Public Service Association.

There is one encouraging sign in that the World Health Organisation is today removing Vietnam from the list of countries with SARS. Vietnam had reported 63 cases of SARS and eight deaths prior to 8 April 2003. The World Health Organisation has announced that Vietnam has stopped the outbreak within its borders and it becomes the first country to be removed from the list of countries with local transmission.

WORKCOVER

The Hon. R.G. KERIN (Leader of the Opposition): My question is again directed to the Minister for Industrial Relations. With the benefit of 24 hours to consider his response to be briefed by staff, does the minister now remember influencing any decisions or recommendations relating to the WorkCover Corporation's financial performance, particularly in relation to the management of claims by two insurance companies? The opposition has been told that the minister has exercised political influence over recommendations relating to claims management aimed at reducing claims costs, which have now increased significantly, and identified in briefings from WorkCover as the major cause of the problems in the last three months.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. M.J. WRIGHT (Minister for Industrial Relations): That advice from WorkCover is simply incorrect, and well you know it, because you know, just like we know, that the three main reasons for the increase in the unfunded liability, the reason it has deteriorated, are: first, because of the rebate and reduction in the average levy rate that was provided by your government, the previous government; secondly, there was the reassessment of WorkCover's liabilities, which I spoke about in my earlier answer; and also there were the poor investment outcomes. If you have any specific information that you wish to provide about me interfering with the WorkCover board, please provide it, because to the best of my knowledge that has not taken place. On the advice that I received, on checking from your question yesterday, we do not have specific recommendations before us about the claims management. But if you have information that you wish to bring forward, please bring it forward and let us have a look at it. In checking with WorkCover, they have said that they have not provided advice of that nature. I understand that when the media checked with WorkCover they were provided with the same advice. If the opposition has specific information—

An honourable member interjecting:

The Hon. M.J. WRIGHT: Well, I am answering the question. If the honourable member has specific information about my interfering in respect of claims management, please bring it forward.

An honourable member interjecting:

The Hon. M.J. WRIGHT: Sure, ask your next question. To the best of my knowledge I have not interfered with a WorkCover board decision in respect of that. The WorkCover board does not need my permission to do things. If the honourable member has specific information, please bring it forward.

HOUSING, SUPPORTED

Ms BEDFORD (Florey): My question is directed to the Minister for Housing. Did the recent national housing ministers' meeting make any decisions about a national approach to boarding house and supported residential facilities issues?

The Hon. S.W. KEY (Minister for Housing): The state and commonwealth housing ministers met in Brisbane on 11 April. That meeting discussed a number of matters of great importance to this state's capacity to provide affordable housing, in particular a new Commonwealth-State Housing Agreement. However, other issues were considered by the ministers. I have said in the past that I consider that residents in low cost boarding houses and supported residential facilities are amongst the most disadvantaged South Australians. I am therefore delighted that all ministers supported my call for a national boarding house reform agenda. This will be a major issue for discussion at the next national ministerial meeting.

As a first step, officers from all states, territories and the commonwealth will conduct an audit to establish a clear national picture of the boarding house and supported residential sector. For South Australia this offers two immediate advantages. First, it means that the research work we have already undertaken in this state can be developed in the context where we understand the national viability problems that face boarding houses and supported residential facilities. Secondly, it means that problems can be addressed with a clear understanding of what are the respective commonwealth and state responsibilities for housing supply and support needs.

It is clear from research we have just completed, for example, that at least a third of all residents in South Australia's supported residential facilities are eligible for commonwealth accommodation or support services yet do not access these. The national audit is a necessary step in preparing for a discussion of the role that all spheres of government have in dealing with this increasingly complex area. I note in this context that my proposal received strong support from the commonwealth minister, Senator Amanda Vanstone, as well as from my fellow Labor ministers across the other state and territory jurisdictions. Considerable work is under way that involves government (including local government), community and industry interests. Focused work at the national level offers important support for this endeavour. I am heartened by the determination that this government is showing to address difficult issues associated with support and accommodation for people in South Australia.

MOBIL

Mr BROKENSHIRE (Mawson): My question is directed to the Minister for the Southern Suburbs. How many times in the past year, prior to Mobil's contacting the Premier's office in March 2003, did the minister meet with Mobil in attempts to keep 400 direct jobs and 800 indirect jobs in the southern suburbs?

The Hon. K.O. FOLEY (Deputy Premier): I am happy to respond—

Members interjecting:

The DEPUTY SPEAKER: Order! Do not talk over the chair or you will find yourself taking a quick holiday. It is the prerogative of the ministry to decide who will answer questions. The Deputy Premier.

The Hon. K.O. FOLEY: I should have thought the Minister for Industry and Investment would be the appropriate person to answer that question.

Mr BROKENSHIRE: I rise on a point of order, sir. I have asked the question of the Minister for the Southern Suburbs.

The DEPUTY SPEAKER: There is no point of order.

The Hon. K.O. FOLEY: After eight long years over there watching who got up here to answer questions, the opposition has no right to be so straightforward in its response.

Members interjecting:

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

The Hon. W.A. MATTHEW: Mr Deputy Speaker, the point of order is this: the question specifically asks how many times the Minister for the Southern Suburbs—no other minister—had met with Mobil, and the minister is not standing to take that question.

The DEPUTY SPEAKER: Order! There is no point of order. The ministry has the right to decide who will answer a question. The member for Unley.

Mr BRINDAL: I have a point of order. I refer again to standing order 98, which clearly requires that whoever answers a question addresses the substance of the question. That is the requirement of standing order 98.

The DEPUTY SPEAKER: Order! I point out that the Deputy Premier has not answered the question. He has not

had a chance to answer it yet. The Deputy Premier has the call.

Members interjecting:

The Hon. K.O. FOLEY: I must say that I feel under siege when I see Bill and Ben the Flowerpot Men—

The DEPUTY SPEAKER: Order! The Treasurer will answer the question, not deviate.

The Hon. K.O. FOLEY: And then the third element is Baldrick. As I said—

Mr BRINDAL: I have a point of order. Members are supposed to be addressed by their titles—

The DEPUTY SPEAKER: Order! The member for Unley does not have the call. The member for Unley will sit down. I was pointing out to the Treasurer that he is to answer the question, not to engage in theatrics. Member for Unley, do you have a point of order?

Mr BRINDAL: I do. There are schoolchildren in the gallery, and we are supposed to be addressed by our titles or by our positions, not as Baldrick and Bill and Ben.

The DEPUTY SPEAKER: I do not think that the schoolchildren are confined to the gallery. The Deputy Premier.

The Hon. K.O. FOLEY: Mr Deputy Speaker, in deference to all the schoolchildren in the chamber, I humbly apologise to the member for Unley. He is a nice guy and a decent guy, and I will continue to refer to him as the member for Unley. And he is a good friend: we have enjoyed many a chat over the years.

Ms CHAPMAN: Mr Deputy Speaker, I have a point of order.

The Hon. K.O. FOLEY: And we have another one!

The DEPUTY SPEAKER: Order! There is a point of order by the member for Bragg. I should point out to the house that trivial points of order will not be accepted. The member for Bragg.

Ms CHAPMAN: Standing order 96, I respectfully remind you, sir, provides that questions relating to public affairs may be put to ministers and questions may be put to other members, but only if such questions relate to any bill, motion or other public business for which those members, in the opinion of the Speaker, are responsible to the house. This question was directed to the Minister for the Southern Suburbs as to his actions.

The DEPUTY SPEAKER: Order! I say for the fourth time that there is no point of order. The ministry can choose who will answer the question. If the minister responsible for trade or investment believes that he is the one to answer it, he is the one. The Deputy Premier.

The Hon. K.O. FOLEY: I have to say to the member for Davenport that I am putting another 50 bucks on his leadership bid. Every time the member for Bragg gets up—

The DEPUTY SPEAKER: Order! The Treasurer will get on with it.

The Hon. K.O. FOLEY: Mr Deputy Speaker, finally, after that onslaught from the member for Bragg, can I say that, as minister for industry, I was extremely concerned—as were all ministers, members and the Premier—when the Premier was approached by the senior management of Mobil.

Mr BROKENSHIRE: I rise on a point of order.

The DEPUTY SPEAKER: Order! I trust this is not a trivial point of order.

Mr BROKENSHIRE: This is far from trivial, sir. This is a very important matter. I draw your attention to standing order 98 and specifically to the fact that the question was put prior to what the Treasurer is carrying on about, and he is not actually going to the substance of the question with an answer.

The DEPUTY SPEAKER: There is no point of order, and the Treasurer has not concluded his answer. We do not know what he is going to say. I am interested to hear the answer as much as everyone else is.

The Hon. K.O. FOLEY: I would have hoped, on such an important issue, that members opposite would be interested in the response, Mr Deputy Speaker, and I know you would be, as a local member. The Premier was approached by senior management and directors of Mobil, and he was extremely concerned about the decision of Mobil, or at that stage the likely decision that the company might want to make. It came to government outlining what it saw as both options and what a very real possible solution would be to problems with Mobil.

I do not want to say too much at this stage because clearly there is little interest being shown by members opposite, but I will say this: there is a fundamental difference between this government and the Liberal opposition. We want that refinery either to be reopened or cleaned up and remediated and Mobil to move out. That is what we want. We are not using the doubletalk of members opposite. The Liberal opposition in this state is prepared to see the Mobil site mothballed for a period of up to 10 years: this government is not. The clear message that I have already sent to Mobil in meetings is that we want that site either as an oil refinery or cleaned up and remediated and Mobil to move out. That is the fundamental difference between us and members opposite.

Mr Brokenshire: That's an appalling answer.

The DEPUTY SPEAKER: Order! I warn the member for Mawson.

The Hon. K.O. FOLEY: I have written to Mobil, as has the Premier, and we have made a number of demands on the company. I will be meeting senior management and directors of Mobil later this week.

The Hon. D.C. KOTZ: I rise on a point of order, Mr Deputy Speaker.

The DEPUTY SPEAKER: I trust this is not another trivial point of order.

The Hon. D.C. KOTZ: I know that you certainly would not be reflecting on me, Mr Deputy Speaker. My point of order is that there is no substance in the manner in which this minister is answering the question. Under this standing order, the ruling has always been to bring the member back to the substance of the question. We have not yet heard any substance in this answer. Your ruling would be appreciated.

The DEPUTY SPEAKER: Order! I point out to the member for Newland that the Deputy Premier has not concluded his answer.

The Hon. K.O. FOLEY: If the opposition does not want to hear what I have to say, I am happy to give it to the *Advertiser*, the TV and the radio, if it is of any interest. I am meeting with the company later this week, and I am going to make it clear to them on behalf of this government that we expect the site to be cleaned up and remediated and the company to move out or for Mobil to tell us when it intends—an exact date or close enough to it, a time span—the plant can be reopened. If the company fails to do that, this government will consider all options to ensure that the site is cleaned up and remediated, because unlike the Liberals we want a clean site for the south or we want the oil refinery. We are not going to do what the member for Mawson and the Leader of the Opposition want, that is, to see the site mothballed for a decade. This government will stand up for

the people of the southern suburbs; we will not desert the southern suburbs like the Liberal opposition.

Mr BRINDAL: I rise on a point of order, Mr Deputy Speaker.

The Hon. I.F. EVANS: I, too, rise on a point of order, Mr Deputy Speaker.

Members interjecting:

The DEPUTY SPEAKER: Order! Members will resume their seat. The house will calm down.

Mr Brokenshire interjecting:

The DEPUTY SPEAKER: Order, the member for Mawson! Members need to calm down. The house will come to order. I think the member for Unley was first to his feet.

Mr BRINDAL: I will defer to the member for Mawson.

Mr BROKENSHIRE (Mawson): I direct a supplementary question to the Minister for the Southern Suburbs. How many times prior to Mobil's contacting the Premier's office in March 2003 did the minister meet with Mobil to discuss issues surrounding the 400 direct jobs or 800 indirect jobs in our southern electorates?

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. K.O. FOLEY (Deputy Premier): Can I say this—

Members interjecting:

The DEPUTY SPEAKER: Order! The Deputy Premier will resume his seat; he does not have the call. That question was a repeat of the previous question. If the Treasurer wishes to respond, he has the opportunity to do so.

The Hon. K.O. FOLEY: I will respond if you don't mind, sir, because I as industry minister am handling this on behalf of the government. Would you like to hear a letter that the Premier wrote to Mobil?

Members interjecting:

The Hon. K.O. FOLEY: You don't want to hear it.

Members interjecting:

The Hon. K.O. FOLEY: You don't want to hear it. Does anyone else want to read it? We will hand it around.

Members interjecting:

The DEPUTY SPEAKER: Order! I warn the member for Mawson again. He is getting very close to exploring the refinery.

The Hon. K.O. FOLEY: If you want—

The DEPUTY SPEAKER: Order! The Treasurer will resume his seat. The chair will not recognise anyone until the house comes to order. It just needs to calm down. Obviously, there is a danger in having a break. We should sit every day, by the look of it! The member for Unley.

Mr BRINDAL (Unley): The question has now been asked twice and answered twice. I ask if you, sir, will refer this matter as a matter of privilege to Mr Speaker. The standing orders clearly require that the minister, whichever minister answers, must address the substance of the question. Not to do so, I contend, is a contempt of this parliament, and I ask you to refer the matter as a matter of privilege to Mr Speaker.

The DEPUTY SPEAKER: Order! It is not a matter of privilege: it is a matter relating to my ruling, which is—and it has been long-established practice—that it is the choice of the ministry who answers the question, and the chair cannot compel a minister to answer anything on any matter. The member for Unley.

Mr BRINDAL: With deference, sir, when the opposition took a number of points of order on substance, you continually ruled that he had not yet answered the question. He did answer the question: he did not address the substance. Will you now, sir, instruct him to answer the substance of the question?

The DEPUTY SPEAKER: The point I made was that he did not have a chance to answer the question, to complete his answer, because there was so much noise and carry on. I cannot make the Deputy Premier or any other minister answer in a particular way. It is their choice and, ultimately, the government is accountable to the people. So, the honourable Deputy Premier.

The Hon. K.O. FOLEY: I will just conclude and say this: that if it is a genuine question about what the government is doing about Mobil, about the issue of Mobil and the impact on the southern suburbs—

The Hon. I.F. Evans interjecting:

The DEPUTY SPEAKER: Order, the member for Davenport!

The Hon. K.O. FOLEY: —then I am the appropriate minister. If opposition members are sincere in wanting information, they should listen instead of all standing up like drones and taking points of order. But they are clearly not interested. If any other member would like more information, feel free to come across and ask me.

BUSHFIRES

Mr SNELLING (Playford): My question is directed to the Minister for Emergency Services. What has been the outcome of the bushfire season in South Australia this year?

Members interjecting:

The Hon. P.F. CONLON (Minister for Emergency Services): I do not know what is in the water today, but when they groan about a question like this you really have to wonder! We have just been through one of the most difficult bushfire seasons. We have seen tragic bushfires in Victoria, New South Wales and the Australian Capital Territory. We have a question on bushfires after five or six points of order and they groan! This mob does not want to know about issues affecting this state: they just want look for something that makes them relevant. But they will be looking for a very long time.

The DEPUTY SPEAKER: The minister will come back to the question.

Members interjecting:

The Hon. P.F. CONLON: And they're off again! I do not think a schoolchild would want to go into politics, certainly not in the Liberal Party in this state.

The DEPUTY SPEAKER: Order! The minister will come back to the question.

The Hon. P.F. CONLON: As I said, the fire season 2002-03 had great potential to be a disaster for this state similar to the disasters that were realised in other states. Below average rainfall leading up to the fire season throughout 2002 placed us, as we said at the time, in a situation similar to that leading up to 1983, which was a very serious concern. The risk was clearly demonstrated on 15 September 2002, so early in the year, when over 500 hectares of pine plantation was destroyed in early bushfires. While the early start to the fire season did see us busy, we also saw deployment to New South Wales and Victoria to those very tragic fires.

Those interstate deployments have provided valuable experience and learning for the South Australian agencies. At a glance, the total number of rural incidents was, in fact, down this season, but the total area burnt was up—49 855 hectares compared to 20 469 in the previous year. That indicates the difficulty of suppression of the number of fires in the last bushfire season. I am pleased to say that the total estimated dollar loss was down. While the bushfire season started with very serious potential and it was a busy season, it has been a great outcome for South Australia. We avoided the tragic fires as occurred in the other states, and this has been in no small part due to the efforts of the Country Fire Service, in collaboration with other services and agencies. It gives me great pleasure to be saying this today, after successfully seeing off such an awful bushfire season.

In addition to the efforts of the Country Fire Service, I would like to recognise the efforts of the Bureau of Meteorology, the South Australian Metropolitan Fire Service, SAPOL, the SES, the DEH, ForestrySA, St John's, the Salvation Army and the South Australian Ambulance Service. My strongest and most sincere thanks go to the volunteers from the Country Fire Service for their ongoing commitment and dedication to the community. Their generosity to their fellow firefighters interstate has been awe inspiring. Much of the success of this fire season must be attributed to them—and in this respect I refer to their level of preparation, the speed with which they have responded and their expertise on the fire grounds. This has resulted in a number of incidents being controlled that could otherwise have caused a great deal of distress to the community. We will certainly not rest on their laurels. A bushfire summit is to be held in the future, and we are determined to learn the lessons from interstate and from this season's experience and to make sure that our good fortune this year continues into the coming years.

HOSPITALS, WESTERN COMMUNITY

Dr McFETRIDGE (Morphett): My question is directed to the Minister for Health. Will the government consider buying the Western Community Hospital to make it an annex of the Queen Elizabeth Hospital, in order to help overcome the crowding at the Queen Elizabeth Hospital? The Western Community Hospital offers the ideal opportunity to provide an annex to the QEH and also a better health service to the people of the western suburbs. The ACH group has announced that it will cease operating this hospital and will put it up for sale.

The Hon. L. STEVENS (Minister for Health): I know that there is considerable community interest in relation to the future of the Western Community Hospital, but the government will not be buying the hospital. I understand that the ACH group has put it up for sale and, as far as we are concerned, that is a matter for them. The government has a very strong commitment to health care in the western suburbs, but our major capital works investment will be at the Queen Elizabeth Hospital, and we intend to follow that hospital's capital redevelopment through right to the end. I have already announced, in the first budget of this government, $43 million in terms of its capital works program. We have made sure that the total redevelopment of the Queen Elizabeth Hospital is in the forward estimates, and we will continue to put the big capital money for the western suburbs into the Queen Elizabeth Hospital.

AUTISM

Ms THOMPSON (Reynell): My question is directed to the Minister for Education and Children's Services. What has the government done to ensure the provision of an adequate range of services for children with autism?

The Hon. P.L. WHITE (Minister for Education and Children's Services): Earlier this year, concern was raised regarding a reduction in an early intervention service for preschool children with autism. The Autism Association of South Australia is partly funded through an annual grant from the Ministerial Advisory Committee on Students with a Disability, and that committee allocates state and federal funding amongst several disability support organisations according to a set formula. That reduction came about despite a funding increase by this government of 18 per cent to the Autism Association of South Australia for 2003, which compares most favourably with the outcome achieved by the former government over the previous three years, during which time funding was cut.

In addition, the association has received from the Department of Human Services an increase in disability funding for 2003. Over the last two months, there have been extensive discussions with the Autism Association of South Australia, and the association is now in a position to reintroduce that program. I am pleased to advise the house that this means that group-based early intervention programs will be provided for up to 50 children with autism aged four to six years for a minimum of one day per week. These programs will be in addition to those already provided in school or preschool settings, and will run for terms three and four of this year. The department will continue to work with the association to ensure that services for children with autism and Asperger's syndrome continue to be developed further, and enhanced.

CHILD PROTECTION

Mrs REDMOND (Heysen): Does the Minister for Social Justice agree that the recommendation in the Layton report regarding the independent review of Family and Youth Services' decisions has not been met, because the reviews are to be conducted by a division of the Department of Human Services controlled by the same director? The Layton report recommended an independent review authority be established to review FAYS' decisions. Instead of this, the minister has given the powers of review to a division of the Department of Human Services controlled by the same director as controls FAYS.

The Hon. S.W. KEY (Minister for Social Justice): I would like to thank the member for Heysen for her question, and I acknowledge her interest in this area and also her input into the review itself. This is an issue that I have great concern about. One of the reasons why I immediately took up this issue was because of the concerns that you have actually outlined yourself, member for Heysen. One of the first things to be done, along with a whole range of new protocols and processes with regard to child protection, is for me to establish a special investigations unit, which is being looked at at the moment. I think it was 1 April when I made a ministerial statement talking about the fact that this was an area that needed to be addressed immediately. I have asked Mr Peter Bicknell, who is from the Port Adelaide Mission, to convene a working party with interested stakeholders, to recommend to me how we can best address the very matter

that the member for Heysen has raised through the Robyn Layton Child Protection Review.

ANNUAL REPORTS

Ms CHAPMAN (Bragg): Will the Minister for Education and Children's Services advise the date on which she first received the annual report for the calendar year ended 31 December 2001, and the name of the chief executive, or acting chief executive, who provided the report, and can she say why a copy of the chief executive's letter was not included in the report tabled yesterday?

The Hon. P.L. WHITE (Minister for Education and Children's Services): I will have to check on that date, if indeed I am able to provide it. As I said in my ministerial statement yesterday, there was some confusion in trying to locate the report, because it had not been provided in a registered file of the department; it had been handed to someone in my office. It had previously been handed to the former minister's office. So, it may not be possible to provide the exact date of that. However, I do not believe—and I will have to check—that there was a letter from the chief executive in the 2002 report, either.

Ms Chapman interjecting:

The Hon. P.L. WHITE: Was there? Okay, I will take the word of the member on that. But I will have to check whether there is in fact a letter that we can locate. It may be that there was not one.

Ms CHAPMAN: My question is again directed to the Minister for Education and Children's Services. Who produced the 2001 education annual report and who provided a draft report to the former minister? Yesterday in tabling the report the minister stated:

> This report was produced during January 2002 and a draft was provided to the former minister's office.

I have been informed by Mr Geoff Spring, who was the chief executive officer during January to March 2002, that he has no recollection of either producing the report or providing it to the former minister at that time, or at all.

The Hon. P.L. WHITE: I wonder whether the former chief executive Mr Geoff Spring has any recollection—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. P.L. WHITE: —of providing the 2000-2001 Children Services' report to the former minister.

Members interjecting:

The Hon. P.L. WHITE: Indeed, he did, yet that was not tabled by the former minister.

Ms Chapman interjecting:

The Hon. P.L. WHITE: It does need to be tabled.

The DEPUTY SPEAKER: Order! The member for Bragg has asked her question. The minister has the call.

The Hon. P.L. WHITE: In fact, reports presented to ministers do need to be tabled: the legislation clearly states that. That particular Children's Services report was provided to the former minister. It was provided on 2 November 2001 and parliament sat during November and December 2001, so there was ample opportunity for the minister, having received the report, to table it. It was not tabled. I would expect that, had the minister realised that to be the case, when I tabled the subsequent report, which was the 2001-02 Children's Services report—and I did that last year, of course—the fact that the former minister had not tabled that report should have been brought to my attention—if that fact was known. I think that would have been done.

Ms Chapman interjecting:

The Hon. P.L. WHITE: I have said to the honourable member—

Ms Chapman interjecting:

The DEPUTY SPEAKER: Order! The member for Bragg has asked her question.

The Hon. P.L. WHITE: This is a report that was produced under the previous government in 2002.

The Hon. W.A. Matthew interjecting:

The DEPUTY SPEAKER: Order!

The Hon. P.L. WHITE: Yes, I was shadow minister, but it is not—

The Hon. W.A. Matthew interjecting:

The DEPUTY SPEAKER: Order! The member for Bright is warned.

The Hon. P.L. WHITE: For the benefit of the member for Bright, as shadow minister it was not my responsibility to table that report. According to the file record, it was produced by the relevant section of the department during January 2002.

Ms Chapman interjecting:

The Hon. P.L. WHITE: Well, it would be the responsibility of the section head, I suppose. I will attempt to find an accurate date. Obviously, as I have already told the house, there was some confusion because the report was not presented to my office in a file. It had been handed to my office in the early days of government. It may not be possible to provide a date.

SECOND-HAND VEHICLES

Ms RANKINE (Wright): Will the Minister for Consumer Affairs consider giving consumers the right to a cooling-off period when buying used cars?

Mr Brokenshire interjecting:

The DEPUTY SPEAKER: Order! I do not know what the member for Mawson has been having for breakfast, but he needs to follow standing orders.

The Hon. M.J. ATKINSON (Minister for Consumer Affairs): This morning, quite early, I was off to Metro Holden on Port Road, Thebarton, just opposite the Squatters Arms Hotel, a familiar location to many members, and I thank Metro Holden for hosting my news conference on whether South Australians should be given the right to a cooling-off period when buying used cars. We have produced a discussion paper—

An honourable member interjecting:

The Hon. M.J. ATKINSON: No, it is quite true that I do not drive, although my father worked in the motor trade, so it was quite nostalgic to go to Metro Holden after spending so many years of my childhood at Adelaide Motors. The Office of Consumer and Business Affairs received 350 vehicle related complaints last year. The overwhelming majority of these were about used cars. In fact, there were 10 times as many complaints to the Office of Consumer and Business Affairs about used cars as there were about new vehicles, whereas there were only four times as many used cars sold as new cars.

Some complaints were from people who had signed a contract to buy a used car but who, within hours, decided they could not afford the repayments. Other complaints were from buyers who regretted making a hasty decision. A car is usually the second most expensive purchase by consumers

after buying a house so it makes sense that consumers ought to have time to consider such an important purchase to ensure they have made the right decision. For instance, they might want a mechanical inspection made of the car; they might want to check whether they can obtain better financial terms than those offered by the dealer; they may have been pressured by the salesman; they may have been pressured because used cars are unique compared with new vehicles, and consumers might have felt they needed to snap up the deal on that unique vehicle, only to regret it within 24 hours. No used cars are identical in terms of their features and price, and this adds to the pressure the buyer may be under to sign on the dotted line or risk missing out on a good deal.

The member for Wright wrote to me last month about the plight of two of her constituents who had bought a second-hand car. The car failed a mechanical inspection shortly after being purchased by the member for Wright's constituents. A cooling-off period, among other benefits, would have given the member for Wright's constituents the opportunity to arrange an independent mechanical inspection before it was too late for them to back out of the purchase. A cooling-off period would also provide a way out for consumers who have given in to pressure by salesmen. Consumers sometimes discover that they have signed a binding contract to buy a used car when they thought they were signing a document asking the dealer to hold the car for a few days while they made up their minds or arranged finance.

The government is keen to hear from automotive organisations and members of the public about their experiences with trading or buying used cars. We are also interested in hearing about related matters, such as what happens to trade-in vehicles during a cooling-off period. At whose risk is the car held and deposits made with dealers to secure the car during this time? If members go back to 1994, they may recall that the parliamentary Labor Party tried to introduce—

The Hon. D.C. Kotz interjecting:

The Hon. M.J. ATKINSON: Well, the member for Newland thinks it is very boring. I do not think used car buyers think it is at all boring.

Members interjecting:

The DEPUTY SPEAKER: Order! The minister will respond to the question.

The Hon. M.J. ATKINSON: In 1994 I tried to introduce a cooling-off period in debate on the second-hand motor vehicles bill in this place. The Liberal party voted me down.

ANNUAL REPORTS

Ms CHAPMAN (Bragg): Will the Minister for Education and Children's Services advise whether she has requested or instructed that any amendments be made to the annual report for the calendar year ended 31 December 2001? If so, what are the dates on which those requests or instructions were made, and what are the particulars of such requests?

The Hon. P.L. WHITE (Minister for Education and Children's Services): Absolutely none.

BUSES

Mr CAICA (Colton): My question is directed to the Minister for Transport. What benefits does the government expect from the recently announced contract for the purchase of nearly 170 new buses?

The Hon. M.J. WRIGHT (Minister for Transport): I thank the member for Colton for his question and his ongoing passion for public transport. The government has approved a new bus acquisition program for South Australia. The program will see Scania Australia and its Adelaide based subcontractor Australian Bus Manufacturing Company deliver 169 new buses over the next five years. The contract value is $81.8 million and provides for the supply of 128 compressed natural gas buses with the remainder being diesel buses. CNG buses will provide significant amenity and environmental benefits through reduced life cycle costs for these buses and reduced greenhouse emissions. The diesel buses will meet the Euro-3 European environmental standard and will therefore provide environmental benefits when compared with the existing diesel buses in the fleet. The diesel buses will also be able to be converted to biodiesel in the future.

The use of CNG buses will contribute to sustainable Adelaide initiatives, and the purchase of the new buses will place the government in a stronger position with regard to meeting its commitments under the disability discrimination act, which requires the entire bus fleet to be fully accessible within 20 years. The new buses will also be airconditioned, adding to passenger amenity. Two new compressed natural gas refuelling sites will be required to service the CNG buses. The installation costs for these refuelling sites will be offset by the reduced fuel costs associated with the use of natural gas.

On the local job front, South Australia has guaranteed employment at the Australian Bus Manufacturing Company at Royal Park for the life of the five year program. This guarantee will bring a measure of security to the employees who will directly benefit from this acquisition program and prove that South Australian business can compete successfully with interstate manufacturers.

POLICE NUMBERS

Mr BROKENSHIRE (Mawson): My question is directed to the Minister for Police. Will he now agree that his government's failure to recruit extra police over and above attrition is putting undue pressure on police resources in country and regional South Australia? I have been advised by concerned community members that Ceduna currently is five police under staff and that Kadina has eight police currently off line.

The Hon. P.F. CONLON (Minister for Police): I will try not to waste too much of the chamber's time because the question has absolutely nothing new in it. The opposition just cannot dredge up anything new. Let me make it plain, as I have made it plain over and over. This is the first government in a decade to maintain police numbers. We had cynical cuts, and I can show members the actual figures: just a couple of years ago there were 300 fewer police than there are now, and I do not think that is anything to complain about. In fact, there has been a small number of additional police in excess of recruiting against attrition, but that goes unnoticed.

I assume that the member for Mawson is talking about the ongoing inability to fill positions in the country. I assume that is what he is talking about—not the shortage of police but the issue of getting police to work in the country. We realise that it is difficult: it has been difficult for at least a decade. I point out that it is much better now than it was a few short years ago.

But we do not take it for granted. No government has been out to the regions like this government has. We actually go and hear their complaints: we take their concerns seriously.

We govern for all South Australians, not just our constituents. We take these concerns seriously and will continue to address them, and we will do it with no assistance from a pathetic opposition.

Members interjecting:

The DEPUTY SPEAKER: Order! I think some people need a sedative. The member for Bright has the call.

FONG, Dr C.

The Hon. W.A. MATTHEW (Bright): My question is directed to the Minister for Energy. What role does the government intend for the now former head of Energy SA and former gas technical regulator and energy expert, Dr Cliff Fong, who has been sidelined to the bowels of the primary industries department, otherwise known as the public service lounge? Dr Fong previously headed up Energy SA and is respected around Australia for his knowledge on energy matters, particularly pertaining to gas and gas regulation issues.

Local and interstate industry participants speaking with the opposition are concerned that this valuable expertise is being sidelined at a time when the South Australian gas market is about to be deregulated, and fear that the sidelining of Dr Fong demonstrates that the Labor Party does not know what it is doing.

The Hon. P.F. CONLON (Minister for Energy): I did not take the point, but the explanation is plainly out of order. It demonstrates just how out of date and out of touch this opposition is on all matters, but especially energy. Restructuring occurred at Energy SA some months ago. It was undertaken by a task force completely independently of the minister, and I acted on its recommendations. I advised this house many months ago that we would be restructuring because we wanted energy policy advice in one place—I think I told the house that nine months ago. I acted on the advice of the head of the primary industries department. As the opposition points out, I think one or two people were displaced in that process. One of them was the person referred to. I will get a report from the head of the primary industries department, who has responsibility for the person, as to where he might be in future.

But I appreciate that finally the issue of gas has been raised. No wonder the opposition has not asked a question about the issue of gas full retail contestability in this place. I know why it has not been raised before: because they should be dying of embarrassment about their record. This state went to full retail contestability under a plan of the previous government which was set out for years while they did absolutely nothing—not a stroke—to introduce competition in gas which has given us second best.

We are meeting with the industry—and members should talk to the industry, not take my word for it—to accelerate, as much as is humanly and safely possible, gas competition so that we will not be second best. We inherited a situation from a government which failed the people of South Australia abjectly in relation to privatisation, which left us with a monopoly retailer in electricity and which turned its face away from gas competition. We have had to fix all those things. I am glad they finally mentioned it. They will not mention it in a question but, frankly, they should all resign in shame for the way in which they have handled energy in South Australia.

SURF LIFE SAVING

Mr BROKENSHIRE (Mawson): Will the Treasurer, on a recurrent basis, increase funding to Surf Life Saving SA by approximately $150 000 per annum to offset its fundraising reductions? I have been advised that fundraising for Surf Life Saving SA has been reduced over recent years by hundreds of thousands of dollars. The government, at the same time, has received millions of dollars of extra tax income from gaming.

The Hon. K.O. FOLEY (Treasurer): That question, I think from memory, was put to the minister responsible for surf life saving yesterday, and I will leave it in his very capable hands to answer. But I will add this piece of information to the debate. Here we go again: the opposition is saying, 'Spend! Spend! Spend!', with no accountability and no indication as to where the money is coming from. Only a week or so ago, the hapless member for Waite, according to reports that I was given, on 23 April on ABC Radio, said that we should reinstate savings initiatives from the tourism portfolio in our first budget that he claims were around $16 million over the forward estimates. As shadow minister, he is entitled to make that call, but the honourable member and opposition members have to tell us how they are going to pay for it. What are they going to cut? Are they going to blow the budget? Or are they going to increase taxes? This opposition, which is ill-disciplined and ineffective, demonstrates its ill-discipline and that it is unfit for government because every time the going gets tough and every time there is a hard decision—

Mr Meier interjecting:

The DEPUTY SPEAKER: Order! The member for Goyder will put that display down.

The Hon. K.O. FOLEY: —what do the members opposite do? They say, 'Spend! Spend! Spend!' They are not fit for government. No wonder this state has run budget deficits year after year under this former administration. They were unfit for government in government, and they are unfit for government in opposition.

Mr Brokenshire: Surf life saving volunteers want the Treasurer to help them. Please help them.

The DEPUTY SPEAKER: Order! The member for Mawson only has to wait a minute before he can have a nice cup of tea.

CLELAND CONSERVATION PARK

Mr RAU (Enfield): My question is directed to the—

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr RAU: This is a very important question. My question is directed to the Minister for Environment and Conservation. What additions to the Cleland Conservation Park is the government going to make to increase its value to South Australia, given that the park is an important visitor destination and home to many native plants and animals?

The Hon. J.D. HILL (Minister for Environment and Conservation): I thank the member for Enfield for his very sincere reading of the question. This is an important question, and I think the member for Heysen will be pleased with the answer if she listens for a minute. I am pleased to announce that the state government has completed negotiations for the addition of six parcels of land to be added to the Cleland Conservation Park. These additions to the park will increase its total area by 35.8 hectares. They include a 26.8 hectare

area (previously part of the Hartford estate) and a 4.57 hectare parcel (part of the St Michael's Monastery). All six properties have boundaries adjoining the park and were acquired through land exchanges or from state government departments.

As members would know, Cleland Conservation Park is a South Australian icon. It is valuable from the point of view of tourism and it is also, of course, a valuable environmental resource. These additions to the park will increase its total area to more than 1 000 hectares. The park includes a range of habitats: stringy bark forest, blue gum and manna gum woodlands with stands of candle bark gums. It is also home to wet gullies with sphagnum bogs and king ferns and natural waterfalls, as I am sure the member for Heysen and the member for Enfield would know.

This consolidation of the park provides increased protection for native wildlife—it does not include the member for Schubert, though—and it expands this important recreational resource for the community. Cleland Conservation Park has many walking trails and the Cleland Wildlife Park, which attracts many visitors. This park is also home to a number of significant bird species including the scarlet robin, the chestnut rumped heath wren, and the bassian ground thrush. The addition of these lands will increase the conservation values of the park, and it reflects the government's commitment to the protection of South Australia's biodiversity.

GRIEVANCE DEBATE

OUTBACK AREAS COMMUNITY DEVELOPMENT TRUST

The Hon. G.M. GUNN (Stuart): Mr Deputy Speaker, I am pleased to have the opportunity—

Members interjecting:

The DEPUTY SPEAKER: Order! The house will come to order. The member for Stuart is very sensitive.

The Hon. G.M. GUNN: That's right, I'm very shy and retiring. I have been put off, and now I've lost my place. However, I have just recalled the comments that I want to address to the house today. Over some days and weeks, with great gusto the Premier has announced his newfound enthusiasm for economic development, and we have had this conference and the draft report. Following that, an article appeared in the *Advertiser* talking about boards and committees, and one of the boards that was mentioned was the Outback Areas Community Development Trust.

I do not know whether the journalist understands what the Outback Areas Community Development Trust does or what its value to the community is, but I think it is worthwhile putting on the record that this was an initiative of former Premier Don Dunstan. He brought into operation the Outback Areas Community Development Trust so that the people of the Outback could access Grants Commission funds. It is run by a small group of local people with minimal secretarial assistance to provide badly needed community facilities throughout the vast northern parts of the state. It has provided an outstanding service. It has strong support in those communities and, in my time in parliament, since it has been operating, I have not heard one complaint about its operation.

This board needs to be allowed to get on with its job, because it is important. It functions in the same way as local government in the vast outback of South Australia. It provides financial assistance to progress associations so that they can fulfil community needs which also help the tourist industry in those areas. I suggest that the journalist—and I am pleased the Minister for Local Government is in the house today—who mentioned the Outback Areas Community Development Trust get the annual report and read it, because then this person will be in a better position to make some constructive comments instead of just floating it onto all the boards without any understanding of the subject.

We also heard the Premier on talkback radio refer to the Dog Fence Board. I think he also does not understand the role and purpose of the Dog Fence Board. I suggest that, before some of his minders feed him some of this guff and get him running off to get a cheap headline with these morning talkback radio jockeys (who themselves often are not well informed), he check up on the value of these boards. If one compares South Australia with New South Wales (which does not have a dog fence board), one sees that the board manages about 5 000 kilometres of dog fence in South Australia far cheaper than it is done in New South Wales. So this is another organisation which is not expensive but which plays an important role in the agricultural future of South Australia.

Mr Venning interjecting:

The Hon. G.M. GUNN: Well, I don't know anything about that. I will leave that to members who understand it. The second matter that I want to talk about involves some of the recommendations of this Economic Development Board which the Premier has established and which is now operating. I say to him: if you want development in South Australia, that is good, and that is something that we all want, but for goodness sake get those government departments that are annoying, frustrating and hindering developments off business's back. The number-one culprit that is getting in the way of rural production is the Department for Environment and Heritage. Unfortunately, you have the tree huggers and the great unwashed in that section who have no understanding or appreciation of the real world. They are an impediment, and every time I go out to rural South Australia I am inundated by silly, short-sighted, narrow-minded people who do not understand the real world, who want to stop development and live in tents but who still want to spend the taxpayer's money. At the end of the day, it is all about power.

Time expired.

The Hon. M.R. BUCKBY: On a point of order, Mr Deputy Speaker, I draw your attention to the fact that there is no minister in the house.

The DEPUTY SPEAKER: Order! There is no point of order. It is the responsibility of the government to have a minister present.

The Hon. W.A. MATTHEW: I rise on a point of order, Mr Deputy Speaker. It is also the government's responsibility to maintain the numbers in the house. I therefore draw your attention to the state of the house.

A quorum having been formed:

SECOND-HAND VEHICLES

Ms RANKINE (Wright): I hope the opposition now settles down calmly and we can get on with grievances. The Minister for Consumer Affairs' announcement today about

a cooling-off period on used cars was a very welcome initiative and a much needed one. On a number of occasions, in the time that I was working for the then member for Ramsay and, since that time, in my own right as a member of parliament, people have come to me about difficulties they have faced when buying a used car, and it certainly highlighted a need for a cooling-off period.

The minister spoke about people sometimes signing up in haste. That is particularly a case that applies to young people. Very often, buying their first car they have been talked into deals which they cannot necessarily manage or with which, when more sensible heads have looked at the contract they have signed, they would, if given the opportunity, not have proceeded. I understand that something like 144 000 used car sales were registered in South Australia last year, so we are talking about a lot of transactions that take place. This particular initiative will provide consumers with some piece of mind and will, I am sure, be welcomed by reputable dealers because, quite clearly, they will have nothing to fear by having happy and satisfied customers.

Very often, people feel pressured when buying a second-hand vehicle, whether it is because their current vehicle has broken down so they have the pressure of buying a vehicle in a hurry or because they just come across a very skilled salesperson. So, to give people a cooling-off period, whether it is one day, three days or whatever is decided, I think is a very sensible initiative. The minister is seeking feedback from people involved in the industry and from members of the public. He is asking members of the public to share their experiences, and I would also encourage people to take the opportunity to do that.

Industry members are being asked to provide the minister with their opinions about a range of other matters, including what happens to the trade-in vehicles during a cooling-off period, at whose risk they are held, and a range of other things. The minister needs to be congratulated on this initiative, which is another indication of this government's actually listening to the needs of the residents of South Australia. I have taken up some issues with the minister and, whilst there is a need for this measure in the formal car dealerships, there are also problems with those trading at home.

Recently, a constituent of mine paid something like $7 000 for a vehicle that he bought privately. It was advertised in the local paper as being in excellent condition but, when he had the vehicle checked by the RAA—sadly, after he had purchased it—it was found to be in a very unacceptable condition and in fact not roadworthy. According to my constituent, this particular vehicle was recorded as an economic write-off and was sold through an auction house. This is a real warning to a lot of people. When he found out that this vehicle was in the sorry state it was in, he attempted to return it to the person from whom he had purchased it and retrieve his money, but he was soundly rejected.

However, when he visited this person's home, he saw another vehicle in the yard that was texta-ed across the window as being a Commodore wreck. Since contacting me, he has actually taken his car to an auction house to be sold as a damaged vehicle, which has occurred. He told me that the very same person has purchased that car from the auction house. So, I think we really need to start looking at what is happening with some of these backyard traders and tighten up on this. Clearly, there are some unscrupulous people out there who, time and again, are willing to take advantage of people who are genuinely seeking to buy a good and roadworthy vehicle. Whilst this cooling-off period will not apply to those private purchasers, as I said, it is a very good initiative, and I am pleased that the government is putting out a discussion paper so that people can have their say about this.

GAWLER GARDEN CENTRE

The Hon. M.R. BUCKBY (Light): I rise today to inform the house of some concerns of a constituent of mine, the owner of the Gawler Garden Centre. Many members of the house who travel along Main North Road will know the gardening centre that I am talking about, which is on the left-hand side just prior to the turn-off to enter Gawler and to the start of the Gawler bypass. Mr Wamsley took over that gardening centre in October last year and, even prior to his taking it over, was concerned for the safety of customers wanting to enter the garden centre, because there is no slip lane to enter the centre. His is the only business on that side of the road that does not have a service road to turn into to get off the main highway.

As a result of that, he started to take note of some of the near accidents and minor accidents that have occurred when people are trying to turn into his business. Within a very short time of his being there, three accidents occurred, one with a semi-trailer and another two with cars, which ended up on the median strip or on the side of the road because drivers in the cars travelling at 110 km/h coming up behind the car turning into his business suddenly found themselves having to avoid the car that was decelerating. As a result of his concerns, on 12 March 2002 he first discussed with Transport SA the issue of there being no slip lane and the existence of the speed limit outside his business.

On 12 April 2002 a letter was forwarded from him to Transport SA outlining the safety concerns. On 16 May he had a meeting with Transport SA and the City of Gawler to discuss a number of issues, but nothing constructive eventuated from that meeting. On 15 July and on 12 August 2002 Mr Wamsley again wrote to Transport SA and, as yet, has not received any response. On 4 September I sent a letter to the Minister for Transport outlining the safety issues in relation to the fact of no slip lane being provided, and on 16 September another letter was written by the constituent to Transport SA regarding the safety concerns of no slip lane. And it continues.

On 17 September my constituent received a letter from Transport SA but no indication of any action likely to be taken. On 3 December an email was received by Mr Wamsley from Transport SA but, again, there was no real indication of any action to be taken. On 8 January—now some nine months later—I received a response from Minister Wright stating that, if the constituent wishes to fund the construction of a left turn slip lane, Transport SA would raise no objection. However, the constituent would need to adhere to the following conditions: a concept plan has to be provided to Transport SA for approval; a Transport SA project manager would need to be assigned and oversee the detailed design and on-site construction of the slip lane; and all costs, including that of project management and construction, would be at my constituent's expense. So much for this government and road safety.

The constituent forwarded an email to Transport SA regarding a new entry into the Munno Para Shopping Centre, which he noted was occurring. He was concerned, because his previous advice had been that there would be no further

entrances off Main North Road, yet this entrance at Munno Para is only 200 metres from a set of stop lights. I share this constituent's frustration. It is an area of Main North Road along which traffic moves at a very fast speed, around 100 to 110 km/h. It is very difficult for people wishing to turn 90 degrees into this constituent's business, when they have a car converging on them from behind and are slowing down and watching in the rear vision mirror to see how close someone is coming up behind them. I share his concerns.

SKIN CANCER

Mr CAICA (Colton): Today I rise to talk about skin cancer. As I assume most people in the house would know, Australia has the highest incidence of skin cancer in the world. One out of two Australians will develop some form of skin cancer. In excess of 722 000 skin removal operations are performed annually, at a cost greater than $300 million to the federal government. In 1997, 331 women and 580 men died of melanoma. Approximately 2 million general practice visits annually are for the purpose of cancer management, and some 46 per cent of these are for skin cancers. That statistic comes from the Australian Institute of Health and Welfare.

Dr Colin Mathers, the principal research fellow from the AIHW, indicates and advises that the most expensive cancer is non-melanoma skin cancer, which was estimated to cost $232 million in 1993-94. The statistics show that that figure would have risen significantly since that time. The ABS statistics show that, in 1997, skin cancer was the underlying cause of death for 810 males and 430 females. That is 1 240 deaths, the underlying cause of which was attributed to skin cancer, and that makes up 6.7 deaths per 100 000 of the population.

My friends in the library advised me this morning that later figures for 1999 show that melanoma is fourth in the list of cancers suffered by Australians, and that 8 243 cases occurred in 1999. That constitutes 10 per cent of the new cancer cases. The total deaths from melanoma in 1999 were 1 005. That is a one in 30 lifetime risk of acquiring melanoma.

One of the things that I find interesting—indeed appalling—is that we live in a country with the highest incidence of skin cancer, and it would seem that there is little in the way of federal subsidy or concession to assist in the prevention of a cancer that is most certainly preventable.

The chances of acquiring melanoma and other related skin cancers can be greatly reduced by taking some simple precautions. They include keeping out of the sun when possible and ensuring that one applies sunscreen and wears a hat and appropriate ultraviolet clothing when at the beach or undertaking other outdoor activities. My kids (even though they are 15 and 12 and can hardly be called kids any more) will wear their hats and rashies down the beach and apply their sunblock.The point that I wish to make is that there are no federal government subsidies or concessions for any of this type of apparel or prevention goods. I say that there should be a subsidy. Indeed, my argument would be that these types of products should in fact be free. We can, and we do, go out and buy this stuff at great expense, and it is a matter of ensuring that people apply sunscreens or wear that type of protective clothing.

The interesting thing is that the federal government also provides no money for educating the population about the problems associated with the Australian way of life and the possibilities of that lifestyle leading to the development of skin cancers. So, what does the federal government do? I suggest that it does precious little. It does provide a GST exemption for sunscreens—that is the sunblocks, as we know them—but only for sunscreens that are 30 plus SPF or greater. I understand, and am advised, that the federal government recently provided a tax concession to allow outside workers who can justify it to claim up to $70 in products for sunscreens, sunglasses and hats. But it provides nothing else. It does not provide any money for education. This means that the cancer foundations around Australia have to sell these products, which are not subsidised by the federal government, to make a small profit to enable education processes to continue. I do not recall the last time that I saw a 'slip, slop, slap' advertisement.

I suggest to this house that the incidence of skin-related cancers could be greatly reduced if there was a commitment by the federal government to provide concessions and money for an education program to ensure that Australians understand the dangers of the lifestyle that we enjoy here in Australia and if it advocated that people wear those products effectively.

ANNUAL REPORTS

Ms CHAPMAN (Bragg): Yesterday in the parliament, the Minister for Education and Children's Services admitted that she had failed to provide to the parliament, as required by the Education Act, the 2001 annual report for the education department. The Education Act specifically provides for a report to be prepared up to 31 December in the preceding year and tabled in the houses of parliament as soon as practicable after receipt thereof. The obligation was clear, and the minister failed to do so. It has been revealed in this report that the retention rate for all students at school has, in fact, been the best in Australia, despite the state government's insistence in perpetuating the myth that South Australia lagged behind other states. The minister has concealed this report and information for 12 months, and it was a nonsense to simply blame 'confusion as to its status and whereabouts' to a departmental bungle in not providing it 'in a registered departmental file'. At last this government's attempt at rewriting history for political purposes, with its insistence that there was a significant fall in year 12 school retention rate since the early 1990s, has been exposed.

Today, we had a situation where the minister, I suggest, in a pathetic attempt to introduce a red herring in relation to this issue, proceeded to detail her claims of inaction by the former minister. She touched on this yesterday, but today she said:

> In fact, reports presented to ministers do need to be tabled: the legislation clearly states that. That particular children's services report was provided to the former minister. It was provided on 2 November 2001, and parliament sat during November and December 2001, so there was ample opportunity for the minister, having received the report, to table it. It was not tabled.

That was a direct quote from the minister's answer today, which was a deliberate attempt to deflect from her own inaction—and, I suggest, deliberate inaction—in not presenting this report for over 12 months. She blamed the former minister for his not tabling of a children's services report for the same time period. But, in fact, it is not even the same time period. The obligations under the Children's Services Act 1985 direct and require, in respect of the annual report, that the minister shall cause a copy of a report furnished to him under subsection (1) to be laid before each house of parlia-

ment within 14 sitting days of his receipt of the report if parliament is then in session or, if parliament is not then in session, within 14 days of the commencement of the next session of parliament. That is what the act says, and that is in respect of providing an annual report to 30 June in the preceding year, which must be furnished by the Chief Executive Officer by 3 October of that year. That is the law; that is the position.

Now let us consider what was the actual position. The parliament sat for seven days on 1, 13, 14, 15, 27, 28 and 29 November 2001. It did not sit in December at all, notwithstanding the statement made by the minister today that sittings were indeed available for him to tender this report. However, the parliament did not sit again until March 2002—and then for one day only. And, of course, there was a change of government. The minister, in fact, was not in any breach of his obligation under the Children's Services Act. He had received the report, according to the minister, on 2 November 2001. He was not in any way in breach of his obligation for the filing of that report. He had eight sitting days only that had expired prior to there being a change of government.

It is disgraceful for the minister to come into this house and mislead the parliament with an assertion that there were sitting days in December 2002 when, clearly, the parliament did not even sit during that month at all, let alone for the period of time to comply with the obligations under the act. That is the position in relation to the filing of reports by this minister. It is shameful that we have to wait for the Education Department annual report, which is a year late. It is shameful that only now has there been a disclosure of important information that was very relevant to the debate in relation to the increase in school age in 2001.

Time expired.

ESTIMATES COMMITTEES

Mr RAU (Enfield): I want to speak today about a matter that struck me when I was looking in the parliamentary diary the other day at what schedule we had ahead of us. I looked with some excitement at the fact that some weeks ahead of us are crossed out for the very interesting purpose of estimates.

Mr Caica interjecting:

Mr RAU: I have been through only one estimates committee process and, as my friend the member for Colton says, that was certainly enough.

The Hon. W.A. Matthew: They were a lot better when we were in government.

Mr RAU: I cannot imagine the present system for estimates being exciting, interesting or useful under any government, even the government of which the member for Bright was a part. It seems to me that there are some important problems associated with the present estimates committee process. If I can just identify some of the problems that stand out. First of all, there is the immense waste of time of public servants. These individuals are required to put together extensive briefs answering the most ridiculous questions in the most ridiculous detail. Time and countless amounts of public money are wasted while these people, who should be out there doing work for the community, are busily preparing answers to questions which will never be asked.

Then, to make it worse, the officers concerned are brought down here with their minister, they assemble themselves here like some sort of entourage behind the minister, and there they sit waiting until, inevitably, they are not asked anything. Having wasted a couple of days (or however long it takes), they then trot back and, presumably, the voluminous material they have prepared is chucked in the bin—

An honourable member: And then they are FOI'd.

Mr RAU: And then they are FOI'd, which keeps people occupied for a bit longer. At the end of the day, it is a gross waste of public money and time. Secondly, we have the time of the ministers and the MPs who are required to endure the estimates process. I must confess that I speak in this particular context as a government backbencher, and I understand fully the importance of the opposition having the opportunity to scrutinise the activities of government. That is a very important function of the parliament, and so it should be.

However, what is not an important function of this parliament is to have members of parliament sitting in this place simply to be bums on seats (if that is not an unparliamentary term) merely in order to be present so that, in the event of someone trying to pull off a bit of stunt that is an embarrassment to the minister, their numbers can be called upon; otherwise, they are reading material, which may or may not have anything to do with the particular estimates committee, unless they want to go completely crazy and, from time to time, ask the most inane, senseless questions one could possibly imagine, such as 'Can the minister please tell us why he or she is a good bloke?' and so on. It seems to me that it would be a good idea if someone had a look at what other parliaments do (for example, the federal parliament) and see whether we cannot work out some way of improving this process.

The Hon. G.M. Gunn interjecting:

Mr RAU: I am happy to go to London with the member for Stuart, because I know that he has people there who are friends of his and who have a great deal of information to share with me on this subject, and I can think of no better guide to have in that process. To get back to the main point, the opposition does need an opportunity to scrutinise the government: it is very important that it have that opportunity, and it should be given that in full. However, surely to goodness, it is not beyond the wit of every member of this parliament to come up with a better system that does not involve MPs wasting their time sitting in here asking stupid questions when they could be out in the electorate doing some work that is meaningful for members of the public who, after all, have an expectation that members of parliament will do some useful work instead of sitting here wasting everyone's (including, of course, the public servants') time.

If I had more time, I was going to talk about the committee stage of bills, which seems to be the main reason why we sit here until 2 or 3 a.m. I think I am about to be beaten by the buzzer, but I will start, anyway. The committee stage of bills is another thing that needs to be seriously looked at. There should be a conference in between the second reading debate and the committee stage of the bill involving the relevant minister and the relevant opposition person. I will come back to this issue in due course.

GOPHERS

Mr RAU (Enfield): I seek leave to make a personal explanation.

Leave granted.

Mr RAU: Some weeks ago, I made some remarks in this chamber on the subject of gophers. I said in my remarks that these machines were able to travel at a speed which I was unable to properly assess because I am not trained in assessing speed but from the window of my office they appeared to be travelling at between 10, 15 or 20 kilometres per hour. That was the subject of some considerable contention, and a number of people contacted me. I need to inform the parliament that, first, I have now undertaken my own research in relation to gophers, which I now accept is a specific brand; apparently the generic title is 'scooter'.

Secondly, I accept that so far my research indicates that the maximum speed that is published, according to the manufacturers, is 15 km/h. However, with a mass of 125 kilograms for the vehicle without an individual on it at a speed of 15 km/h people who know more about physics and maths than I do tell me that, in the hands of the wrong person, that could still be if not lethal at least a serious weapon. So, I accept that I was incorrect in my remarks inasmuch as I said that they could travel at 15 km/h, and I would like that noted for the record.

AUTHORISED BETTING OPERATIONS (LICENCE AND PERMIT CONDITIONS) AMENDMENT BILL

The Hon. J.W. WEATHERILL (Minister for Gambling) obtained leave and introduced a bill for an act to amend the Authorised Betting Operations Act 2000. Read a first time.

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

That this bill be now read a second time.

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

Leave granted.

This Bill addresses two technical matters that have arisen with respect to the operation of the *Authorised Betting Operations Act 2000*.

Firstly, the Bill amends the power of the Minister to provide binding directions to the Liquor and Gambling Commissioner with respect to permits issued to bookmakers.

Crown Law advice has confirmed that the current powers under the Act are not broad enough to enable Ministerial directions to fully enforce the exclusivity provisions provided to the TAB in the Approved Licensing Agreement entered into by the former Government.

The exclusivity commitments provided to the TAB provide that no person (other than the licensee) will be authorised by the Crown to conduct a specified range of betting activities within the State prior to January 2017. The Minister is liable to pay compensation to the TAB if someone other than the licensee is authorised to conduct these betting activities. The compensation is equivalent to the diminution, if any, in value of the licensee in respect of the TAB (including the TAB licence) as a result of the occurrence of an otherwise exclusive event and is capped at $43.5 million.

It is unsatisfactory that the government remain exposed to potential compensation claims from the TAB.

In particular the current provisions in the Act do not allow directions to be issued to the Commissioner with respect to specific conditions to be attached to permits, or to be issued at all with respect to permits on racecourses. These powers are required to prevent betting in relation to certain contingencies and what is known as "Indirect Walk In Trade", that is, bookmakers accepting telecommunications bets where the bookmaker has provided or otherwise subsidised the provision of the telecommunications device.

The Bill proposes to extend the powers of Ministerial direction to include the attaching of conditions to all permits. This will enable exclusivity commitments to be fully met.

The second matter dealt with in this Bill is to rectify a technical flaw in the current authority provided to Mr E V Seal to operate his 24 hour telephone sports betting operation.

Crown Law has advised that the current bookmaking permit provided to Mr E V Seal is invalid and it is necessary to provide a new authorisation to Mr Seal to enable him to continue his current 24 hour telephone sportsbetting operation. While a new permit could be issued to Mr Seal it could not be done under current legislation in a way that restricts the operations to telephone services or to sportsbetting only. Those restrictions are necessary to prevent breaching the exclusivity commitments provided to the TAB by the former government.

The Bill addresses this issue by inserting a new class of licence—a 24 hour telephone sportsbetting licence. Bookmakers conducting sportsbetting at specific times and places will continue to be licensed under existing provisions.

The Bill provides that, consistent with similar licences, the 24 hour sportsbetting licence would be issued by the Independent Gambling Authority. The Bill also provides the Minister with the power to give the Authority binding directions about the granting of a 24 hour sportsbetting licence. The Government will use this power to issue a direction to the Authority that this type of licence may only be provided to Mr E V Seal. This is consistent with the exclusivity provisions as set out in the TAB Approved Licensing Agreement. The government cannot allow a further 24 hour sportsbetting licence to be issued to another party without causing a breach of the exclusivity provisions and thus giving rise to compensation claims from the TAB.

This Bill does not expand gambling opportunities available in South Australia; it simply enables current bookmaker operations to continue and provides the Government with the necessary power to protect itself from events that may give rise to compensation payments to the TAB.

These legislative amendments were noted in the *Authorised Betting Operations Act* review tabled in the House on 4 December 2002. Other matters contained in that review are currently the subject of on-going consultation with the racing and wagering industry and are expected to be brought to Parliament shortly.

I commend the Bill to the House.

Explanation of Clauses

Part 1—Preliminary

Clause 1: Short title

Clause 2: Commencement

Clause 3: Amendment provisions

These clauses are formal.

Part 2—Amendment of Authorised Betting Operations Act 2000

Clause 4: Amendment of section 3—Interpretation

This clause inserts a definition of "24 hour sportsbetting licence" into the interpretation section of the principal Act.

Clause 5: Amendment of section 34—Classes of licences

This clause inserts a new paragraph *(e)* into subsection (1) providing for an additional class of licence, namely a 24 hour sportsbetting licence. The clause also inserts a new subsection (4), providing that the Minister may give binding directions to the Independent Gambling Authority regarding the granting of a 24 hour sportsbetting licence.

Clause 6: Amendment of section 36—Conditions of licence

This clause inserts a new subsection (5), providing that the Minister may give the Independent Gambling Authority binding directions regarding a condition attaching to a 24 hour sportsbetting licence preventing betting operations on specified days such as Christmas day or Good Friday.

Clause 7: Amendment of section 37—Application for renewal, or variation of condition, of licence

This clause makes a consequential amendment.

Clause 8: Amendment of section 54—Licensed bookmakers required to hold permits

This clause redesignates the present section 54 as subsection (1) and inserts a subsection (2) providing that section 54 of the principal Act does not apply to betting operations conducted under a 24 hour sportsbetting licence.

Clause 9: Amendment of section 57—Conditions of permits

This clause inserts a new subsection (3) providing that the Minister may give the Liquor and Gambling Commissioner binding directions regarding conditions to be attached to a permit.

Schedule—Transitional Provision

This Schedule provides a transitional provision allowing the Minister to invite, within 30 days of this measure coming into operation, a licensed bookmaker to apply to the Independent Gambling Authority for a grant of a 24 hour sportsbetting licence,

and also provides that sections 37(1) and 38 of the principal Act do not apply to such an application.

The Hon. W.A. MATTHEW secured the adjournment of the debate.

GAMING MACHINES (EXTENSION OF FREEZE ON GAMING MACHINES) AMENDMENT BILL

The Hon. J.W. WEATHERILL (Minister for Gambling) obtained leave and introduced a bill for an act to amend the Gaming Machines Act 1992. Read a first time.

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

That this bill be now read a second time.

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

Leave granted.

The *Gaming Machines Act 1992* provides for the licensing and regulation of gaming machines in hotels and clubs in South Australia.

Section 14A of that Act provides that, except in limited specified circumstances, the Liquor and Gambling Commissioner is prevented from—

- granting new licences; or
- approving increases in the number of machines to be operated under a gaming machine licence,

if the application was made on or after 7 December 2000.

The freeze on gaming machines was last extended in May 2001 pursuant to the *Statutes Amendment (Gambling Regulation) Act 2001* and is currently set to expire on 31 May 2003. The gaming machine freeze was extended at that time principally to allow the reconstituted Independent Gambling Authority to consider the impact of the freeze and whether it should continue.

On 20 June 2002, the Independent Gambling Authority was provided with terms of reference for an inquiry into the management of gaming machine numbers in South Australia. The terms of reference principally required that—

The Authority must identify, within the context of its statutory functions, ….. all reasonably practicable options for the management of gaming machine numbers after 31 March 2003, with particular attention to strategies to minimise gambling related harm.

The Authority has commenced the inquiry, including the initial rounds of public consultation and commissioning of some independent research.

Recently, the Authority wrote to the Government requesting an extension of time to undertake its inquiry. An extension would enable the Authority to complete the inquiry in a way that allows full consideration of the merits of the issues and alternative options.

It is considered important that the widest possible canvassing of community perceptions and attitudes is undertaken and that stakeholders and others who wish to participate are given a full opportunity to make submissions and to respond to issues raised. A thorough report from the Authority is an important part of future debate and actions on this issue.

The Independent Gambling Authority is now expected to report in September this year.

This Bill proposes to amend the sunset clause and extend the freeze on gaming machines for a further 12 months—to 31 May 2004. That will enable sufficient time for the Authority to complete its inquiry and, subsequently, for Parliament to consider its position prior to the end of the freeze.

I indicate that this Bill will be a conscience vote for members of the government.

I commend the bill to the house.

Explanation of Clauses

Part 1—Preliminary

Clause 1: Short title

Clause 2: Amendment provisions

These clauses are formal. This measure will become law when it is given assent by the Governor.

Part 2—Amendment of Gaming Machines Act 1992

Clause 3: Amendment of section 14A—Freeze on gaming machines

Section 14A is due to expire on 31 May 2003. The proposed amendment will mean that section 14A will not expire until 31 May 2004.

The Hon. W.A. MATTHEW secured the adjournment of the debate.

RESEARCH INVOLVING HUMAN EMBRYOS BILL

In committee.

(Continued from 28 April. Page 2797.)

Clause 36.

The Hon. W.A. MATTHEW: Mr Chairman, I draw your attention to the state of the committee.

A quorum having been formed:

The Hon. L. STEVENS: In relation to clause 36, I would like to put some more material on the record for members to consider before we take the vote on the amendment to this clause. I ask members to listen carefully to what I have to say, because I believe that it is a very significant clause, and I would urge them to give what I have to say close consideration.

It was clear to me from the debate yesterday that further clarity is required about how the state legislation is determined by the commonwealth to be corresponding law and what that means for the South Australian legislation and the national regulatory scheme. The commonwealth Research Involving Human Embryos Act 2002 defines the corresponding state law as one declared by the commonwealth minister to be a corresponding state law for the purposes of the commonwealth act. It also allows only such a corresponding state law to confer functions, powers and duties on the NHMRC licensing committee.

Therefore, if the commonwealth minister determines that a state law is not a corresponding law, the NHMRC licensing committee will not be authorised by the commonwealth legislation to operate under that act. All the states and territories have agreed that the commonwealth NHMRC licensing committee will be the licensing authority under their acts. It is recognised that the NHMRC is a national body that needs to be able to apply a single set of rules to all those seeking a licence or using excess embryos for research across Australia. That was a basic tenet of the national consistency objective.

The licensing system, which comprises substantial parts of the South Australian bill, relies on the powers of the NHMRC licensing committee to issue licences and to appoint inspectors under the South Australian act, neither of which it could do if our act was not declared a corresponding law. If that became the case, both South Australian acts would need to be referred back to parliament for review, first, to make minor amendments to ensure they are declared to be corresponding by the commonwealth minister, so that the NHMRC licensing committee can issue licences and appoint inspectors under the state act; or, secondly, to make major amendments to establish a South Australian licensing body outside the national scheme capable of assessing, licensing and monitoring embryo research and other uses of embryos in South Australia. Either way, if the commonwealth minister determines that our legislation is not corresponding law, we would have to further amend the bills that we have been considering during this debate.

During the course of the debate on the bill, I have been asked about what advice had been received from crown law.

At a state level the letter which I sent to all members was developed from a comprehensive briefing that I received from my department. That briefing was reviewed by officers from the Attorney-General's policy section and by crown law officers. Written advice was not provided. Rather, comments were sought on the briefing that had been drafted and their suggestions were incorporated. We have not had formal advice from the commonwealth crown law officers. Departmental officers have been advised by commonwealth officers that advice had been sought from both the federal Attorney-General's Department and the federal crown law office. The commonwealth is not prepared to provide states with copies of such advice. Given that we do not readily share state legal advice with commonwealth officers, we are not in a position to complain about that.

The negotiations with commonwealth officers, including legal officers appointed to advise the NHMRC, have included exploring which proposed amendments might cause the commonwealth minister not to declare the South Australian act to be corresponding. Clearly, such officers cannot advise of a decision that a commonwealth minister might subsequently make about a bill that has not yet passed. However, they have indicated that they would view very seriously an amendment such as that proposed to the sunset clause which would mean that embryos might have a different status in different states and within the same state, depending on whether the commonwealth or state act applied.

Just to emphasise the importance of being a corresponding act and the sensitivity of the commonwealth over variations to the commonwealth act, I provide the following information. The commonwealth officers, including the legal adviser, have indicated that they have concerns with some clauses of our state bill that this parliament would consider to be routine. For instance, our regulation making powers in this bill reflect our normal drafting practice in South Australia and may provide for additional matters especially under a state licence, but the commonwealth has expressed concern that they are wider than those in the commonwealth act. These are not merely concerns of commonwealth officers. A letter to the Premier has been received from the commonwealth (over the Prime Minister's signature) indicating concerns with some clauses of our state bill that this parliament would consider to be merely routine.

This letter was drafted by NHMRC policy and legal officers, and my departmental officers advise me that these officers have informed them that they sought crown law advice in drafting it. I suggest that this indicates that variations between the state and commonwealth acts that we would consider to be minor and of little consequence in the context of a national scheme might indeed mean that our South Australian act may not be declared corresponding law by the commonwealth minister. Importantly, although we believe that we have effectively addressed the commonwealth's concerns about our bill as tabled and amended through my amendments, their evident sensitivity would be expected to be significantly heightened by amendments that may result in different treatment of South Australian embryos such as is proposed in the amendments to the sunset clause.

It seems to me that the debate about the sunset clause is not about the policy and objectives of the bill: it is rather about a commonwealth-state principle and parliamentary law making processes. I acknowledge that this is an important point of principle and should be raised with other jurisdictions and the commonwealth in an appropriate forum, but I question whether this is the best place and time to debate it. This bill is important, too. Such a significant national scheme should not be put at risk for a principle about decision making authority. This bill is about new and emerging technologies that have extraordinary potential. The bill ensures that safe and ethical rules are in place for the use of excess embryos for research.

The bill is about research that has the potential to identify the reasons for unsuccessful fertility treatment and to cure debilitating diseases and conditions. The bill and the national scheme recognise that the best way to deal with this is to ensure that science operates within nationally agreed legal and ethical boundaries set by parliaments. This bill allows the opportunity for South Australia to be part of this process. I urge honourable members not to lose sight of what Australia is trying to achieve and risk jeopardising these laudable aims.

Ms CHAPMAN: I thank the minister for a more fulsome response to the question I asked at the close of business last night in relation to the communications that had been received in respect of advice given on this important issue involving the impact of these proposed amendments. My second question in relation to this matter as to any correspondence or written advice from the commonwealth has been answered in that, as I understand it, the written advice had not been provided but commonwealth officers from the federal Attorney-General's office and federal crown law have had some kind of communication with officers of the minister's department to give advice on this matter, least of which is to have confirmed the contents of the memorandum that has been issued to all members.

However, in any event, the minister has not answered this question. Why has the minister not asked the commonwealth minister whether he or she would declare this legislation, as amended—if it were to pass—as simply non-compliant, and accordingly not corresponding, with all the consequences that may occur as outlined by the minister? Fundamentally, the Prime Minister and the premiers have got together to determine a course of action for the national and uniform application of important legislation, which the minister has outlined—and I agree with that entirely—for its smooth passage and operation at the national level. They got together to introduce, along with that, a process for its implementation which comes under the umbrella and authority of COAG—not this parliament—for future decisions in some aspects.

In her lengthy response today—which I have appreciated—the minister mentioned the fact that the action of proceeding with any different combination in each of the states' legislation puts at risk this legislation. In fact, she highlights by example the fact that we have in this legislation required that there be rules that are prepared at a state level and, in fact, to use her words, that has raised some concerns of noncompliance by the commonwealth. Well, so what? So what if they have raised some concerns? Have they indicated to the minister—and they had an opportunity to do so, and the minister had an opportunity to ask directly—that this will affect the viability of this legislation, that is, the rules example? At best, we have an indication of concern.

Nothing has been presented, either in today's presentation or in the letter, to indicate that either the introduction of rules, which is the example that has been given, or the amendments that are proposed and currently under discussion by the member for Enfield have the effect of declaring this legislation inoperable for the purposes of providing a scheme of support for the implementation of this legislation. In other words, we would be left to provide a whole state structure if that consequence occurred.

So, the opportunity has been there. Apparently, indirect and informal negotiations have taken place in consultation with commonwealth officers. No-one appears to have asked the commonwealth minister. This has been on the table in the state parliament for some time. It seems that there has been no indication that the commonwealth minister or his or her representative has indicated to the state parliament that if it were to follow this line it puts the whole process at risk. None of them, it appears, has presented that, and they have clearly had an opportunity to do so. So, unless the minister can indicate that there has been an oral indication—and I ask for that—to suggest that it will lapse rather than could or maybe, I ask that that be clarified.

The ACTING CHAIRMAN (Ms Thompson): That was the member for Bragg's third contribution on this question.

The Hon. L. STEVENS: I cannot give the member any more information. I have given all that I can. I have said a number of times during the debate that we cannot get a definitive statement about whether it will or will not because the legislation has not been passed, and they are not prepared to give that until it is passed. I suppose, in the end, the member now has to make her decision.

The Hon. G.M. GUNN: I strongly support the member for Enfield's amendment. This parliament is elected for the sole purpose of making decisions on behalf of the people of South Australia. The Sir Humphreys and the bureaucrats and others are not elected. When a minister goes to Canberra, or anywhere else around Australia, and sits around a table with other ministers or premiers and they make a decision, we either read about it in the newspaper or, if we are treated with courtesy, a ministerial statement is made in this place about what they have agreed to. That is it. We are expected to follow like lambs to the slaughter.

I know that the people advising ministers and premiers take umbrage at these damned members of parliament getting in the way. They are like backbenchers: they are a nuisance (I have been told that) and they have the effrontery to question these people. It is rather unfortunate for them because, at the end of the day, this parliament has the right to say, 'If you want to go down this track, if you want to make this decision, you come back to this parliament.' That is what democracy is about. I do not care who thinks anything else.

If you ask the citizens of South Australia, or of anywhere else in Australia, whether, before the minister agrees to this, it should be approved by the parliament, the overwhelming majority of people will say, 'That's what you people are elected for. We elect you to make decisions. We don't elect some commonwealth public servant to whom the minister referred earlier and with whom they had been in contact.' So what?

When I left this place late yesterday afternoon, I went to my small abode. I have pay TV, so I turned it on. Do you know what I saw? *Yes, Prime Minister*. I thought, 'Goodness me! I've had that all afternoon, and it's the same program!' It was chapter and verse, with Sir Humphrey dudding the Prime Minister. I thought to myself, 'Goodness me! We're going to debate that again tomorrow.'

The minister diligently came here this afternoon. Obviously, this morning, people in his department had been going through what the member for Enfield and others have said. They have been working up a cogent argument to the effect that we cannot have this; we cannot have these members of parliament getting involved; and that if we agree on this, what-ever else might they want to become involved in? That was on *Yes, Prime Minister* last night: if you let these elected officials become involved, you have more democracy. Whatever next? What will happen to Her Majesty's Public Service? It will lose its influence and it will not be able to control or manipulate the minister. Ministers are there to sign the bits of paper that the Public Service puts in front of them, and every now and again one is slipped in late at night and the minister will sign it. We know all about that. That is why we had the debate on the Crown Lands Act. When we were in government, the Public Service slipped a bit of paper past a poor, well-meaning minister; he foolishly agreed to it; and that is why we did not get our policy implemented. We know all about that.

The member for Enfield ought to be commended. I do not know whether he had one of those early morning telephone calls from above. When we were in government, I used to get a few such rather interesting calls. I well recall that at about 20 past six one morning my wife answered the phone and said, 'Oh, John. I'll get him for you.' It was the then premier on the phone. I had had the effrontery to question one of these Sir Humphreys; it went to the media; and the then premier got cross.

I know that people think that we are holding up the progress of this legislation unduly and that it has been agreed to on an Australia-wide basis. It took a long time for this legislation to be passed by the federal parliament. This bill on research into human embryos is very important; therefore, the parliament should have the opportunity to determine certain courses of action. As I pointed out earlier, this clause provides:

> If the Council of Australian Government declares an earlier date by notice under section 46B of the Research Involving Human Embryos Act 2002 of the commonwealth, that date earlier. . .

The member for Enfield has said to us that this parliament, these 47 democratically elected members, should have the ability to make a decision. What is wrong with that? I put it to this house that the member has shown wise counsel in moving this amendment, and I strongly support it.

I urge all members to support it because this is an important test involving an important principle. This parliament should not give the authority away to the executive. The parliament (or the executive) is not a rubber stamp for bureaucracy or for other interests; it is there to govern and to make wise decisions which will benefit the people of South Australia. This very important principle that we are debating here today is: if we make a decision and it is wrong, the people of South Australia can get rid of us, but they cannot get rid of COAG and they cannot get rid of some faceless person, well-meaning though they may be, who is feeding them the information. It must come before this parliament for a full, frank and open debate so that everyone can see how everyone votes. There can be no sleight-of-hand or pressure on people.

Therefore, I urge everyone to support the member for Enfield in his desire to make the parliament more relevant to the day-to-day decision-making on important issues which will affect the people of this state. That is democracy; that is why we are elected. We are not elected to be like Noddy and nod our heads to bureaucracy; we are elected to make decisions for good government on behalf of the people of South Australia. I strongly support the amendment.

The Hon. M.J. ATKINSON: As someone who is opposed to the principle of the bill, I seek the advice of the minister about the effect of this amendment. As I understand it, on 5 April 2005 the limit of the prohibition on excessive

embryos produced before 5 April 2002 will be lifted, so the ability to use excess embryos will be expanded on that date. The amendment in contention raises the possibility that the Council of Australian Governments could decide to take the brakes off earlier. Given that I oppose the principle of the bill, why would someone in my position want to support giving COAG the authority to take the brakes off earlier?

The Hon. L. STEVENS: At the moment, only excess embryos produced before 5 April 2002 can be used for research. COAG has set a date three years hence (5 April 2005) when the embargo will be lifted. This will enable excess embryos produced after 5 April 2002 to be used under strict conditions. The Attorney is correct: there is also an understanding or an ability for that date (5 April 2005) to be brought forward by a decision of COAG if the strict protocols that are being developed (to ensure, in particular, that excess embryos cannot be produced specifically for research) are in place. Then, COAG could decide on an earlier date.

The Attorney also asked what would be the problem if the bill was non-corresponding. I have been talking about this in detail, but essentially it would mean that we would have different rules applying here in South Australia. The NHMRC licensing committee, which would license under the state and commonwealth acts, would fall in a heap under the state act and not exist. The NHMRC licensing committee is the body established under the commonwealth act and under this corresponding act to give licences for any research. If we were declared a non-corresponding act, in terms of research covered by the state act, that mechanism would disappear, with the consequence that those researchers in South Australia who are licensed only under the state act (and they would be researchers in public offices) would be able to continue their research, and any single researcher who is not part of the corporation and covered only by the state act would not be able to continue their research. Meanwhile, other researchers in South Australia, such as BresaGen, which are covered by the commonwealth licence would continue as they have the federal licensing regime. We would have different rules in South Australia between different sets of researchers and also different rules between us and the other states.

I also mentioned last night that the bill with the clause as tabled in the house by me has already been passed in the Queensland parliament, which has only one house, and it has also passed in the Victorian Lower House. In Victoria, it has to go through another process, but at least one jurisdiction has completed its state legislative work and has accepted it according to the agreement made at COAG. The Attorney asks why he would not vote for this amendment, considering his position on the substance of the act. I cannot really answer that for him: he has to make his own decision because I can see that he may argue that if he was against the whole business of using embryos for research that could be destructive to the embryos, as I know is his position, he might well wish to take a position where he would push any freeing up of a deadline out further. That is probably for him to decide as a conscience issue if that is how he feels about this clause.

I make the point to everybody else, who perhaps voted differently on the other clauses in terms of the use of destructive research, that they should consider the main aims of the bill. This bill arose out of a decision by heads of government on an issue that was considered of national importance and significantly important for there to be consistent legislation across all jurisdictions. This process has been used before: this is not the first time it has been used. I bring members back to that position as it is the basis on which the bills are before us. If people have concerns about that process, perhaps that is something that we as legislators across the country need to discuss: how we might do it differently. However, this is the process that we have already been through. I know that in my own areas, with the Gene Technology Act and with the Food Act, and I think in the Attorney's areas, national legislation has come through.

Mrs Redmond interjecting:

The Hon. L. STEVENS: For a whole lot of other reasons as well. I do not think that we can be black and white about it. Things are not quite as simple as a question of 'Why have a state parliament?' We have to balance that with how we can practically do things across the whole country, all at once, together. That is the hard part.

Mr SCALZI: I indicated in my second reading contribution that I would look at the amendments of the member for Enfield. I have listened carefully to the arguments put by the minister, and I have listened to the member for Enfield and others who have contributed to the debate. As was the case when I made my second reading contribution, I am convinced that the member for Enfield has a very good point. This is not just any legislation: it is legislation based on conscience. Whilst uniformity and streamlining might apply when we are talking about issues such as the River Murray or other important matters that we have debated, when we are dealing with a matter of conscience it becomes even more important that the state takes a very careful look at it.

I think it would be wrong for us to abdicate our responsibility and give it to an unrepresentative body to make a decision. Whether or not they make that decision is not the question. The question is: do we abdicate that responsibility? I do not believe that there should be consent without representation. That has been clearly outlined. The National Health and Medical Research Council and COAG are not bodies representative of this parliament. They might represent part of the parliament and represent governments, and you can come to those conclusions but, ultimately, this is the body that should have the ultimate say.

I believe that, if there are any possible changes, it should come back to us. It is clear that, if we do not support this amendment, in simple terms we are abdicating our responsibility as state legislators. For those reasons I support the member for Enfield.

The Hon. L. STEVENS: I want to make one final point in relation to the NHMRC licensing committee which, if we are declared not corresponding, would no longer apply for us as the licensing body under the state act. I think the question is really clear. Do we want a system with comprehensive laws and controls or do we want South Australia to have to go right back to square one and work out how we would do it here? In the meantime, the rest of the states move forward with the research, consistent across the country. That is what we would be faced with.

Mr RAU: I will just summarise this in a few short remarks. First, this is a conscience issue and it has always been a conscience issue at all levels, state and federal. Secondly, this is a chamber of, amongst other things, legislators, and this is a piece of legislation that we are asked to pass. I think it is our responsibility to pass what we think is a responsible piece of legislation. I have listened to what the minister has had to say about the danger created by the amendment I have moved.

In summary, the argument against the amendment is that, between today and 5 April 2005, the commonwealth may ask

for the embargo that presently exists on the use of embryos created before April 2002 to be lifted. In that event, instead of the present embargo going until April 2005 it might be removed more quickly. In any event, by April 2005 the debate we are having now will become academic. What is put is basically that some serious harm to the whole national scheme will be done if the amendment that is proposed gets up. Most of the argument that has been advanced about this goes along this line. If the sun were not to come up tomorrow morning it would be a terrible thing; the birds would not sing in the morning, the trees would not respire and so on. That is fair enough, but it really does not address the question as to why the sun will not be coming up in the morning.

The Hon. Dean Brown: That sounds a bit like the speech by the Leader of the Opposition before the last election.

Mr RAU: Whatever. If we look carefully at the argument as to why the sun will not come up tomorrow morning, if I can use another metaphor (it is a completely mixed one; I apologise for that), the argument goes something like this. An elephant is not an elephant if it is missing a toenail. The minister is saying that, because one tiny element of the sunset clause provided in the bill is absent, this will transform an elephant—this bill—into something else and as a result the federal government will not make the corresponding law and the sun will not come up in the morning. I have been listening very carefully to the arguments about that and I have noted that there is not any legal opinion even from an articled clerk from either the state or federal jurisdiction to the effect that there is any legal merit whatsoever in that argument.

I have had various representations to me appealing to different elements of my nature that, in spite of my difficulty with the fact that the elephant still looks like an elephant to me, even though there might be a part of the toenail missing, I should nevertheless see the elephant as being a giraffe or a hippopotamus. I am strongly swayed by those arguments; I feel myself being dragged inexorably towards the hippopotamus or giraffe. In fact, I think I am being asked to see the elephant as perhaps a bird or something completely different—

Mr Scalzi: An insect?

Mr RAU: I don't know. In any event, what am I to do? It is a perplexing thing, particularly because the most cogent and powerful of these arguments has been raised with me only in the past few moments. Had that argument been raised with me some time ago when I had more opportunity to consider it, I feel it would have had a greater impact on me, but at this stage I am slow. In any event, I feel I am about to be trodden on by the elephant, and I make no mistake about that.

Rather than speak on the specifics of this bill, because of the power and the impact of these representations, I will finish my contribution by saying two things, in summary. Point one is: one would not assist the argument about how bad it would be if the sun were not to come up in the morning by addressing whether the birds would sing rather than the issue of the sun's rising in the morning. Point two is: when is an elephant not an elephant, and does just a small piece of the toenail really make that much difference?

The Hon. M.J. Atkinson: Is an elephant a federal or state matter?

Mr RAU: And is an elephant a federal or state matter? Good question! With those almost Delphic utterances, I conclude my contribution.

The committee divided on the amendment to lines 2 to 7:

AYES (26)

Atkinson, M.J.	Bedford, F. E.
Brindal, M. K.	Brokenshire, R. L.
Buckby, M. R.	Caica, P.
Chapman, V. A.	Evans, I. F.
Goldsworthy, R. M.	Gunn, G. M.
Hall, J. L.	Hamilton-Smith, M. L. J.
Hanna, K.	Kerin, R. G.
Kotz, D. C.	Matthew, W. A.
Maywald, K. A.	McEwen, R. J.
McFetridge, D.	Meier, E. J.
Rau, J. R. (teller)	Redmond, I. M.
Scalzi, G.	Snelling, J. J.
Venning, I. H.	Williams, M. R.

NOES (18)

Breuer, L. R.	Brown, D. C.
Ciccarello, V.	Conlon, P. F.
Foley, K. O.	Geraghty, R. K.
Hill, J. D.	Key, S. W.
Lomax-Smith, J. D.	O'Brien, M. F.
Penfold, E. M.	Rankine, J. M.
Rann, M. D.	Stevens, L. (teller)
Thompson, M. G.	Weatherill, J. N.
White, P. L.	Wright, M. J.

Majority of 8 for the ayes.

Amendment thus carried.

The CHAIRMAN: Member for Enfield, I take it that any other tabled amendments are no longer relevant?

Mr RAU: No. It was the first amendment, so the other is not relevant.

Clause as amended passed.

Schedule and title passed.

Bill reported with amendments.

PROHIBITION OF HUMAN CLONING BILL

Bill recommitted.

In committee.

Clause 29.

The CHAIRMAN: For the benefit of members, this involves subsequent amendments to be moved by the minister relating to clause 29, page 17, lines 9 and 10, which I understand are identical to amendments moved in the Research Involving Human Embryos Bill.

The Hon. L. STEVENS: I move:

Page 17—

Line 9—Leave out ', subject to the general defence under this Part,'

Line 10—After 'principal offence' insert:

unless it is proved that the principal offence did not result from failure on his or her part to take reasonable and practicable measures to prevent the commission of the offence.

These amendments are purely consequential to provide consistency with amendments made to clause 3 of the Research Involving Human Embryos Bill, as explained and accepted in the debate yesterday.

Amendments carried; clause as amended passed.

Bill reported with further amendments.

Bill read a third time and passed.

RESEARCH INVOLVING HUMAN EMBRYOS BILL

Third reading.

The Hon. L. STEVENS (Minister for Health): I move:

That this bill be now read a third time.

In making some closing remarks, let me say that it has been a very long and interesting debate. Firstly, this bill, as with the Prohibition of Human Cloning Bill, takes a very conservative approach, as has been acknowledged by most members. It ensures that South Australian researchers operate within nationally agreed legal and ethical boundaries set by this parliament, places strict controls on embryo research and other uses of excess embryos, and puts protocols in place to ensure oversight of embryo research and public accountability for each and every excess embryo used. It also empowers the couples for whom the embryos were created to determine to what use their excess embryos may be put.

In developing the legislation and the national scheme, in spite of the fact that we have departed slightly from that national scheme, people have gone to extraordinary lengths to ensure that ethical practice prevails. This is important for the researchers and the clinicians, as well as the couples who are making difficult decisions about donating their excess embryos. This is one of the most sensitive areas of law that a parliament can be required to enact. As the *Advertiser* editorial this morning said:

> This is a subject at once highly scientific, technical, abstract and passionate.

The editorial highlighted the ethical framework within which the scheme operates and it applauded the strict controls and safeguards in the bill, including the requirement for informed consent of embryo parents. It also acknowledged that viability of embryos is not an issue for most people and recognises the potential for research in this area to contribute to future health and wellbeing of Australians.

In relation to the passage of the amendment moved by the member for Enfield, our law will not be not corresponding if declared so by the federal minister until COAG sets a date that is different from 5 April 2005. If that occurs, we will need to come back to parliament to deal with that issue and with any issues that would arise here in South Australia in relation to that non-correspondence.

However, that being said, I thank all members for their spirited participation in the debate and their willingness to listen to divergent points of view. I also thank those who provided briefings and answered questions at two sessions arranged for members on both the commonwealth and the South Australian bills. They are: Reverend Dr Andrew Dutney, Chair of the South Australian Council on Reproductive Technology; Father John Fleming, Director of the Southern Cross Bioethics Institute; Professor Rob Norman, head of Repromed; Dr Jeremy Thompson, embryologist at Repromed; and Dr Chris Juttner, Medical Director at BresaGen.

In addition, I recognise the contribution of a number of South Australians who provided expert comment on drafts on both the commonwealth and South Australian bills: members of the South Australian Council on Reproductive Technology; chairs and members of the human research ethics committees of our major hospitals; Dr Brian Stoffell, medical ethicist for Flinders Medical Centre; clinicians, scientists and other staff from the reproductive medicine units at the Queen Elizabeth Hospital and Flinders Medical Centre; Father John Fleming and Dr Greg Pike from the Southern Cross Bioethics Institute; and the senior directors from BresaGen. I also thank Jean Murray from the Department of Human Services and other staff who have done much work. The bill now travels from this place to the other place, and we will have to wait to see how it proceeds through the council.

The Hon. Dean Brown interjecting:

The Hon. L. STEVENS: It will be interesting to see how it proceeds through the council and then finally returns to us. I thank all members for their participation.

Mr SNELLING (Playford): First, I thank the minister for her graciousness during the debate. She and I have a profound philosophical difference about the moral status of the human embryo, but the minister has treated me at all times with good humour. I appreciate the efforts of her staff in discussing potential amendments, and the briefings that the minister provided to members of parliament from a range of experts on two occasions prior to debate on the bill. It is just perhaps a pity that more members were not at those briefings because they were highly informative. I must say that at those briefings, when it was put to the meeting that the human embryo was in fact a human being, at no stage was that disputed, even by those experts at the briefing who supported the legislation. I find it somewhat unusual that during the second reading debate members still said that the human embryo was not, in fact, a human being. By passing this bill we are crossing a threshold where the rights of some members of the human family are to be discarded. In so doing, we are committing an act that future generations will look back on with a great deal of sadness.

The house divided on the third reading:

AYES (32)

Bedford, F. E.	Breuer, L. R.
Brown, D. C.	Buckby, M. R.
Caica, P.	Chapman, V. A.
Ciccarello, V.	Conlon, P. F.
Evans, I. F.	Foley, K. O.
Geraghty, R. K.	Hall, J. L.
Hamilton-Smith, M. L. J.	Hanna, K.
Hill, J. D.	Kerin, R. G.
Key, S. W.	Lomax-Smith, J. D.
Maywald, K. A.	McFetridge, D.
O'Brien, M. F.	Penfold, E. M.
Rankine, J. M.	Rann, M. D.
Rau, J. R.	Redmond, I. M.
Stevens, L. (teller)	Thompson, M. G.
Weatherill, J. N.	White, P. L.
Williams, M. R.	Wright, M. J.

NOES (11)

Atkinson, M. J.	Brindal, M. K.
Goldsworthy, R. M.	Gunn, G. M.
Kotz, D. C.	Matthew, W. A.
McEwen, R. J.	Meier, E. J.
Scalzi, G.	Snelling, J. J. (teller)
Venning, I. H.	

Majority of 21 for the ayes.

Third reading thus carried.

STATUTES AMENDMENT (MINING) BILL

Received from the Legislative Council and read a first time.

STATUTES AMENDMENT AND REPEAL (NATIONAL COMPETITION POLICY) BILL

Adjourned debate on second reading.

(Continued from 24 October. Page 1773.)

Ms CHAPMAN (Bragg): I rise on behalf of the opposition to indicate support for the Statutes Amendment and Repeal (National Competition Policy) Bill 2002. This bill was introduced into the House of Assembly on 24 October 2002 and results from reviews of South Australian legislation pursuant to the national competition policy. Under that policy, all jurisdictions have an obligation to review and, where necessary, reform legislation which contains restrictions on competition. I was interested to read in the minister's second reading speech that 178 acts have been identified as containing restrictions on competition in South Australia since the agreements have been entered into and, since 1997, 154 acts have been received, including the following acts which are the subject of this proposed legislation: Emergency Powers Act 1941; Loans to Producers Act 1927; Advances to Settlers Act 1930; Loans for Fencing and Water Piping Act 1938; Student Hostels (Advances) Act 1961; Local Government Act 1934; and Conveyancers Act 1994. This bill will have the effect of repealing the first five of the above-named acts.

The Emergency Powers Act 1941 was a war-time measure which was to expire when the Governor issued a proclamation declaring that World War II had ended. No proclamation, as we were informed by the Premier in the house last year, was issued. The act contains extensive powers over economic activity and is clearly anti-competitive.

The Advances to Settlers Act 1930, Loans for Fencing and Water Piping Act 1938, Loans to Producers Act 1927 and Student Hostels (Advances) Act 1961 were each designed to provide support and funds for authorities or individuals. All loans under these financing schemes were closed as at 30 June 1998 and the acts are no longer used.

Although the Local Government Act 1989 repealed almost the entire Local Government Act 1934, certain provisions of the 1934 act relating to cemeteries conducted by councils remain in force. They are now redundant and the bill repeals them.

The bill amends sections 7(1)(b) and 7(2)(b)(i) of the Conveyancers Act 1994 to provide that a person cannot be registered as a conveyancer if the person has been convicted of a summary offence of dishonesty within the 10 years preceding their application. I note, however, that a conviction for an indictable offence of dishonesty will continue to permanently prevent a person from being registered.

A consequential amendment is also made to the definition of 'legal practitioner' so that this term will have the same meaning as in the Legal Practitioners Act 1981. This will provide consistency in the definition. The definition of 'legal practitioner' in the Land and Business (Sale and Conveyancing) Act 1994 is also amended to provide consistency in all legislation dealing with conveyancing.

I am pleased to have received confirmation of submissions from the Law Society and the Conveyancers Society, who have reviewed this legislation. I note that you, sir, announced yesterday that the select committee on cemeteries will deliver its report at a later time, and I am not aware of any recommendation or otherwise from that committee in this respect. As I indicated, it is the opposition's view that the amendments to the Local Government Act that were retained under the 1934 act are now redundant and this bill accordingly repeals them.

Today, and in earlier debates, much has been said about the national competition policy generally. It is the law. Consequential agreements with the commonwealth have been entered into by the state jurisdictions in relation to the undertaking and carrying out of the national competition policy. Consistent with those agreements, this bill is presented to the parliament, and we support its passage.

The Hon. G.M. GUNN (Stuart): I will be brief. I would like to make one or two comments about the national competition policy in general. I believe that this escapade of economic rationalism has nearly gone too far, and not a great deal of commonsense is coming out of this so-called august body. It is my view that some of these so-called anti-competitive arrangements, which this body seems to take great delight in attacking, have been for the good of the communities where they have occurred.

Many people in isolated communities, such as in my electorate, would not have had any water had economic forces been in play. That is an absolute nonsense, and I take very strong exception to Mr Samuel, or anyone else, telling this elected parliament what legislation we should have in place or what economic policies we should implement. If the people of South Australia elect members of parliament to make decisions, in my view only one lot of people has the right to tell them whether they are right or wrong, and that is the electorate.

Statutory marketing boards, such as the Australian Wheat Board and the Australian Barley Board, were set up in this country and have been an absolute benefit to the people of South Australia and Australia. We saw what happened to the poor dairy farmers when milk was deregulated. Who benefited? The big supermarket chains and no-one else! I would not be a dairy farmer for anything. They have been hardworking, diligent people, and they have had the mat pulled out from under them.

I do not think that there is any real problem with these provisions that we are required to repeal. However, when this august and esteemed body starts to look at other arrangements, it is nothing to do with them—if we want to regulate the number of taxis we have in South Australia, for example. At the end of the day, if you are a taxi driver you have to be able to make a living to support your family and your operation. So, it is a nonsense to say that there should be open slather.

If it is said that we have to be competitive on an international basis, I point out that the United States and the European Economic Community are closed shops. They will not dud their people. What about the politics in the United States in relation to support for their agriculture? There is no politician who would be game to cut it out. We would not have had electricity spread across the length and breadth of South Australia if we had not had some government support. We would not have school buses to take our kids to school and we would not have health services. I think it is about time that this parliament told these gurus and economic rationalists and other people who seem to have lost the plot that they can do what they like in Canberra but let commonsense be the measure that we adopt in relation to competition policy. I do not have any problem with repealing this act of parliament, but I have a real problem with the principle of telling us what we should or should not to, particularly when these particular commercial operations of government are there to ensure that people across the length and breadth of the state have reasonable access to resources and services.

Mr VENNING (Schubert): I, too, want to seize this opportunity to put my thoughts on the record, because we do not often discuss issues such as national competition policy.

It was all the go when I was first elected to this house nearly 13 years ago. It was flagged by former Prime Minister Keating and has been taken on board by the Liberal government ever since. That does not necessarily make it right. I, like the member for Stuart has just said, have many concerns about what has happened recently, particularly when we have in place marketing boards and subsidised systems—we do subsidise certain areas of our community—that work.

The Hon. P.F. Conlon: Like building you a grain terminal.

Mr VENNING: Yes, as the minister says—

The Hon. P.F. Conlon: That hasn't happened under competition policy.

Mr VENNING: The minister says that they are building a grain terminal. For the sake of the state's economy, I hope they do.

The Hon. P.F. Conlon: Well, we are.

Mr VENNING: And I hope you do it as quickly as possible. After the economic summit that we have just had, the minister came out with the startling revelation that it is to be export driven. Hello, hello! The sun is rising! I have been saying that ever since I have been here. However, to do that effectively and efficiently, you need a deep sea port to take the big ships. You can say what you like; I still say it was a talkfest, but I am open minded. As the Premier said today, I am happy to come back in 12 months' time to see if the writing is on the wall in relation to this issue.

I have been accused of being an agrarian socialist. I am not. In relation to matters such as national competition policy, I believe it is wrong in a state such as ours to say that the state government should not cross-subsidise many of its essential services (particularly electricity, water and all those types of services) because when you go out into the back blocks of our state you flick a switch and the lights come on. Across the fields are kilometres and kilometres of powerlines which were put there by the Playford Liberal government (the LCL government) many years ago. This was only managed through cross-subsidisation. One of the first targets that emerged from the national competition policy was things like this. If it did not pay, if it did not return any money, we should not be doing it, because that was the economic rationalisation that was happening in those days.

I believe I am right in saying that our state would not be developed in the way that it has been if we had had these policies in place 25 to 30 years earlier. These economic rationalists have come, and I believe they will go. As I said, I have been accused of being an agrarian socialist, but I believe that all our cities and communities of South Australia need to have certain infrastructure to make them work, to keep the balance. Members of this house have mouthed off about decentralisation, but if we followed the national competition policy to the nth degree I believe we would see greater decentralisation than we have ever seen. I remind the house that South Australia is probably the most centralised state in the most centralised country in the world. To have this national competition policy rammed down your throat as being economic rationalisation and the way to go will not work, particularly when we are in a unique situation in world markets as the most efficient producers of so many primary industry products, particularly wine, grain and wool.

We saw the Keating government, followed by the Liberal government, attack the way we sell wheat, particularly the single desk approach, which is coming under threat under national competition policy guidelines. I say, 'Hands off', because the industry in this country is very happy with the way it is and will fight tooth and nail to keep it that way. If you want proof of that, just ask the international competitors particularly the Americans what they think of our single desk. They want it abolished so that their merchants and traders can come into Australia and pick off individual states and growers and break down the marvellous orderly marketing system we have in South Australia.

It is all very well for us to be talking about level playing fields, which is the basic plank of a national competition policy, but, when you see the EEP schemes and other schemes that the Americans and Europeans have, where is the level playing field in that? We are expected to set a good example but, even though we are most efficient, Australia is not in a good position as we are a small trader and we cannot moralise to the huge multi-national companies and huge nations about how they ought to conduct their trade and business.

I was very sad indeed when the government took on the Australian Wheat Board and deregulated the domestic wheat market here in Australia. The member for Wakefield and I have differed on only one policy issue, and that is the one. He was a strong promoter of the domestic deregulation of wheat and I was always opposed because I preferred to protect the bigger goal—the overseas and international single desk, which luckily is still in place. However, it is under continuing threat and, if we take that down, we will certainly become the target and victims of overseas traders. Some companies like Cargyl International would buy and sell 10 times more wheat than Australia could grow, and that is just one international trader. They could come in and create the demand and the glut so, if we were deregulated and divided, it would be a very sad day indeed.

We are going through a similar situation with barley because at the moment it is topical. The Barley Board is South Australian and Victorian based. The Victorian side of the deal has allowed the single desk to go, while South Australia has kept it. That legislation is to come back before this house shortly, and I urge members to leave the single desk in place. It is all very well for other states of Australia to talk about being deregulated and having a free market with barley, but if it was not for South Australia putting a benchmark in the marketplace they would not have a standard to price their marketing against. As the largest barley growers in Australia, it is just as well it is that way.

I have some passion for this subject because a lot of things have been done over the past 10 to 15 years under the so-called slogan of national competition policy (with which I have a lot of problems). How did this problem with our electricity generation start? It is within the portfolio of the minister sitting in the chamber. The problem we have with the deregulation of our electricity assets started with Prime Minister Keating under the national competition policy and it has reached the stage where most South Australians are paying 35 per cent more for their electricity. The catchcry is, 'We should not subsidise government services. They should stand out on their own and let the market forces prevail'. That is all very well in a country like ours where we have the tyranny of distance, but the economics are not there.

If it were not for subsidisation, we would not have many of these services. How would Whyalla, particularly, go when it came to getting water? The huge cost of the Morgan-Whyalla pipeline would never have been there if we had not cross-subsidised these services. We know strategically how important it is that we have these major cities of Whyalla,

Port Augusta and Port Pirie in the north viable and with water. Without them, we would be in serious trouble.

I support the legislation, because it does not worry me if we are repealing these acts of the federal parliament. But every state government is a Labor government, and we have a federal Liberal government. It is amazing to hear from the state premiers and treasurers that they are not about to repeal any of this National Competition Policy. In fact, it has become very trendy for them to continue it. Premier Bracks and others are very happy about the deregulation of the Barley Board and all those other things. And we know what has happened in relation to dairy deregulation. I feel for these people right now.

The member for Mawson is a dairy farmer and I was speaking to him at length about this last night. Not only do we have a drought so that these dairy farmers are feeding their cows fodder that at the moment is expensive because of high grain prices; not only are they having this problem and all the increased prices but they also have this problem with the deregulated product. And guess what? What have we got? We have market manipulation by two of our largest multinational companies. And what are we doing about that? Nothing! What are we doing about the monopolistic powers? Nothing!

Every member of this house should have a lot of sympathy for our dairy farmers. I have, and if I have erred in the past in relation to bringing in this sort of legislation, I apologise. We ought to go back and re-address it, because in the end we will have only a few dairy farmers left. The day of the dairy farmer family, with the father and the children milking the cows, is coming to an end very quickly, and we will have multinational companies milking the cows in huge stand cow sheds.

Mr Brokenshire: What about the communities?

Mr VENNING: The day of the family dairy is going and the communities, as the member for Mawson says, will go with them, communities like Mount Compass, like Wirrabara in the north, like the Riverland and like the communities down in my electorate, such as Mannum in the Lower Murray irrigation area. All those communities are very light important for Adelaide's milk deliveries, and they have come under great threat. I just wonder whether the parliament—not just this parliament, but particularly the federal parliament, because that is where it all started—could say, 'This is what's happened. Did we make a mistake? Can we retrace our steps?'

I have a lot of heartfelt feeling about this matter because I also have some dairy farmers in my electorate. So, I take this opportunity to raise these issues, because I do not agree with the position of some of my federal colleagues on this. I do not believe that Prime Minister Keating got this right, nor did Professor Hilmer, who wrote the original report on deregulation, which is quoted as the bible in relation to the subject. I have no problems supporting this bill, particularly in relation to the repealing of the federal acts, but I want to put on the record my opposition to this National Competition Policy. Of all the things that make people cross in my electorate, and conservative people of this state, it is this issue that makes them most cross.

The Hon. P.F. CONLON (Minister for Government Enterprises): I thank the opposition spokesperson for her sensible words on the matter and thank the opposition for their support. In regard to the contribution of the member for Stuart, he and I often agree on points, and I have some sympathy for some of the matters he has raised. I think that some achievements have been made with National Competition Policy, but I can understand how some would feel that it is very much like the French Revolution: while it started with some lofty ideals, it may well, from the perspective of some, have descended into the Terror.

I would say that this parliament does retain its full plenary powers granted it at its creation. The issue for us is that we rely on payments from the commonwealth. If we ever want to disregard these sorts of dictates we must grow our economy so we do not have to be so reliant on commonwealth payments—certainly competition payments—and at least put ourselves in a position where we could be more free. That is why I commend the work of the recent economic summit and the bipartisanship of some opposition members—not the member for Schubert, who wants to be negative and talk about a talkfest. That is the real future and the way we will be able to resist the dictates of competition policy that we do not like. I do agree with some of the comments of the member for Stuart. As to the contributions from the member for Schubert, I am reminded that as children we are taught that if we do not have something nice to say we should not say anything, and on that basis I desist and simply commend the bill to the house.

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

SITTINGS AND BUSINESS

The Hon. P.F. CONLON (Minister for Government Enterprises): I move:

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

Motion carried.

ADJOURNMENT DEBATE

The Hon. P.F. CONLON (Minister for Government Enterprises): I move:

That the house do now adjourn.

Mr BROKENSHIRE (Mawson): I rise to put on the public record some matters relevant to the Mobil oil refinery in the southern region. I first say that, as a southern member and having the knowledge and understanding of the jobs that have been created directly and indirectly by Mobil just in our own area, it is with extreme disappointment that I see this oil refinery decision to go into mothballs at this stage and, indeed, from advice given to me, if the oil industry does not recover, ultimately to see the complete dismantling of the Mobil oil refinery in a few years. I want to touch on that for the moment because, while the Treasurer today said the Leader of the Opposition and some other members and I were supportive of mothballing, that was not exactly what we were saying. I also believe that the parliament, government and South Australian community are not legally in a position to force Mobil to completely dismantle and totally rehabilitate the property to what it was in the early 1960s before the oil refinery commenced.

However, having been advised that Mobil has decided to spend $30 million over the next few years to mothball the oil refinery and maintain it during that period, right through to the fact that there will be 24-hour security on the premises, and the fact that Mobil is still hopeful that things might change when it comes to the international oil market and industry, I think that, in the long-term interests of the South

Australian community—and, indeed, in those of our own area—we should listen to and appreciate that Mobil is probably doing the right thing in mothballing it. My only caveat is that I believe that if, after three years—that is, by 2006—there is no clear improvement in the situation with respect to the international oil industry, it will then very much be expected to get on with total rehabilitation. In the meantime, we need to explore every possible opportunity to utilise that land to create additional jobs in the southern region.

About 10 years ago, we were known as the forgotten south. I am very pleased that that is no longer the case. A lot of hard work has gone into growing the south, and I was pleased with the Liberals' record with our community during our two terms in government with respect to our direct and indirect support for the growth of the southern area. I congratulate our community for working with us. We need to continue that partnership, and we need to develop other opportunities.

Those who have said that the site should be turned to housing are wrong, because there is some very attractive land there for job creation development and projects. We do not want to become a dormitory suburb. We need to have jobs and enterprise and the economy strong in our own area. We also still have that very deep sea port. So, let us, as a community, look forward when it comes to opportunities there.

Whilst I am disappointed with the Mobil decision, I believe that the company has done the right thing by the workers regarding the packages that have been offered, and I believe that it has been responsible. I have been advised that the overall industry in Australia lost $500 million last year, and I think it has already been publicly announced that Mobil at Port Stanvac lost $99 million to $100 million, or thereabouts, last year, and that was on top of earlier losses. So, clearly, when we have a situation where something like 2 million barrels of crude is being refined every day surplus to international requirements, we have a major problem with the oil industry.

I am also concerned that it appears that the refined product for Mobil will come from Singapore. If Mobil thinks that it can bring all its refined product into South Australia on ships from Singapore to Birkenhead, clearly that is also a possibility for other oil companies around Australia. Sir Thomas Playford (a premier of whom we are all very proud, with his magnificent record; he loved, and was passionate about, South Australia) came up with the initiative for the Mobil oil refinery. It was a sad day for me, when I attended a briefing there immediately after the decision to mothball the refinery, to see Sir Thomas Playford's plaque there from the day when he opened the refinery. The fact is that, as a result, we had independence with respect to our fuel supplies for South Australia, and that in itself is of major concern to me with respect to the whole South Australian economy.

I want to touch on a couple of other points that are particularly of concern to me. The first is the absolutely bullish attitude, which I have never seen by a government before, when it came—

The Hon. M.J. Atkinson interjecting:

The DEPUTY SPEAKER: Order, the Attorney!

Mr BROKENSHIRE: —to the attitude around Mobil on the weekend prior to the announcement of the board's decision. When asked on the ABC about the circumstances that prevailed when I was advised that the board was making the decision, I said that the briefing I received showed that the board did not make a final decision about the oil refinery until the late afternoon on Monday 7 April. Yet, on the weekend prior to that, this government was out there in the media angrily attacking Mobil. People in my community who need to put bread and butter on the table for their children and provide clothing for them, and so on, were very concerned about that, because they worked there.

Their jobs were at stake and the decision was not made then. I understand that the government, through the Premier's office, gave the journalist a letter dated 27 March. I have not seen the letter but, apparently, the Premier's office, according to the journalist, said that the Premier was basically aware of the decision on 27 March. In fact, I think that the Premier's word was that he was 'hijacked' or 'ambushed', from his observations, by Mobil. I do not know whether that is the case and that is not relevant to this issue. However, what is relevant is that I was told that the decision was not made by the board in Melbourne until 7 April (the Monday), yet the government was angrily attacking Mobil with respect to the mothballing/closure of the refinery on the weekend prior to that.

I would have thought that, even if there was just the slightest glimmer of hope of keeping that oil refinery going, the last thing that a government should do—and the first thing that a board would want—is to attack Mobil days before the decision was made. A board would then say, 'Well, this is the attitude of the government. We are in a very difficult position. We have been doing what we could do to keep Mobil viable in South Australia. Clearly, this government does not have the attitude and commitment that it should have. It is an easy decision for us: we will close it.' As a result, the member for Bright, I and other members in the south have as constituents families who are very concerned about their future wellbeing and their jobs.

I can tell the house that the package will not last too long if they cannot get another job. These families have been committed to the south. They moved into the area and, in some instances, they have been there for generations. We now see 400 families in the south without jobs as of the end of this financial year, and the possibility, indirectly, of another 800 families being totally affected by this decision. I would have thought that the better decision for this government to have made would be to go to the Mobil board meeting on the Monday and, even if it was just a skinny glimmer of hope, spoken to that board about possible ways of keeping the oil refinery going.

But that did not happen. What happened was that on the Saturday night the community in the southern suburbs had to sit and watch on the news this government angrily attacking Mobil at a time when, I understand, it had not even made the decision. I think that is deplorable. Many people in the community have expressed their concerns to me about that. I now say to this government: stop the rhetoric about the southern suburbs and having a dedicated minister, and all the rest of it, and start delivering for our community. This opposition had a good record in government in terms of fighting for and delivering infrastructure, jobs, debt reduction and opportunities for families.

This government is all about rhetoric and talk. Not a dollar is available to the Minister for the Southern Suburbs when it comes to proper development and infrastructure. We know how to grow partnerships and to develop our community. What we want from this government is real input in the form of dollars and a serious commitment to fight for our industries, not to attack them when they are in a difficult position, because the south deserves better.

Motion carried.

STATUTES AMENDMENT (TRUTH IN SENTENCING) BILL

The Hon. M.J. ATKINSON (Attorney-General): I seek leave to make personal explanation.

Leave granted.

The Hon. M.J. ATKINSON: Yesterday, in answer to a question from the member for Playford, I recalled that the Statutes Amendment (Truth in Sentencing) Bill had its committee stage in the house on 21 April 1994. In fact, the committee stage was on 4 May 1994. The bill was introduced to the house by the member for Bright and the second reading moved on 21 April. The second reading debate was then adjourned until 4 May when the bill completed all stages. I spoke in favour of the bill on 4 May, not on 21 April. It follows that the most contentious clause in which the member for Bright proposed that existing prisoners receive all the automatic remissions to which they would have been entitled, but for the new law, in a lump sum up front was debated and voted on on 4 May. As I told the house yesterday, I did not seek to amend the contentious clause; I merely opposed it, and the parliamentary Labor Party did likewise. We were defeated by 29 votes to eight and, as a consequence, Allan Charles Ellis's nonparole period was reduced from the 18 years Mr Justice Duggan gave him to 11 years, seven months and 14 days.

ADJOURNMENT

At 5.56 p.m. the house adjourned until Wednesday 30 April at 2 p.m.