

LEGISLATIVE COUNCIL

Thursday 27 October 1983

The **PRESIDENT (Hon. A.M. Whyte)** took the Chair at 2.15 p.m. and read prayers.

THE PRESIDENT

The Hon. C.J. SUMNER (Attorney-General): I move:

That Standing Orders be so far suspended as to enable me to move a motion without notice.

Motion carried.

The Hon. C.J. SUMNER: I move:

That, in view of the defeat earlier today of a motion to suspend a member, this Council now expresses its full confidence in the President, the Hon. A.M. Whyte.

The necessity for this motion has arisen as a result of a division that occurred last night following the naming of a member of this place. Following that division, you, Mr President, indicated that you would resign because of the defeat of the motion to suspend the member. Since then, I have had the opportunity to discuss this matter with representatives of the various Parties and with you, Mr President. There is no point in rehashing the circumstances or in attributing blame for what became a somewhat heated debate in the Committee stage of the Tobacco Advertising (Prohibition) Bill last night and the consequences that followed. Suffice to say that difficulties arose that caused this situation.

Because Parliament is a very human institution, late night sittings often produce problems of this kind. While such sittings are sometimes unavoidable, I believe that Parliament should consider means to reduce their frequency and should also consider mechanisms to ensure the smoother and more efficient functioning of the Parliament. The Joint Committee on the Law, Practice and Procedures of Parliament has as one of its terms of reference to consider and report upon 'other mechanisms to ensure the more efficient functioning of the Parliament, including procedures to avoid late night sittings'. The Parliament would be well served by giving careful attention to this problem. Mr President, members on this side of the Council supported your candidature for President in 1977 and again in 1979: we displayed our confidence in you, Sir, on those occasions, and we are prepared to do so now. I trust that the Council will be prepared to endorse that confidence by carrying this motion.

The Hon. FRANK BLEVINS (Minister of Agriculture): I wish to be associated with the motion. The circumstances that arose last night were very, very unfortunate. In retrospect, I believe that the decision at which the Council arrived was unfortunate. I want to assure you, Mr President, of my personal support. You would be aware from your own knowledge of the support that I have given you in your position as President, and I would certainly like to continue to give that support.

I can assure you, Mr President, and the Council that there was absolutely no suggestion at 10 past 12 this morning by me or the Government of any desire to undermine your authority in this Council.

Members interjecting:

The PRESIDENT: Order!

The Hon. FRANK BLEVINS: Rather, it was an unfortunate set of circumstances for which I believe every member of the Council would have to share some blame. I am sure that from time to time in the next couple of years I will be defeated in a vote in this Council on occasions, but I can

assure you, Mr President, that I will not be resigning. It is my firm belief, in this unfortunate set of circumstances that occurred earlier this morning, that you, Mr President, should strongly reconsider your decision. There was no intention on my part, or on the part of anyone on the Government benches, to in any way undermine your authority. In this unfortunate set of circumstances, I can assure you, Sir, that I will do everything possible to ensure this does not occur again.

The Hon. M.B. CAMERON (Leader of the Opposition): I must say, Mr President, that the words spoken so far do not indicate to my mind a sufficient degree of apology to you as President of this Council. However, it is a most unfortunate set of circumstances, and I do not believe that one can just say, because we had a late night sitting, that that was the problem, and that if we do not have late night sittings there will be no further problem. We witnessed during the events of last night yet another example of the total disregard that some members of the Government hold for this place, its conventions and customs and, more than that, for the position and authority of the Chair.

There is no question that the Government, in an irresponsible alliance with the Australian Democrats, placed you, Mr President, in an intolerable position. Unless the President receives the support of members in the exercise of his authority, no matter how unpalatable that may be for some in certain instances, the operation of this place comes to a standstill. How can we as members in this place choose, by a majority, a person to serve in the high office of President, and then refuse to accept the authority and right of that person to ensure the proper and responsible conduct of proceedings?

The behaviour of the Minister of Agriculture which we witnessed was on any assessment quite improper, and anyone who reads *Hansard* would agree with that. The situation is all the more serious when a Minister of the Crown is not only involved but is also responsible for the wilful disregard of the President's ruling and authority. There are always occasions, Mr President, when members from both sides of the Chamber say things that we might regret. However, what we saw last night and this morning was much more than that: it was nothing more than wilful vandalism of the conventions and authority of Parliament and one of its most senior officers. Early this morning, with the Attorney-General absent from the Chamber and the Minister of Health (Hon. Dr Cornwall) in charge, the Minister of Agriculture transgressed in a manner that I have not seen in my time in this Parliament.

The Hon. C.J. Sumner: Come on!

The Hon. M.B. CAMERON: That is correct. He continued to flout the authority of the Chair. It should not be all that surprising that that behaviour degenerated to the extent that it did while the Minister of Health was leading the Government—

The Hon. J.R. Cornwall interjecting:

The Hon. M.B. CAMERON: We have witnessed on many occasions the extraordinary rude and distasteful behaviour of the Minister of Health, who openly flouts normal standards of courtesy and behaviour. You, Mr President, in the past have been forced to remove the Minister from the Chamber because of that. Even as late as yesterday we saw the Minister trying to ignore your authority, Mr President, and in fact swearing at members opposite. It is not the first time that that has happened. What is particularly disturbing—

The PRESIDENT: I hope that the Leader will not use this motion as a forum for attacking a member.

The Hon. M.B. CAMERON: It is not my intention to do so, but the Minister was the senior Minister in charge of the Council. I do not believe that this situation would have arisen if the Attorney-General had been present, and I am not reflecting on the Attorney-General for being absent. If any person should, more than other members of this Council, recognise the need for the authority of the President being upheld, it is a Minister. The Attorney-General should never again leave the Minister of Health as Acting Leader of the Government in this Council as I do not believe he has the capacity for such office or the necessary standards—

The Hon. C.J. SUMNER: I rise on a point of order. The motion expresses confidence in the President. The matters to which the honourable member is referring are completely extraneous and irrelevant to the content of that motion.

The PRESIDENT: I uphold the point of order.

The Hon. M.B. CAMERON: I will not go any further on that matter, but the Attorney-General also bought in some irrelevancies. Mr President, you were placed in an impossible position by the actions this morning. The result of the situation in which you were placed was that no person, whether a Minister or otherwise, would feel the need for disciplined and restrained behaviour in the future because they would know that your attempts to assert authority over them would be overruled by the majority in the Chamber. None of us are above reproach in this place. However, once you make up your mind to exercise the authority given you under the Standing Orders, it is essential that we accept your direction and accede to your wishes.

Mr President, all members are fully aware of your ability to exercise a deliberative vote at the second reading stage and third reading stage of any Bill. Members are also aware that you are a member of the Liberal Party and, unlike the Speaker of the House of Commons, you remain a member of that Party. Members would be aware also that, on the majority of occasions, if you decided to exercise your deliberative vote, you would follow the basic philosophy of the Liberal Party. To your credit, Mr President, you have not capriciously exercised that right which you have and should retain. You have not sought to frustrate the Government. You have allowed full and complete debate in this Council and have been more than fair in allowing members to exchange comments and views within the Chamber. You have not sought to stifle that behaviour, which I believe leads to a full and frank exchange of points of view and which is a key element to the successful operation of a Chamber of Parliament.

Mr President, in spite of your very reasonable approach to Government legislation and to the right of the duly elected Party to govern, the Government members, combined with the Australian Democrats, effectively passed a vote of no confidence in you last night. That situation should never again occur when you are merely attempting to bring the behaviour of members in line with the Standing Orders. We appreciate the latitude you have shown and know that this will continue and we will give you full support in your exercise of power under the Standing Orders.

The role of the Australian Democrats in this morning's fiasco was to be regretted. However, I understand that one member failed, through his lack of experience, to understand the implications of his action. I am certain that he has learnt a very valuable lesson from this experience and he will not in future idly follow the advice proffered to him by members of the Government. Unfortunately, such advice is often given under an harassment situation—something this Council will have to look at.

In summary, the Opposition offers you, Sir, its support for the exercise of powers given under the Standing Orders

and we condemn behaviour which seeks to flout and undermine that authority. We regret that it has been necessary for this motion to be moved.

The Hon. K.T. GRIFFIN: The Attorney-General has said that the late night sitting was one of the contributing factors to the dissension in the Chamber last night and this morning. That is nonsense. There have been many occasions when this Council has sat beyond midnight and people's tempers have been contained. In the Westminster system the tradition is that, if a member is named by the Presiding Officer, it is the responsibility, according to that convention, for the Leader of the House on that occasion to move for the suspension of the member who has been named.

It does not matter whether the person named is one of one's own people or someone from the other side of the Parliament; the obligation, by convention under the Westminster system, is for the Leader of the House to move for suspension so that the ruling of the President, or Presiding Officer, can be upheld. We had a similar debacle during the previous Parliament when I was Leader of the Government. On that occasion I indicated (and I repeat) that I would have no hesitation in moving the suspension of one of my own members if that member were named by the Presiding Officer, whoever that Presiding Officer was, and that is the correct position.

The fact that the Leader of the Government is now prepared to come into this Council and move a motion of confidence in the President is, to me, totally inadequate. He ought to be apologising to you, Mr President, as Presiding Officer, for the fact that the Government of the day and the Acting Leader of the Council did not uphold the Westminster tradition and support your ruling. While I will support the motion that the Attorney has moved, I think that it is grossly inadequate and that he should be ashamed of himself.

The Hon. K.L. MILNE: I think that we will all be very sorry that what was quite obviously meant as an apology to you, Mr President, has been misused. I am sorry that there are so many people here to see this happen. I think that it is difficult to do what the Leader of the Government and the Minister have done today. In politics it is difficult to make an apology.

The Hon. M.B. Cameron: There has been no apology.

The PRESIDENT: Order!

The Hon. K.L. MILNE: It is, to me, an apology, and it would be to anyone else. The vote last night was not a vote of no confidence in the President. A President of the South Australian Legislative Council has never resigned when this Council has disagreed to a ruling. The President made a ruling that we happened to disagree with. I have done that before—disagreed with the President's ruling—but supported his staying in the Chair. That is what would have happened today if matters had not turned out this way, so let there be no mistake about that. You know perfectly well, Mr President, that what was intended was simply a disagreement to a ruling. There was no question of a resignation coming from a small incident like that. Anyone who has to make the number of decisions that you have, Mr President, must expect that some of them are bound to be wrong, but you do not have to resign every time that happens.

The Hon. R.I. Lucas: Will you do the same thing again?

The PRESIDENT: Order!

The Hon. K.L. MILNE: I want people to listen to what is happening. We are trying to have a sensible, courteous discussion to support you, Mr President, and to carry on as before; we always intended that to happen before this disagreement occurred. I do not regret what we did, because

we did it in good faith. I thought that the Minister was being harshly treated. At the time we were under considerable pressure over the Bill under discussion. I think that, perhaps, that could have been taken into account a little more. Therefore, I support this motion entirely and take it for what it is—an apology and an indication of support for you, Mr President.

The Hon. I. GILFILLAN: I would like to briefly add a comment about a significant matter referred to by the Leader of the Opposition during the vote last night. The procedures of last night were an education for me as a fairly new member of this place. It takes some time to become fully briefed on the customs and traditions of this place. However, I would like to state that I support this motion and publicly express my respect for any confidence in you, Mr President, and in the role that you fill.

However, it appears to me after the short time that I have been in here that your job, Sir, or that of any successor to you in that position, is impossible unless there is a measure of reasonable co-operation and behaviour from honourable members. It is a two-way action. I have been frustrated on many occasions, and have a lot of sympathy with you and with others who have stood in for you in the Chair, with the seemingly quite deliberate flouting of the responsibility that you show and of the authority that is in the Chair.

I hope that it is a lesson not only to me in my perhaps mistaken judgment—I feel that I still do not have a firm enough knowledge to say that categorically—but also for all in this place. It has been an extremely productive area of the Parliament on some occasions. But, I find it extremely disturbing that that standard cannot be maintained. I have great respect for all my colleagues in this place. I know that we are capable of mature and responsible behaviour. If this incident does nothing else it certainly teaches me a political lesson and gives us all reason to reconsider the way in which we behave in this place.

The Hon. C.J. SUMNER (Attorney-General): It is a pity that I feel constrained to rise to respond to this motion, but I really have no choice in view of the remarks made by the Hon. Mr Cameron and the Hon. Mr Griffin in particular. I commend the Hon. Mr Milne for his contribution, which brought a much needed degree of reasonableness and balance back into the debate about the incident which occurred last evening. I said in moving the motion—

The Hon. R.J. Ritson: You were not here.

The Hon. C.J. SUMNER: I was here for a good part of the evening—that there was no point in rehashing the circumstances or attributing the blame, and I still believe that that is the position which ought to be taken. The fact is that there was a debate in Committee, on an important Bill, which would have gone on for a very long time. It is also true that members were questioning the Hon. Mr Milne about that Bill in a way which caused the level of heat in this place to be raised. There is no question that that is what occurred.

I will not use the word 'filibuster', but the fact is that some people could have gained the impression that that was what was happening. I do not wish to attribute blame—there is no point in that—but what, unfortunately, the Hon. Mr Cameron and the Hon. Mr Griffin did was attempt to insist, first, that the Hon. Mr Blevins was completely to blame and, secondly, to then say that it was the fault of the Hon. Dr Cornwall.

The Hon. M.B. Cameron: He was in charge of the House and the Minister took the action.

The PRESIDENT: Order!

The Hon. C.J. SUMNER: There were also some actions which occurred leading up to that in which all honourable members were involved. That is unfortunate. I do not wish to respond beyond saying that. I was constrained to say so because of the remarks made by honourable members opposite. I would have preferred not to respond because I thought that honourable members opposite would have taken the motion that I moved in good faith, as did the Hon. Mr Milne. We intended to express our support, as we have done on two previous occasions by supporting the Hon. Mr Whyte in election to the Chair as President, and we now confirm that support. I trust that you, Mr President, will accept the motion in the spirit in which it was intended, and I hope that all honourable members will endorse it.

The PRESIDENT: Before putting the motion, I wish to make some comments. I will accept the motion, of course, because, after hours of consultation, that is what I agreed to do. However, I must comment on both the motion and the address to it. The Attorney-General referred to the support of his Party when I was elected; I point out that it was of mutual benefit to both concerned that I was supported.

The other point I want to clarify for the Hon. Mr Milne is that this did not involve a ruling; this provision is written into Standing Orders and, if the the honourable member opened his Standing Orders manual, he would see the direction—it is not a ruling. I have taken no exception whatsoever to the fact that the Council disagreed with my ruling, but I took exception to a well-known Standing Order being flouted.

The Attorney-General and the Minister involved have been good enough to speak on the matter and, after consultation with them, I have decided to carry on for the present as President. I just hope that some purpose has come of the exercise. It has been most distasteful to me, and I assure honourable members that it will not occur again. If it does occur, it will be resolved more swiftly. I accept the motion that has been moved by the Attorney-General and I now put that motion.

Motion carried.

MENTAL HEALTH SERVICES

The Hon. J.R. CORNWALL (Minister of Health): I seek leave to table the report of the Inquiry into Mental Health Services in South Australia and to make a short statement on it.

Leave granted.

The Hon. J.R. CORNWALL: Like the Sax Committee Report on South Australian hospitals which I tabled last week, the report of the Inquiry into Mental Health Services in South Australia is a challenging, critical and constructive document. Dr Stanley Smith, as Chairman, and the other members of the inquiry have recognised the overall high standard of facilities and services in South Australia, especially in comparison with other parts of the world. At the same time, they have pointed to precise areas of need.

The report has three main thrusts. The first is the need to augment appreciably the community sector of mental health services to facilitate a change in orientation of service delivery from institutional base to community base in line with modern practice of psychiatry. The formation of appropriately staffed crisis intervention teams and an expansion in the number and type of community services, such as hostels, are included in the recommendations.

The second thrust of the report is the need to integrate mental health services into the general health care delivery system. Particular emphasis is given to the integration of alcohol and drug treatment services into the general hospital system. Such a move is perceived to increase the quality and quantity of care available whilst, at the same time,

producing cost savings. The third thrust of the report is the emphasis that it gives to the critical situation of lack of services in the area of child and adolescent psychiatry and the necessity for the present services to be urgently reorganised.

The inquiry has listed a total of 90 recommendations. Honourable members will recall that when I tabled the Sax Report I pointed out that major policy changes in other States have caused considerable controversy and discussions and, for that reason, the Government was concerned to ensure the report is available for discussion and negotiation and as a basis for forward planning and consultation. Similarly, the report of the Inquiry into Mental Health Services in South Australia has been tabled to allow a period for assessment and debate by the community at large and by professionals and interested groups in particular. I will make detailed submissions to Cabinet after an adequate period for constructive discussion and consultation. I commend the report to the Council.

QUESTIONS

ETSA

The Hon. M.B. CAMERON: Has the Minister of Agriculture, who is very patient, a reply from the Minister of Mines and Energy to a question that I asked on 21 September about ETSA?

The Hon. FRANK BLEVINS: The Hon. Mr Cameron is quite correct: I have been very patient, as always. He will be pleased to know that I have a reply to the question he asked some time ago. I refer the honourable member to the answer given to the question asked by the Hon. K.L. Milne on 21 September 1983 on the same topic.

WHEAT VARIETIES

The Hon. M.B. CAMERON: Has the Minister of Agriculture a reply to a question I asked on 14 September about wheat varieties?

The Hon. FRANK BLEVINS: On 14 September I undertook to provide the honourable member with greater detail following his question on wheat varieties. I am advised that, if the Australian Wheat Board's assertion, that soft wheat of low protein is in very limited demand on the home market and unsaleable on the export market except at discounted prices and that this state of affairs is likely to continue in the foreseeable future, is correct, then it is certainly true that there is a need for higher yielding Australian standard white (A.S.W.) varieties adapted to the South-East of South Australia. Current A.S.W. varieties which can be grown without discount in those areas are lower yielding than a soft wheat like Bindawarra by 10 per cent to 20 per cent. It was this fact which prompted the Chairman of the South Australian Wheat Quality Committee to point to the need for more suitable varieties adapted to this part of the State.

However, in collaboration with officers in the South-East region of the Department of Agriculture, the State's two wheat breeding organisations, the Waite Agricultural Research Institute and Roseworthy Agricultural College, have already established a selection and testing site in the Bordertown area with the prime object of developing a wheat variety(ies) of acceptable quality but with the yield potential of soft varieties like Bindawarra and Egret. Because the environmental conditions in this region differ markedly

from those of the State's main wheat growing areas, there is little doubt that a variety better adapted to the locality is more likely to be produced from a selection and testing programme carried out in the area. The above programme could be expected to produce some results in the course of the next five years.

It is therefore considered that the needs of the South-East are being met in the current South Australian breeding programmes with the possible exception of a further testing and selection site in the mid-Lower South-East region. However, the future of wheat production in the Lower South-East as distinct from the Upper South-East and in relation to State-wide wheat production must be seen in perspective. It is unlikely that wheat grown in the high rainfall environment of the Lower South-East could ever be expected to have protein levels in excess of 10 per cent. This makes such wheat suitable for biscuit flour (for which there is very limited demand at present) and doubtful for use in blending for bread-making flours. It may have to be sold as feed wheat, in which case the introduction by the Wheat Board of provisional allowances for wheat of a quality standard below that of the A.S.W. seems fair and appropriate. Under these provisions, the Board sells such different quality wheat at the best price attainable and the grower is paid accordingly.

With respect to the suitability of varieties being bred in other States, it should be pointed out that any new interstate releases are promptly included in State-wide trials, and this includes testing sites in the South-East region. This enables a rapid assessment of the potential of any new interstate release. Further, a co-ordinated interstate variety testing programme financed by the Wheat Industry Research Council assesses the most promising advanced wheat lines from breeding programmes all over Australia in a series of trials across southern Australia before these new lines are named and released. Unfortunately, at this stage there does not appear to be any recent interstate release which would provide an immediate answer to the problem in the South-East.

ADELAIDE RAILWAY STATION

The Hon. K.T. GRIFFIN: My questions to the Attorney-General are as follows:

1. Was the Attorney-General or the Crown Solicitor's Office involved in the preparation of, or advising on, the heads of agreement relating to the Adelaide railway station redevelopment signed recently by the Premier?

2. Is the Attorney-General or the Crown Solicitor to be involved in the development of the heads of agreement into a full and comprehensive agreement? If not, why not?

3. If the Attorney-General or Crown Solicitor is not to be involved in that work, who will be doing it?

The Hon. C.J. SUMNER: I was not involved to any great extent in a personal capacity, but I believe that the Crown Solicitor was and that he will be, and that, if anyone else is involved—it is not something about which I am aware—that it would be in conjunction with advice which the Crown Solicitor offers.

IMMIGRATION

The Hon. L.H. DAVIS: Has the Attorney-General, representing the Minister of State Development, a reply to my question of 22 September about immigration?

The Hon. C.J. SUMNER: The scheme referred to by the Hon. Mr Davis is a Federal Government scheme administered by the Australian Department of Immigration and Ethnic Affairs and is known as the Business Migration

Programme. I understand that all States in Australia, through their relevant State Development Departments, are supporting the scheme. The South Australian Government, through the Department of State Development, successfully participated in the Kuala Lumpur seminar. A number of proposals are awaiting final approval.

VEGETATION CLEARANCE

The Hon. H.P.K. DUNN: I seek leave to make a statement before asking the Minister of Agriculture a question about native vegetation clearance regulations.

Leave granted.

The Hon. H.P.K. DUNN: In May of this year regulations were invoked by the Hon. Dr Hopgood under the Planning Act which in effect put severe restrictions on the clearing of vegetation on freehold and leasehold land. So severe have some of these restrictions been that the economic viability of some farmers has been put in grave doubt.

As an example of that, I give the Council the following case study. In January 1983, a young farmer bought an area of land for \$85 000. About 50 per cent was being used for primary production; 25 per cent was regrowth from previous clearing and 25 per cent was natural scrub. He applied almost immediately following the announcement of the regulations to clear a portion of the regrowth and scrub. After waiting anxiously for 3½ months, he was told that permission had been refused. Therefore, he is now the owner of the land, which has a greatly reduced agricultural value and on which he still has to pay rates and service the debt, even though he cannot use 50 per cent of the land for agricultural purposes. It is obvious that this regulation introduced by the Government will affect farmers' viability after borrowing funds from the Department of Agriculture for farm build-up. My questions are:

1. Has the Department of Environment and Planning sought future viability prospects of applicants for scrub clearance from the Department of Agriculture, which may have lent money for farm build-up to that applicant?

2. If not, is it reasonable to assume that the Department of Environment and Planning is turning an applicant into a non-viable unit after having just been made viable, by obtaining farm build-up?

The Hon. FRANK BLEVINS: I will have to have that example investigated by my Department. When I have done so I will bring back a reply for the honourable member.

COMPUTER TRESPASS

The Hon. R.I. LUCAS: I seek leave to make a brief explanation before asking the Attorney-General a question about computer trespass.

Leave granted.

The Hon. R.I. LUCAS: In recent years the problems of computer trespass have become serious in the United States. Some computer crime experts have estimated that the number of people who roam without authorisation through sophisticated systems in the United States runs into hundreds and possibly thousands. The problem is not necessarily limited to the United States. In recent months the Commonwealth Auditor-General in the report that he brought down criticised the Federal Health Department for not doing enough to stop unauthorised access to computerised medical records which the Department holds. The problems of unauthorised access to confidential personal health records, I am sure, are quite apparent to all honourable members.

The problems of computer trespass clearly go hand in hand with the big boom in personal computers experienced

in America in recent years and only now commencing in Australia and South Australia. In the United States people are using from their homes their own personal computers to plug into the sophisticated computer systems in order to steal computer time and services. As well as those persons stealing computer time, their lack of expertise can lead to either deliberate, sometimes, or inadvertent, on other occasions, destruction of information. In some cases they can cause entire systems to crash, causing great cost to either private companies or Government departments or authorities. In one case in the United States the cost of replacing a computer system because of the activities of one of the computer pirates, as they are known, was \$250 000. The pirates connect through computerised bulletin boards which enable them to swap confidential codes to computers and exchange tips on how to break into sophisticated computer systems.

I now refer briefly to a recent article in the *Melbourne Age* which describes the experience of one reporter in listening to and observing one of these bulletin boards established for the exchange of information. The report is as follows:

The other day on the Pirate's Cove board, which operates from Farmingville, New York, and has more than 600 regular users, someone who identified himself as the Cracko offered to swap the code that provides access to a computer at the Brookhaven National Laboratory on Long Island for any other password that would get him into "a good computer system".

In another exchange, Computer Yabber said he had obtained the password for a Dow Jones computer and was willing to share it with anyone who could tell him how to use it. Less than four hours later, Mr Bit responded with a detailed explanation.

Another bulletin board, called Timecor, which is in Boston and is one of the few that charges a fee, listed the code numbers of more than 200 computers. Those that were identified by name included Bankers Trust Customer Service, General Motors, E. F. Hutton and Citibank Cash Manager.

So far prosecutions have been very difficult because of the problem of catching offenders. Recent developments in the United States are such that a number of States are enacting legislation to attempt to deal with this grave problem. My questions to the Attorney-General are as follows:

1. Is it an offence in South Australia to enter a computer without authorisation and, if so, what are the penalties?

2. Will the State Government investigate the legislative changes being introduced in the U.S.A. and bring back a report as to whether any legislative changes are required in South Australia?

3. What procedures are used by the South Australian Government to protect confidential records held by Government computer systems in departments and by Government authorities from unauthorised access, as instanced by the problems that the Commonwealth Auditor-General referred to in relation to the Commonwealth Department of Health?

4. Does the State Government believe that these procedures are adequate and, if not, will he bring back a report on what changes might be required?

The Hon. C.J. SUMNER: I am happy to reply to the honourable member's question, but I am sure that the Hon. Dr Cornwall could have responded with a greater degree of expertise, the topic being one to which he has given considerable attention in recent years in another field. The issues raised by the honourable member are important, therefore I think that it would be preferable if I obtained a considered reply. I know that the question of computer crime, which probably impinges upon some points made by the honourable member, has been raised during meetings of the Standing Committee of Attorneys-General. However, like many other problems on the Standing Committee's agenda, discussion has not proceeded very far. I will obtain the information for the honourable member.

CORRECTIONAL SERVICES ACT

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General a question about the Correctional Services Act, 1981.

Leave granted.

The Hon. K.T. GRIFFIN: The Chief Secretary appeared before the Estimates Committees and was asked, by the Hon. David Wotton (member for Murray), the following question:

Will the Chief Secretary say why the Correctional Services Act passed in 1981 has not yet been proclaimed, and will he indicate at what stage the regulations are, whether they have been finalised and when we will see them?

The Chief Secretary blamed some of the delay on the advice that had been received from the Crown Solicitor. The Chief Secretary stated that, on 22 September 1983, his officers received a minute from the Crown Solicitor addressed to the Executive Director which stated, amongst other things, that the Act was faulty in many respects. The Chief Secretary also said:

For instance, the Crown Solicitor states that the Act and regulations must be breached to react to a riot situation. There are a number of recommendations contained in the Crown Solicitor's letter referring to the legislation approved in 1981, saying that it needs to be amended so that the intent of that 1981 legislation can be implemented. There have been many problems in producing the regulations.

He later stated:

I point out to the honourable member that I am as surprised as anybody else that, in September 1983, the Crown Solicitor is reporting to us that the 1981 amended Act is defective and that, before the regulations can be proclaimed, further changes are needed.

My question relates to the Chief Secretary's comments and to a discussion paper on parole published under the name of the Chief Secretary in August 1983. Submissions were sought and, presumably, some decisions will be taken by the Government.

Will the Attorney-General detail the advice given by the Crown Solicitor to the Chief Secretary in respect of any defects in the Correctional Services Act, 1981. Will the Act be amended as a result of that advice and, if so, when will the amending legislation be introduced? If the principal Act is not to be amended, when will it be proclaimed? When will decisions be taken and announced in respect of the parole discussion paper released by the Chief Secretary?

The Hon. C.J. SUMNER: As all honourable members would know, the Hon. Mr Griffin was Attorney-General in the previous Government: at that time he took the view that advice from the Crown Solicitor should not be tabled in Parliament. Therefore, I am a little surprised that the Hon. Mr Griffin now asks me to produce that advice. I will look at the advice again to ascertain whether any details can be given to the honourable member. I am a little surprised, in view of the Hon. Mr Griffin's previous attitude, that he is now requesting that a Crown Law opinion be tabled.

The Hon. K.T. GRIFFIN: I rise on a point of order. I was not asking for the advice to be released; I was asking the Attorney-General to detail the advice. The Attorney-General can paraphrase that advice—my question was an attempt to elicit information about Crown Law advice in respect of the Correctional Services Act.

The ACTING PRESIDENT (Hon. C.M. Hill): Order! I take it that the Hon. Mr Griffin is seeking to clarify his question.

The Hon. C.J. SUMNER: It is a matter of semantics.

The Hon. K.T. Griffin: It is a matter of real substance.

The Hon. C.J. SUMNER: No, it is a matter of semantics. Being much more reasonable than my predecessor, I will attempt to see whether any details of the Crown Solicitor's

advice on this matter can be made available to the Council. The question of whether the Act is to be amended is a matter for the Chief Secretary and a recommendation to Cabinet. Accordingly, I am unable to say whether the Act will be amended. The question of proclamation—

The Hon. K.T. Griffin: You don't involve yourself very much in Government, do you?

The Hon. C.J. SUMNER: It is surprising that the honourable member should say that, because I have twice the workload that he had during his time as Attorney-General. I do not know what the Hon. Mr Griffin did in Government. I find it hard see—

The ACTING PRESIDENT: Order! I ask the Attorney to come back to his answer.

The Hon. C.J. SUMNER: Mr Acting President, the honourable member interjected and said that it seemed that I was not involved in Government. I have twice as many portfolios than did the Hon. Mr Griffin when he was Attorney-General. In fact, the Hon. Mr Griffin had a ride for three years—it was a breeze. I am not sure that he earned his salary. He was Attorney-General and Minister of Corporate Affairs, and that is all. Along with those portfolios, I am also Minister of Consumer Affairs and Minister of Ethnic Affairs—two very heavy portfolios. I am sure that you, Mr Acting President, would agree with my sentiments in relation to the workload for the ethnic affairs portfolio. It is a difficult portfolio. The Hon. Mr Griffin only had to cope with two portfolios.

I do not know when the Act will be amended, if at all. Clearly, that is a matter for Cabinet following a recommendation from the Chief Secretary. The question of the proclamation of the 1981 Act is, again, a matter for Cabinet following a recommendation from the Chief Secretary. The paper on parole has been distributed to interested organisations. The paper was made public, submissions are being received and will be considered by the Chief Secretary's office. If possible, the Government will give the matter early consideration. That is the situation in relation to the Correctional Services Act, the regulations, and the proposals relating to parole.

It may be that I will be able to provide the honourable member with additional information about the problems that have arisen in the drafting of the regulations. If that is at all possible, I will be happy to provide the honourable member with that information.

VETERINARY SCIENCE SERVICES

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before asking the Minister of Health a question about veterinary science services.

Leave granted.

The Hon. L.H. DAVIS: Last week the Minister of Health claimed that he had only made two mistakes in his career, and he could recollect that the first related to his dealings with Dr Dutton. He might remember his second mistake after hearing my question, which relates to veterinary science services. In response to a question asked on 20 September, the Minister of Agriculture advised me that the transfer of I.M.V.S. Veterinary Science Division staff to the Department of Agriculture was completely on schedule, and that the transfer of veterinary science services to the Department of Agriculture from the I.M.V.S. was proceeding smoothly and had, in all respects, been pretty well completed.

The Minister of Agriculture was enthusiastic in answering that question. However, in March 1982, when debating the Institute of Medical and Veterinary Science Bill, the Hon. Dr Cornwall said that the Bill indulged in an interdepartmental cross-breeding exercise to produce a disastrous cross

between a mouse and a monster and that, if he came to government, he would certainly reverse the process. My questions to the Minister are: first, from the point of view of the Institute of Medical and Veterinary Science, does the Minister of Health concur with the answer given by the Minister of Agriculture, which clearly indicates the transition period that I mentioned is proceeding smoothly, contrary to the fears expressed by the Hon. Dr Cornwall 18 months ago; and, secondly, in view of the Hon. Dr Cornwall's statement of March 1982 that as Minister of Health he would return veterinary science services to the I.M.V.S., will he advise the Council whether or not that remains his intention and, if not, why not?

The Hon. J.R. CORNWALL: Members would be aware that about four months ago I appointed Dr Brendon Kearney Chairman of the I.M.V.S. I had something to say about this matter during the Estimates Committees: if the honourable member had done his homework properly, he would know that a far more temperate position was espoused then than was the case in March 1982. Dr Kearney has been working diligently and extremely effectively in the short time that he has been at the Institute, which I visited only two weeks ago. Dr Kearney is coming to see me in the near future to continue discussions as to whether or not it is desirable to officially put the V back in the I.M.V.S., or whether it is best, now that the divorce is almost complete, to allow the parties to settle separately.

The Hon. L.H. Davis: The Minister of Agriculture said that the transfer was going well.

The Hon. J.R. CORNWALL: Mr Acting President, I do not intend to respond anymore, to the inane interjections of the Hon. Mr Davis, so he is really wasting his time. I refer the Hon. Mr Davis to the *Hansard* debate on this matter and, in fact, commend it to everybody. The Hon. Mr Davis has such a thing about this matter that, when he was talking about the Hon. Mr Blevins, he called him 'Dr Cornwall'.

The Hon. H.P.K. Dunn: What has this to do with the answer?

The Hon. J.R. CORNWALL: Little or nothing, but it shows the preoccupation of the Hon. Mr Davis and his colleagues with this matter, and it also shows that they are very poor political judges. As I have said, I have not given the I.M.V.S. an enormously high priority, because I have had about 150 other matters to get on the track in my first 12 months in office. When those who are pretenders to the shadow health portfolio come along for their briefing they will see that my mention of 150 matters is not an exaggeration.

The Hon. C.J. Sumner: You had a lot to make up for.

The Hon. J.R. CORNWALL: Indeed I did.

The Hon. L.H. Davis: You don't need a board for the Health Commission, you're it!

The ACTING PRESIDENT (Hon. C.M. Hill): Order!

FARMERS' TRUCKS

The Hon. H.P.K. DUNN: I seek leave to make a brief statement before asking the Minister of Agriculture, representing the Chief Secretary, a question about farmers' trucks.
Leave granted.

The Hon. H.P.K. DUNN: Recently it was brought to my attention that a number of farmers' trucks were defected while carting wheat to the silos. As all members would know that there has been a big wheat harvest this season and, as a result, every truck in good enough condition was used to cart the huge harvest to the silos. Road Traffic Board officers defected a number of these vehicles, which have had to be repaired and then inspected, sometimes up

to three times, before meeting the required standard. The regulations surrounding this matter are very complex and require a knowledge of quite finite detail—for instance, the width of clearance lights or the height of mud and stone flaps above the ground, to mention two of the detailed requirements. Each time a truck is defected it takes about 24 hours, sometimes longer, before it can be inspected by an inspector. As I have said, every truck available is needed during this busy time.

I do not condone the breaking of the law: the trucks should have been up to the required standard. However, as the regulations are so complex, will the Minister say whether any thought has been given to the Road Traffic Board advertising in local newspapers (perhaps a month before harvest), the fact that it will have an officer in the area so that farmers can have their trucks inspected, thereby averting this problem during harvest time? I point out that the recent activity of inspectors resulted in some trucks being off the road for three or four days.

The Hon. FRANK BLEVINS: I will be happy to refer the honourable member's question to my colleague in another place and bring down a reply.

PERSONAL EXPLANATION: MINISTERS' STATEMENTS

The Hon. R.I. LUCAS: I seek leave to make a personal explanation.

Leave granted.

The Hon. R.I. LUCAS: During debate on the Tobacco Advertising (Prohibition) Bill last night the Minister of Agriculture and the Minister of Health made a series of scurrilous allegations and inferences, some of which were recorded in *Hansard* and some that were not. As I was speaking when the Ministers were interjecting, I regard their comments as being a personal reflection on my integrity. The only interjection recorded in *Hansard* indicates that the Minister of Agriculture said:

How much did the tobacco companies pay the Liberal Party?

Those members who were present in the Chamber last evening would be aware of the quite audible allegation of the Minister of Health to the effect that tobacco companies had made payments to the Liberal Party, with the clear inference—

The Hon. J.R. CORNWALL: Mr Acting President, I rise on a point of order. We went through this business yesterday. Members opposite are picking up private conversations and alleging that they come within the context of a debate. There is no record in *Hansard* that I made any allegations at all last night. Frankly, what I might say to members privately across the Chamber has nothing to do with any debate that might be in progress.

The ACTING PRESIDENT (Hon. C.M. Hill): I rule that there is no point of order on the point that the Minister made about comments that are not recorded in *Hansard*; those comments should not be pursued. I understand that the Hon. Mr Lucas indicated that he also wished to explain other comments that appear in *Hansard*.

The Hon. R.I. LUCAS: I seek your guidance, Sir. An allegation is recorded in *Hansard* about which I want to make a personal explanation. However, the Minister of Health gratuitously said that it was a private conversation. It was not a private conversation; it was quite audible from that side of the Chamber to this. The Minister made a number of allegations—

The Hon. J.R. Cornwall interjecting:

The Hon. R.I. LUCAS: I am seeking clarification.

The ACTING PRESIDENT: The Hon. Mr Lucas can make his point; he is seeking clarification.

The Hon. R.I. LUCAS: I seek clarification. I will not mention the Minister's comment until I get your ruling, Mr Acting President. The Minister made a number of quite serious allegations which, fortuitously for the Minister, were not recorded in *Hansard*. However, they were heard by members present and a small number of people in the gallery—less than a handful, in fact. I take great exception to those allegations, but I will not mention them until you, Sir, make a specific ruling. I take grave personal exception to the allegations and I wish to refute and explain them. I seek your guidance, Mr Acting President, and will accept your ruling.

The ACTING PRESIDENT: The matters that are not recorded in *Hansard* are matters to which the member should have taken exception last night. The honourable member may make a personal explanation in relation to those matters that he has noted are recorded in *Hansard*.

The Hon. R.I. LUCAS: I seek further clarification, Sir. Last night I would have sought the opportunity to make a personal explanation, but matters got rather out of hand. The Hon. Mr Davis rose to make a personal explanation, beating me by some seconds. If honourable members peruse *Hansard*, they will note that I had no further opportunity to rise because the Minister was named and the sittings of the Council were suspended. As a new member, I seek an opportunity to refute the allegations that were made last night.

The ACTING PRESIDENT: I am sure that all members would agree that the circumstances last evening were unique. Perhaps the honourable member can deal with his personal explanation in two parts: first, the comments that appear in *Hansard*, to which the honourable member objects and about which he wants to explain; and, secondly, if there were one or two comments that he feels were audible in the Chamber and the honourable member was unable to get to his feet last night—

The Hon. C.J. SUMNER: I rise on a point of order, Sir. The fact is that your first ruling was correct. It would be absolutely farcical if honourable members could make personal explanations about matters not recorded in *Hansard*.

The Hon. R.I. Lucas: People in the gallery could hear.

The Hon. C.J. SUMNER: One person was present in the gallery last night when I was in the Chamber.

The Hon. R.I. Lucas: This was after you had gone.

The Hon. C.J. SUMNER: There were two. If derogatory comments were made last night, they received no currency in any public record. If this matter were taken to its logical conclusion, an honourable member could make a personal explanation because someone shiacked him in the corridor. It seems to me that no good purpose is served by rehashing the events of last evening. I put to you that your first ruling, Sir, was correct. There may be other circumstances where you cannot adopt a hard and fast rule. It seems to me that, if it is not on the public record in *Hansard*, no good purpose is served by making a personal explanation and rehashing things that were allegedly said. Mr Acting President, I ask you to abide by your original ruling, which I believe was correct.

The Hon. M.B. CAMERON: Mr Acting President, I do not know whether you have yet ruled on the point made by the Attorney-General, but from what the Attorney-General has said it is quite clear that the Hon. Mr Lucas has not had an opportunity to refute the allegations that were made by the Minister of Health and not picked up by *Hansard*—nevertheless, they were made.

The Hon. J.R. Cornwall: Eavesdropping.

The Hon. M.B. CAMERON: It is not a matter of eavesdropping, as the Minister of Health points out, but a matter of statements that were made.

The ACTING PRESIDENT: Order! The Hon. Mr Cameron is out of order. The Hon. Mr Lucas has been given leave, but I point out that explanations relative to matters that are not in *Hansard* should be very brief: those matters should be refuted when they occur. As long as the Council has given the honourable member leave, he must proceed.

The Hon. R.I. LUCAS: Thank you, Sir, I will abide by your ruling. Last night, the Minister of Agriculture made a series of scurrilous allegations and inferences with respect to the attitude that I took to the tobacco Bill. In fact, the Minister stated:

How much did the tobacco companies pay the Liberal Party?

I will not refer to the Minister of Health at this stage. I reject completely, as I am sure do all my colleagues, the inference and allegation that tobacco companies have bought the votes of the Liberal Party and, in particular, votes of Liberal Party members in this Chamber, with respect to our attitude to the Bill last evening. Those allegations and inferences are completely baseless. I find them personally offensive. The Minister's remark is a grave reflection on my integrity as a member in this Chamber.

The facts are: first, my vote has not been bought by tobacco companies or any other group with respect to the Tobacco Advertising (Prohibition) Bill or any other Bill; and, secondly, I am not aware of which companies have made donations to the Liberal Party or, for that matter, to the Labor Party.

The Hon. K.T. Griffin: If at all.

The Hon. R.I. LUCAS: If at all.

The Hon. C.J. Sumner: Are you prepared to disclose your donations?

The Hon. R.I. LUCAS: That is a separate matter. Thirdly, corporate donations to the Liberal Party, from whatever source, have not and will not affect the way that I cast my vote in this Chamber on any Bill, and that includes the Bill before the Council last evening. In fact, I did not know about them. Without question, it is a course that is followed in my Party. Parliamentary members are kept completely at arm's length from corporate donations to the organisation. The organisation arranges fund raising and we as members of Parliament abide by the principle that we do not become personally involved in that. I hope that in the fullness of time the Minister of Agriculture in the first instance will be man enough to withdraw the allegations and inferences which he made last night, which I find personally offensive and to which I object.

The Hon. C.J. Sumner: This is not part of a personal explanation.

The Hon. R.I. LUCAS: It is in respect of the allegations recorded in *Hansard*. I refer also to the allegations made by the Minister of Health that were not picked up in *Hansard*. Those allegations were made across the Chamber.

The Hon. J.R. CORNWALL: I rise on a point of order. The honourable member is not making a personal explanation: he is abusing the leave that he was granted.

The ACTING PRESIDENT (Hon. C.M. Hill): The Hon. Mr Lucas is making a personal explanation: he has been granted leave to do that.

The Hon. R.I. LUCAS: There was a personal exchange. The Minister made allegations about tobacco companies and about our attitude to the Bill last night, and he also said across the Chamber that we are as crooked as a dog's hind leg. I reject that completely, in much the same terms as I object to the allegations made by the Minister of Agriculture.

**PERSONAL EXPLANATIONS: MEMBERS'
REMARKS**

The Hon. FRANK BLEVINS (Minister of Agriculture): I seek leave to make a personal explanation.

Leave granted.

The Hon. FRANK BLEVINS: The Hon. Mr Lucas has just made a personal explanation, but when he eventually got on with it he said that I alleged that the Liberal Party had taken money from tobacco companies. I did not imply that at all.

The Hon. R.I. Lucas: Or that—

The Hon. FRANK BLEVINS: Just a moment! I did not interrupt the honourable member. Not only did I not imply that but also I did not say it. I merely asked a question. The proper answer to my question, if the Hon. Mr Lucas feels it is necessary to defend his position, would be to say, 'I don't know.' I do not know either. It may be that tobacco companies make donations to the Labor Party, but I am in exactly the same position as is the Hon. Mr Lucas, because I do not know either. However, I will say that it is the policy of the Party to which I belong that all those donations are made public. When the Hon. Mr Lucas can say the same, then he can stand up and be completely clean on this issue.

The Hon. J.R. CORNWALL (Minister of Health): I seek your guidance, Mr Acting President. In the past few days a brand new tradition seems to have sprung up in this place. Members have picked up third hand alleged conversation, they have bounced it around the back bench, and eventually it has come to the front bench.

The ACTING PRESIDENT: What is the point of order?

The Hon. J.R. CORNWALL: I am seeking your ruling, Sir. Yesterday the Hon. Mr Cameron alleged that I, *sotto voce* across the Chamber—

The Hon. M.B. CAMERON: I rise on a point of order. I do not know whether at this stage you, Mr Acting President, would like to call the President to come back, as he was present during the proceedings yesterday. However, I ask the Minister to withdraw the statement that I made an allegation. I stated a fact yesterday: I did not make an allegation. The fact was that the Minister used the expression that I now understand is in *Hansard*.

The Hon. J.R. CORNWALL: That is precisely why I am pursuing clarification.

The ACTING PRESIDENT: Is the Hon. Dr Cornwall making a personal explanation or taking a point of order?

The Hon. J.R. CORNWALL: I am making a personal explanation.

The ACTING PRESIDENT: Did the Hon. Dr Cornwall seek leave of the Council?

The Hon. J.R. CORNWALL: I do not believe that I did, Mr Acting President.

The ACTING PRESIDENT: The Minister is seeking leave to make a personal explanation.

Honourable members: On what subject?

The Hon. J.R. CORNWALL: On third-hand conversations or allegations being recorded officially in *Hansard* by members flouting Standing Orders.

Leave granted.

The Hon. M.B. Cameron: You had better make sure that it is a personal explanation.

The Hon. J.R. CORNWALL: It is a personal explanation, and I hope that we can clarify the matter. It is most regrettable that a tendency has arisen, directed exclusively, it seems, at me, for members to make allegations that I have said something, comments are bounced around the Chamber, and are ultimately recorded in *Hansard*. Even worse—

The Hon. M.B. CAMERON: I rise on a further point of order, Mr Acting President. I may be in error, but I do not believe that I am. I do not believe that the Minister is making a personal explanation at all. A personal explanation consists of material that outlines where a member has been misunderstood, misrepresented, or wrongly quoted. The Minister has not indicated—

The ACTING PRESIDENT: Order! That is not a point of order. I call on the Minister to make a personal explanation, and he must personally explain, and not debate. The Minister must keep to the subject.

The Hon. J.R. CORNWALL: My personal explanation concerns the fact that I believe that I have been very harshly treated within the Standing Orders and within the generally accepted niceties and traditions of this Chamber. It was alleged that yesterday I made a remark to the Hon. Mr Burdett across the Chamber. I often make remarks to the Hon. Mr Burdett, the Hon. Mr Lucas, to my Leader, to the Minister of Agriculture, or even to the Hon. Mr Feleppa from time to time. I do not expect those remarks to be recorded in *Hansard*. However, when I am on my feet making a contribution or indeed when I interject, it is perfectly legitimate for that contribution or that interjection to be recorded in *Hansard*. However, three relatively absurd situations have occurred. On one occasion, quite recently, when I again made a remark to an individual member, it was picked up, bounced around the back bench, and eventually came from someone on the front bench. That remark ended up in *Hansard*. It had nothing to do with any contribution that I was making in the Chamber.

Yesterday, the Hon. Mr Cameron picked up something that I was alleged to have said, bounced it around, and got it into *Hansard* when, quite obviously, it was not something that was said by way of interjection. That was a remark made *sotto voce*. Today, of course, we had the absurd situation of the Hon. Mr Lucas being allowed to go on at some length on the pretext that he was seeking guidance within a personal explanation making allegations that I had said certain things in the early hours of this morning which are not recorded in *Hansard* at all, or they were not recorded until Mr Lucas picked them up and took the trouble to ensure that they were recorded in *Hansard*.

On no occasions were any of those matters within the knowledge of the President; nor could they have been, because in no circumstances could the alleged remarks have been heard by the President. This is no reflection on the Chair whatsoever. However, if the extraordinary situation is to arise where eavesdroppers on the other side can leap to their feet and make an allegation that I have said something and by that route have it reported in *Hansard*, then the whole system must break down.

The Hon. M.B. CAMERON: I rise on a further point of order, Mr Acting President. The Minister just stated that we on this side are eavesdropping. I ask the Minister to withdraw that remark, because that is not the case. That is an injurious reflection on us. We have to sit here and listen to the statements that the Minister makes, while he carefully shields his mouth with his hand so that the President cannot hear; nevertheless, those remarks are heard by people in the gallery and by any other person. We are not eavesdropping.

The ACTING PRESIDENT: This is not a point of order.

The Hon. M.B. CAMERON (Leader of the Opposition): I seek leave to make a personal explanation.

The ACTING PRESIDENT: Order! I draw the attention of honourable members to Standing Orders 173 and 200, which are the rules by which the Council operates on the matter of personal explanations. The Leader is seeking leave to make a personal explanation. Is leave granted? I point out to honourable members that once leave is granted to

make a personal explanation there should not be any interjections at all, because the Council has agreed to give such leave.

Leave granted.

The Hon. M.B. CAMERON: The Minister of Health has just accused members on this side, including me, of eavesdropping, of deliberately setting out to put things in *Hansard* which he did not mean the President to hear and which injuriously reflect on members on this side of the Council. I make it plain that we are not eavesdropping; we do not have to, because the Minister makes certain that we hear his comments across the Chamber. If the Minister wants to put remarks to us, I suggest that he should come across and talk to us and not shout them across the Chamber—

The Hon. J.C. BURDETT: We do not know whether they are interjections or what they are!

The Hon. M.B. CAMERON: Yes, we do not have a clue. Let me assure the Minister that every remark that he makes across the Chamber which reflects on us (that is, an expression that is unacceptable) will be put in *Hansard* from now on. That decision has been made because some of the expressions that the Minister has used are quite unacceptable and, in fact, are crude beyond belief—

The Hon. J.R. CORNWALL: I rise on a point of order, Mr Acting President. That is disgraceful behaviour. It is derisory conduct and disgraceful behaviour. I ask that the member withdraw and apologise profusely forthwith.

The ACTING PRESIDENT (Hon. C.M. Hill): What were the words to which the Minister took objection?

The Hon. J.R. CORNWALL: He said the language was crude in the extreme. That is totally unacceptable to me and, I suggest, to the Council.

The ACTING PRESIDENT: I have heard worse than that in this Council.

PITJANTJATJARA LAND RIGHTS ACT

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General a question about the Pitjantjatjara Land Rights Act.

Leave granted.

The Hon. K.T. GRIFFIN: In the *Australian* of 26 October there was a report that the South Australian Government was to move next month to have an appeal against the Supreme Court decision heard in the High Court. The application for leave, according to that report, is to be made on 11 November in respect of a decision by the Hon. Mr Justice Millhouse to overturn section 19 of the Pitjantjatjara Land Rights Act. When I was Attorney-General we were aware of the possible conflict between the Commonwealth Racial Discrimination Act and the Pitjantjatjara Land Rights Act after the Koowarta case, and representations were made to the Federal Government for legislation to validate the Pitjantjatjara Land Rights Act.

That action was not taken prior to the Federal election. Has the Attorney-General or the South Australian Government made any representations to the Commonwealth Parliament to pass legislation to validate the Pitjantjatjara Land Rights Act? If so, when were those representations made? Secondly, what is the Commonwealth Government's response to the representations that have been made?

The Hon. C.J. SUMNER: Representations have been made over some time. However, the Commonwealth Government takes the view that there is no conflict between the Pitjantjatjara Land Rights Act and the Federal Racial Discrimination Act, which is the view the South Australian Government put in the Supreme Court. Mr Justice Millhouse had a different view of the situation. The matter has constitutional implications. The Commonwealth Government

also believes that the matter should be determined by the High Court. Should it be determined by the High Court that Mr Justice Millhouse's judgment is upheld, then further attention will be given to the Commonwealth legislation to preserve the operations of the Pitjantjatjara Land Rights Act. The Commonwealth Government prefers the matter to be tested in the High Court before such action is taken, and we as a Government are taking such steps to have the matter removed to the High Court in order to enable that constitutional matter to be determined.

MINISTERIAL OFFICERS

The Hon. J.C. BURDETT (on notice) asked the Minister of Agriculture:

1. How many:

(a) Ministerial assistants;

(b) Ministerial press secretaries;

(c) Seconded public servants;

(d) Permanent public servants (excluding secondments) are assigned to the Minister of Agriculture's Ministerial offices?

2. Who are they in each of the categories referred to in 1?

3. What are their respective duties, when was each appointed and what salary does each receive?

4. Are further appointments being considered?

The Hon. FRANK BLEVINS: The replies are as follows:

1. (a) 1

(b) 1

(c) 0

(d) 6

2. and 3. (a) A. Bunning, 6.12.82, \$27 561 + 10 per cent overtime

(b) A. Clancy, 24.11.82, \$27 561 + 10 per cent overtime

(c) n/a

(d) L.D. Murray, 6.10.77, \$27 942

G.L. Bleeze, 27.2.78, \$22 440

P.J. Campaign, 25.1.82, \$17 373

A.G. Keogh, 27.2.67, \$17 903

L.A. Odgers, 19.4.82, \$12 985

L.A. Starr, 19.4.82, \$12 985

Duties are as appropriate to the officers' classification.

4. Staffing levels are currently under review.

The Hon. J.C. BURDETT (on notice) asked the Minister of Agriculture, representing the Minister of Transport:

1. How many:

(a) Ministerial assistants;

(b) Ministerial press secretaries;

(c) Seconded public servants;

(d) Permanent public servants (excluding secondments) are assigned to the Minister of Transport's Ministerial offices?

2. Who are they in each of the categories referred to in 1?

3. What are their respective duties, when was each appointed and what salary does each receive?

4. Are further appointments being considered?

The Hon. FRANK BLEVINS: The replies are as follows:

1. (a) 1

(b) 1

(c) 0

(d) 1

2. and 3. (a) H. Poblocki, 17.1.83, \$27 561 + 10 per cent overtime

(b) A.P. Brooks, 4.1.83, \$27 561 + 10 per cent overtime

(c) n/a

(d) A.J. Martin, 8.11.82, \$20 200

Note: Assistance is also provided by the Administration Branch of the Department of Transport.

Duties are as appropriate to the officers' classification.

4. Not at present.

The Hon. J.C. BURDETT (on notice) asked the Minister of Agriculture, representing the Minister of Mines and Energy:

1. How many:

- (a) Ministerial assistants;
- (b) Ministerial press secretaries;
- (c) Seconded public servants;
- (d) Permanent public servants (excluding secondments)

are assigned to the Minister of Mines and Energy's Ministerial offices?

2. Who are they in each of the categories referred to in 1?

3. What are their respective duties, when was each appointed and what salary does each receive?

4. Are further appointments being considered?

The Hon. FRANK BLEVINS: The replies are as follows:

1. (a) 1.

(b) 1.

(c) 0.

(d) 5.

2. and 3. (a) D. Cox, 24.1.83, \$27 561 + 10 per cent overtime.

(b) P. Charles, 29.11.82, \$27 561 + 10 per cent overtime.

(c) n/a.

(d) D. Petherick, 1.11.79, \$30 666

J. Kopp, 15.11.82, \$17 903

J. Rundle, 8.5.80, \$19 324

D. Clark, 25.1.81, \$12 561

L. Whitworth, 30.5.83, \$8 799

Duties are as appropriate to the officers' classification.

4. No.

The Hon. J.C. BURDETT (on notice) asked the Minister of Agriculture, representing the Minister of Education:

1. How many:

- (a) Ministerial assistants;
- (b) Ministerial press secretaries;
- (c) Seconded public servants;
- (d) Permanent public servants (excluding secondments)

are assigned to the Minister of Education's Ministerial offices?

2. Who are they in each of the categories referred to in 1?

3. What are their respective duties, when was each appointed and what salary does each receive?

4. Are further appointments being considered?

The Hon. FRANK BLEVINS: The replies are as follows:

1. (a) 2.

(b) 1.

(c) 1.

(d) 11.

2. and 3. (a) L. McLoughlin, 1.2.83, \$27 561 + 10 per cent overtime.

Wendy Chapman, 6.12.83, \$16 833

(b) J. Dare, 17.1.83, \$27 561 + 10 per cent overtime

(c) D. Matters, 14.6.83, \$41 700.

(d) C. Burleigh, 21.4.81, \$30 666

J. Wood, 21.3.83, \$26 988

J. Eitel, 30.3.80, \$19 823

E. Wilden, 29.9.81, \$17 373

D. Carruthers, 21.6.82, \$15 513

M. Keough, 28.5.79, \$15 513

T. Schwarz, 5.5.83, \$7 788

G. Walker, 4.5.83, \$9 044

S. Whitford, 4.8.80, \$13 164

R. Monterosso, 23.6.83, \$13 409

N. Davidson, 22.8.83, \$12 985

Duties are as appropriate to the officers' classification.

4. No further appointments are being considered.

The Hon. J.C. BURDETT (on notice) asked the Minister of Agriculture, representing the Minister of Water Resources:

1. How many—

- (a) Ministerial assistants;
- (b) Ministerial press secretaries;
- (c) Seconded public servants;
- (d) Permanent public servants (excluding secondments)

are assigned to the Minister of Water Resource's Ministerial offices?

2. Who are they in each of the categories referred to in 1?

3. What are their respective duties, when was each appointed and what salary does each receive?

4. Are further appointments being considered?

The Hon. FRANK BLEVINS: The replies are as follows:

1. (a) 1

(b) 1

(c) 0

(d) 7

2. and 3. (a) L. Zollo, 13.12.82, \$27 561 + 10 per cent overtime.

(b) A. D'Sylva, 13.2.83, \$27 561 + 10 per cent overtime.

(c) n/a.

(d) J. Clark, 4.8.83, \$25 027

D. Packer, 23.9.83, \$20 771

L. Altamura, 19.5.83, \$18 799

S. Overweel, 4.10.83, \$17 903

H. Thompson, 8.2.83, \$15 916

R. Fennell, 8.11.83, \$15 126

M. Secker, 25.2.80, \$13 828

Duties are as appropriate to the officers' classification.

4. Steps are presently being taken to fill the position in which H. Thompson is acting.

The Hon. J.C. BURDETT (on notice) asked the Minister of Health, representing the Minister of Housing:

1. How many—

- (a) Ministerial assistants;
- (b) Ministerial press secretaries;
- (c) Seconded public servants;
- (d) Permanent public servants (excluding secondments)

are assigned to the Minister of Housing's Ministerial offices?

2. Who are they in each of the categories referred to in 1?

3. What are their respective duties, when was each appointed and what salary does each receive?

4. Are further appointments being considered?

The Hon. J.R. CORNWALL: I seek leave to have the answer incorporated in *Hansard*. The answer is of a statistical nature and is of the same format as the answers given by the Minister of Agriculture.

Leave granted.

Reply to Question

1. (a) 1

(b) 1

(c) 0

(d) 4

2. and 3. (a) J. Luckens, 6.12.82, \$27 561 + 10 per cent overtime.

3. (b) R. Rains, 6.12.82, \$27 561 + 10 per cent overtime

(c) n/a.

(d) B. Griffin, 30.3.81, \$26 988

A. Jalast, 28.5.81, \$16 457

M. Brooks, 15.11.82, \$17 903

C. McKee, 23.5.83, \$10 300.

Duties are as appropriate to the officers' classification.

4. No.

The Hon. J.C. BURDETT (on notice) asked the Minister of Health, representing the Minister of Community Welfare:

1. How many—

(a) Ministerial assistants;

(b) Ministerial press secretaries;

(c) Seconded public servants;

(d) Permanent public servants (excluding secondments) are assigned to the Minister of Community Welfare's Ministerial offices?

2. Who are they in each of the categories referred to in 1?

3. What are their respective duties, when was each appointed and what salary does each receive?

4. Are further appointments being considered?

The Hon. J.R. CORNWALL: I seek leave to have the statistical answer inserted in *Hansard* without my reading it.

Leave granted.

Reply to Question

1. (a) 2

(b) 1

(c) 2

(d) 0

2. and 3. (a) S. King, 29.11.82, \$27 561 + 10 per cent overtime.

P. Bicknell, 28.1.83, \$27 561 + 10 per cent overtime.

(b) D. Lewis, 24.9.79, \$27 561 + 10 per cent overtime

(c) N. Beard, 22.11.76, \$22 440

(d) n.a.

Duties are as appropriate to the officers' classification.

4. No.

The Hon. J.C. BURDETT (on notice) asked the Minister of Health, representing the Minister of Environment and Planning:

1. How many:

(a) Ministerial assistants;

(b) Ministerial press secretaries;

(c) Seconded public servants;

(d) Permanent public servants (excluding secondments) are assigned to the Minister of Environment and Planning's Ministerial offices?

2. Who are they in each of the categories referred to in 1?

3. What are their respective duties, when was each appointed and what salary does each receive?

4. Are further appointments being considered?

The Hon. J.R. CORNWALL: I seek leave to have the statistical answer inserted in *Hansard* without my reading it.

Leave granted.

Reply to Question

1. (a) 2

(b) 1

(c) 0

(d) 5

2. and 3. (a) D. Gayler, 6.12.82, \$27 561 + 10 per cent overtime.

A. Roman, 6.12.82, \$27 561 + 10 per cent overtime.

(b) D. Mackay, 7.2.83, \$27 561 + 10 per cent overtime.

(c) n/a

(d) B.F. Doherty, 6.2.78, \$26 988

B.L. Hunt, 14.5.79, \$17 903

H.P. Abbott, 9.7.79, \$16 457

K. Goodenough, 17.8.81, \$14 273

L. Margeta, 19.8.82, \$12 561

Duties are as appropriate to the officers' classification.

4. Not at present.

The Hon. J.C. BURDETT (on notice) asked the Minister of Health:

1. How many:

(a) Ministerial assistants;

(b) Ministerial press secretaries;

(c) Seconded public servants;

(d) Permanent public servants (excluding secondments) are assigned to the Minister of Health's Ministerial offices?

2. Who are they in each of the categories referred to in 1?

3. What are their respective duties, when was each appointed and what salary does each receive?

4. Are further appointments being considered?

The Hon. J.R. CORNWALL: I seek leave to have the statistical answer inserted in *Hansard* without my reading it.

Leave granted.

Reply to Question

1. (a) 1

(b) 1

(c) (See (a) above)

(d) 7, (includes two S.A. Health Commission Act Positions).

2. and 3. (a) C. Giles, 5.4.83, \$27 561 + 10 per cent overtime.

(b) J. Webb, 1.2.83, \$27 561 + 10 per cent overtime.

(c) See (a) above.

(d) M. Menadue, 12.8.82, \$27 465

J. Hawkes, 4.11.82, \$24 359

B. Campbell, 16.6.83, \$20 220

A. Lambert, 27.6.83, \$18 274

B. Jones, 5.7.82, \$15 916

L. Mayboroda, 10.7.81, \$13 593

S. Weckert, 26.4.83, \$15 513

E. Edyvean, 2.5.83, \$14 273

Duties are as appropriate to the officers' classifications.

4. A vacant position of Senior Clerk (CO4) may be filled in the future.

The Hon. J.C. BURDETT (on notice) asked the Attorney-General, representing the Chief Secretary:

1. How many:

(a) Ministerial assistants;

(b) Ministerial press secretaries;

(c) Seconded public servants;

(d) Permanent public servants (excluding secondments) are assigned to the Chief Secretary's Ministerial offices?

2. Who are they in each of the categories referred to in 1?

3. What are their respective duties, when was each appointed and what salary does each receive?

4. Are further appointments being considered?

The Hon. C.J. SUMNER: I seek leave to have the statistical answer inserted in *Hansard* without my reading it.

Leave granted.

Reply to Question

1. (a) 1

(b) 1

- (c) 2
(d) 6

2. and 3. (a) P. Tyler, 11.4.83, \$27 561 + 10 per cent overtime

(b) B. Muirden, 8.11.82, \$27 561 + 25 per cent overtime

(c) A. Kaczmarek, 27.6.83, \$13 593

K. Barrie, 15.11.82, \$18 274

(d) P. Menzies, 27.4.82, \$27 465

R. Lucas, 31.3.80, \$22 827

R. North, 21.5.80, \$15 916

A. Cramer, 6.3.80, \$14 881

C. Pritchard, 9.8.82, \$9 044

A. Forgoine, 25.7.83, \$17 903

Duties are as appropriate to the officers' classification.

4. No.

The Hon. J.C. BURDETT (on notice) asked the Attorney-General, representing the Deputy Premier:

1. How many:

(a) Ministerial assistants;

(b) Ministerial press secretaries;

(c) Seconded public servants;

(d) Permanent public servants (excluding secondments) are assigned to the Deputy Premier's Ministerial offices?

2. Who are they in each of the categories referred to in 1?

3. What are their respective duties, when was each appointed and what salary does each receive?

4. Are further appointments being considered?

The Hon. C.J. SUMNER: I seek leave to have the statistical answer inserted in *Hansard* without my reading it.

Leave granted.

Reply to Question

1. (a) 1

(b) 1

(c) 2

(d) 6

2. and 3. (a) L. Wright, 29.11.82, \$27 561 + 25 per cent overtime

(b) C. Willis, 29.11.82, \$27 561 + 10 per cent overtime

(c) M. Carmichael, 10.11.83, \$23 491

M. Evans, 28.2.83, \$27 561 + 10 per cent overtime

(d) C. Clark, n/a, \$16 833

S. Curtis, n/a, \$18 274

G. Forbes, n/a, \$26 988

D. Jobson, n/a, \$15 513

A. MacMahon, n/a, \$19 854

J. Ryan, n/a, \$15 126

Duties are as appropriate to the officers' classification.

4. No.

The Hon. J.C. BURDETT (on notice) asked the Attorney-General, representing the Premier:

1. How many:

(a) Ministerial assistants;

(b) Ministerial press secretaries;

(c) Seconded public servants;

(d) Permanent public servants (excluding secondments) are assigned to the Premier's Ministerial offices?

2. Who are they in each of the categories referred to in 1?

3. What are their respective duties, when was each appointed and what salary does each receive?

4. Are further appointments being considered?

The Hon. C.J. SUMNER: I seek leave to have the statistical answer inserted in *Hansard* without my reading it.

Leave granted.

Reply to Question

1. (a) 6

(b) 2

(c) 2

(d) 4

2. and 3. (a) S. Eccles, 10.11.82, \$27 561 + 20 per cent overtime

R. Slee, 9.3.83, \$24 491 + 10 per cent overtime

D. Melvin, 17.5.83, \$23 491

J. Vaughan, 10.11.82, \$17 373

A. Flanagan, 15.11.82, \$15 513

R. McDonald, 1.2.83, \$20 220

(b) M. Rann, 10.11.82, \$27 561 + 25 per cent overtime

T. Plane, 11.4.83, \$27 561 + 25 per cent overtime

(c) G. Anderson, 10.11.82, \$31 096 + 20 per cent overtime

G. Wheadon, 21.3.83, \$21 327

(d) N. Chapman, 12.11.82, \$16 833

P. Guerin, 6.12.82, \$13 593

L. Harbridge, 29.11.82, \$14 273

A. Newiss, 5.4.83, \$13 838

Duties are as appropriate to the officers' classification.

4. No.

The Hon. J.C. BURDETT (on notice) asked the Attorney-General:

1. How many:

(a) Ministerial assistants;

(b) Ministerial press secretaries;

(c) Seconded public servants;

(d) Permanent public servants (excluding secondments) are assigned to the Attorney-General's Ministerial offices?

2. Who are they in each of the categories referred to in 1?

3. What are their respective duties, when was each appointed and what salary does each receive?

4. Are further appointments being considered?

The Hon. C.J. SUMNER: I seek leave to have the statistical answer inserted in *Hansard* without my reading it.

Leave granted.

Reply to Question

1. (a) 1

(b) 1

(c) 0

(d) 11

2. and 3. (a) M.G. Duigan, 29.11.82, \$27 561 + 25 per cent overtime

(b) M.C. Jacobs, 14.2.82, \$27 561 + 10 per cent overtime

(c) n/a

(d) C.S. Bitter, 28.9.81, \$30 666

R.F. Reiman, 21.3.83, \$20 220

M.C. Doyle, 23.8.71, \$41 212

P.M. Kelly, 14.6.77, \$28 445

M.M. Cross, 13.7.81, \$22 623

B.W. Young, 26.5.69, \$16 833

O.M. Harvey, 6.1.64, \$17 903

V.C. Eccles, 23.5.77, \$13 838

D.N. Searle, 2.1.79, \$12 985

L.K. Slattery, 13.9.76, \$13 409

P. Kay, 19.11.81, \$25 747

Duties are as appropriate to the officers' classification.

4. Yes. Possible secretary to the Minister of Ethnic Affairs.

WRONGS ACT AMENDMENT BILL

The Hon. C.J. SUMNER (Attorney-General): I move:

That this Bill be restored to the Notice Paper pursuant to section 57 of the Constitution Act, 1934-1982.

Motion carried.

The Hon. ANNE LEVY brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received. Ordered that report be printed.

The Hon. C.J. SUMNER: By leave, I move:

That the Bill not be reprinted as amended by the Select Committee and that the Bill be recommitted to a Committee of the whole Council on Tuesday 29 November 1983.

Motion carried.

APPROPRIATION BILL (No. 2)

Adjourned debate on second reading.

(Continued from 26 October. Page 1349.)

The Hon. DIANA LAIDLAW: Some weeks ago I read with great interest, and often mixed feelings *Felicia: The Political Memories of Don Dunstan*. It was a fascinating experience to read of those turbulent years and afterwards to reflect on many of his observations. I wish to cite one of these observations as it is pertinent to the consideration of this Bill and the perplexing times we are now experiencing. He said:

Voters were entitled to be told clearly what to expect. It was crazy and dishonest to adopt the attitude of many politicians, 'Never tell them you are going to increase taxation'. If you need to, then you should say so and be explicit. Voters reward that kind of honesty with trust.

My basic criticism of the Government in respect to this Budget is that, in its preparation, its attitude and its approach, it has been so misleading. It is my view that, at all times, the people of South Australia deserve better from Governments and never more so than now when the State is in a rut, when unemployment and c.p.i. levels are above the national average, when we have lost our competitive advantage over our neighbouring States and overseas trading partners, and when the people at large are seeking grounds for reassurance and hope. Instead of addressing these issues and needs, the Government has responded with broken promises and with a reticence to capitalise on opportunities.

The Labor Party went to the polls at the last State election with a firm and often repeated commitment from Mr Bannon that, in Government, his Party would not introduce new taxes or raise charges. Notwithstanding the wages pause to which he was a party, it did not take long for the Government to break those promises. In fact, it could not even wait for the Budget before doing so. Instead, with undisguised haste the Government proceeded to raise its charges in scores of areas which impacted heavily on the people of this State, whether they be young or old, employed or unemployed and on businesses, particularly small businesses.

To compound its sins, the Government has announced that it intends to follow the dubious lead of the Labor Governments in Victoria, New South Wales and Western Australia and introduce a financial institutions duty. It would be refreshing to see South Australia resist this impost. Whilst the Government has not yet set a rate of duty, it anticipates raising about \$8 million this financial year from this source and about \$16 million in a full year. The financial institutions duty will contribute towards an increase of 11.7 per cent in receipts in this Budget. Expenditure is estimated to rise 7.36 per cent, leaving a deficit of \$33 million.

The Leader of the Opposition in another place, in replying to the Budget, placed on record that a Liberal Government would have avoided taxation increases imposed by the Labor Government. He noted, with supporting evidence, that under the continuation of a Liberal Government the accumulated deficit at the end of the last financial year would have been reduced by almost \$20 million. That would have been brought about by stricter control over departments to prevent overspending and by the lower cost of implementing our election promises.

This financial year alone a continuation of our policy would have saved more than \$24 million of the public sector wage bill. Further control over the deficit is vital. If it is not curbed the interest repayments will become an intolerable burden for the taxpayers of this State, and future Governments will be hamstrung in their ability to fulfil their functions or pursue directions in economic and social development in the coming years.

Funding the deficit by continuing to raise receipts is a misguided strategy. It has all the hallmarks of an insidious 'Catch 22' situation. Not only is there a limit to which people of this State can support increased charges when standards of living are falling but, of course, the charges raised are all reflected in an increasing C.P.I.

One of the Government's proposals to stem this spiral has been to seek to broaden its revenue base by a transfer to the State from the Federal Government of some of the latter's revenue raising powers. If this approach is successful, it is questionable if the State's revenue situation will be more attractive, for it is unlikely that a Federal Government will agree to such a transfer without a transfer of responsibility to the State for the provision of services. Moreover, the taxpayers of the State are hardly likely to benefit from the proposal, as the transfer will simply change the name of the tax collection agency. If this proposal is the Government's only long-term option to meet the State's liabilities, it is a sad indictment on a Government that promised the people at the last election that it would 'put the State's interests first'.

Due to expenditure decisions by this Government and its incapacity to control expenditure by some Departments, I accept, as the Hon. Ren DeGaris noted last Thursday, that some increases in taxation had to occur if the deficit was not to reach unmanageable proportions. However, in these circumstances I, like the Hon. Mr DeGaris, would have preferred to see smaller increases with larger cuts in expenditure, particularly in non-productive areas. I would also like to have seen the Government endeavour to realise opportunities for development of a productive nature—such as the Honeymoon-Beverley project—and to be far more diligent in its endeavours to increase opportunities for the maintenance and creation of productive jobs. The Government's programme for the forthcoming year has not addressed these options.

Thus, my criticism of the Government's financial management rests not solely in the Government's breach of faith regarding taxation and charges but also on the basis that it is bereft of ideas of how to get South Australia out of its present decline and bereft of a resolve to make hard decisions.

Beyond making more strenuous efforts to stem the deficit, to curtail recurrent expenditure and to examine the mounting debt-serving commitments of several departments, the Government would do well, if it found the resolve, to fully investigate the unfunded public sector superannuation schemes operating in this State. When noting the papers relating to payments and receipts, both the Hon. Legh Davis and the Hon. Ren DeGaris outlined their concern about many aspects of these schemes. I share these concerns. I do not intend to restate all their arguments, but I do wish to

allude to a few reasons why these schemes warrant reconsideration.

Anthony Sampson, in his book *The Changing Anatomy of Britain* made an astute observation in relation to superannuation schemes which I shall cite because of its relevance to South Australia's circumstances. He states:

The promise of pensions is part of the dilemma facing every old industrial country, particularly at a time of recession. How can a nation facing all the risks and uncertainties of world competition promise indefinite security to its ageing population? Why should retired civil servants as well as company executives expect to receive two-thirds of their final salary for the rest of their lives, keeping pace with inflation—a promise which dates back to more prosperous times—to be paid for by younger people struggling to maintain a lower standard of living?

Sampson's final point 'to be paid for by younger people struggling to maintain a lower standard of living' is one which is often overlooked when the rocketing levels of taxpayers' contributions to public superannuation schemes is canvassed. It is a point, however, that is just as relevant as the aspect most often referred to, which is the increasing burden on taxpayers due to demographic trends.

While birth rates can never be predicted with accuracy generations ahead, Mr John Ford, the Federal Government actuary, in a paper to the Institute of Actuaries Convention in Canberra earlier this month, estimated that the ratio of old age dependants to people of working age (men and women aged between 20 and 64) would rise from 17.2 per cent in 1981 to 32.6 per cent in 2041, would dip in 2051 and thereafter continue to increase as more people lived longer.

The generosity of the public superannuation scheme is also of concern. Sir Rodrick Carnegie, the Chairman of C.R.A., observed at a recent general meeting of his company that if any large Australian employer attempted to offer retirement benefits comparable to those offered in the Commonwealth and State superannuation schemes those companies would soon be in receivership. When these concerns raised by Sampson, Ford and Carnegie are coupled, for instance, with consideration of the rising public health cost bill, and the difficulties of finding jobs for all, our present public sector superannuation schemes require reconsideration.

While in South Australia the superannuation benefits for public servants and members of statutory authorities are no longer more generous by the standards that apply in Federal and other State Public Services, they are undeniably so when compared to private sector schemes. In public sector schemes in South Australia the rate of contribution by the Government as employer is in excess of 20 per cent of salary compared to a 9 per cent employer contribution in a typical private sector scheme; 96 per cent of Government schemes are based on salary in the final year or at retirement, compared to only 16 per cent of private sector schemes, which are invariably based on the average salary of the last three years before retirement. Moreover, benefits in Government schemes are based on annuities which are indexed automatically to movements in the c.p.i., a condition rarely seen in private sector schemes. As an aside, it is relevant, I believe, that present day employees have to argue before the Arbitration Commission to get full indexation, but under the South Australian Superannuation Act past public servants receive this automatically.

Past Governments have allowed these lavish benefits to public servants by initially accepting and now condoning a scheme which is unfunded. The contribution by Treasury, that is, the taxpayers in this State, to the cost of financing these schemes is increasing alarmingly. An amendment to the Superannuation Act in 1969 laid down that members of the Public Service would contribute 30 per cent of the cost of financing the fund whilst the balance would come

from Treasury. However, in 1974 during the Dunstan Administration, the restrictive ratio of 30:70 was removed and from that time onwards Treasury's commitment escalated rapidly.

In 1973-74 the Treasury contributed \$6.618 million. In 1977-78, \$22.209 million and last financial year \$45.2 million. During this brief period of nine years the ratio of Treasury's contribution increased from 70:30 to 87:13. The provision this financial year from Treasury is \$53 million, an increase of nearly 20 per cent over last year's provision. At this rate it will not be long before the taxpayer will be contributing 90 per cent of the cost of financing the South Australian Superannuation Fund.

While past Governments have been irresponsible to allow this ratio to grow unchecked, the situation has been exacerbated by the concurrence of the trustees of these schemes to Governments by using the funds in the schemes as a ready source of finance for projects of immediate political appeal. This practice has been tolerated without the Government and the trustees ensuring that these projects have a rate of return to cover the fund's commitments. The most recent instance is the \$60 million to be poured into the Convention Centre project above the Adelaide Railway Station yards. I have asked the Premier what level of return the fund anticipates flowing from this large investment, and I await his response with considerable interest.

I recognise that the trustees of the South Australian Superannuation Fund Investment Trust, although public servants, are not meant to be subject to Government direction. However, I contend that it would be in the interests of the present and future Governments and the present and future generations in this State if Governments resisted pressuring the Fund to invest in capital projects that did not have any likelihood of showing a rate of return to cover the fund's on-going commitments. The investment policies of all public sector superannuation funds should be of more direct concern to the Government than they have been hitherto.

The dimension of the superannuation crisis is evident from reference to the South Australian Housing Trust, which is the only Government body in this State that has endeavoured to be responsible for the management of its superannuation scheme, to which 215 members of staff contribute.

The Board in its annual report for 1982-83 expressed the following concerns in relation to its superannuation fund. Incidentally, the Trust's provision for staff superannuation in 1983 rose to \$17.25 million from \$14.792 million in the previous year. The report noted:

Early in 1983, following an extended period of discussion and correspondence with the State Superannuation Fund, the Trust also made representations to the Government about the costs which it, or rather its tenants, had to bear in respect of those of its staff who are members of the Superannuation Fund. In particular, the Trust expressed concern about—

- the high annual cost of employers contributions being 3.3 times employee contributions;
- the need for regular substantial increases in the provision for the unfunded liability which now stands at \$17.25 million in respect of 215 staff members;
- the need to attribute to the provision an earnings rate of the c.p.i. plus 4 per cent, which is in excess of the historical and likely long-term future rate of return on investments and the current actual earnings rate of the Superannuation Fund.

The Board did not refer to the success or otherwise of its representations to the Government. However, it is inevitable that the superannuation benefits offered by the public sector schemes in this State and elsewhere in Australia must be modified; otherwise the increasing cost to the taxpayer will become intolerable. I know that any reconsideration of the present schemes will encounter resistance from participants, but the Government must realise, and help the participants to realise, that the present unfunded system is not in either

the State's interests or their personal interests. They have got to realise, as E.S. Knight & Co. noted in a report entitled *Review of the Commonwealth Superannuation Scheme* to the former Federal Minister of Finance, Senator Dame Margaret Guilfoyle, that in respect to funding:

That the unfunded employer financed benefits are less secure than would be funded benefits and hence that C.S.S. members are at a disadvantage with respect to members of private schemes—though in the same position as members of other State schemes which are also unfunded.

Participants of these Commonwealth and State schemes have also got to be encouraged to appreciate that they cannot be isolated from the upheavals that are occurring in the private sector—where there is no security of employment, where tens of thousands of people have been retrenched in recent years, and with little or no retirement provision, and few prospects of future employment.

I have addressed the issue of employment and unemployment on a regular basis in this Chamber over the past year, but I wish to do so again in this debate, for I believe that the Government is not pursuing its responsibility to those in private sector employment and to those who are unemployed or amongst the ranks of the hidden unemployed in this State.

The Minister of Labour's Miscellaneous budget allocation this financial year has ballooned to \$42.429 million, compared to \$4.913 million in 1982-83. The increase can be attributed directly to funds that it will receive from the Commonwealth Government for job creation under the wages pause programme (\$13.54 million) and the Community Employment programme (\$21.739 million). A further \$5.7 million will be made available by the Government for the Home Assistance Scheme.

As I highlighted in the Address in Reply debate, the job creation schemes are an unsatisfactory platform for the Government to rest its initiatives to help the unemployed. The jobs created are of such a temporary nature—three to nine months duration—that the people who find they meet the criteria for a job are shortly thereafter returned to the status of unemployed. Job creation schemes are a superficial response to a deep seated problem. Rather than channel all their efforts into such schemes, the Government should be addressing the reasons for unemployment and pursuing the many options available to it to generate long-term employment opportunities. However, it refuses to do so.

How refreshing it was to read in the media earlier this week extracts of Senator John Button's address to the Metal Trades Industry Association's annual general meeting in Canberra. Senator Button foreshadowed to the meeting a review of add-on costs of employment, such as penalty rates, holiday loading and workers compensation insurance. He noted that these costs were a heavy and significant burden on industry and that such a review was necessary if industry was to recover in this country, if it were to regain its competitive advantage, and if employment were to be maintained and generated. I agree with Senator Button that one cannot blame these costs alone for the decline of industry in this country in recent years, but they nevertheless are a substantial factor.

Mr Andrew Peacock noted at the same meeting that these costs would represent more than 50 per cent of total labour costs by the end of the decade, compared with 33 per cent in 1974. My one reservation about the perception by the Federal Government of the burden of add-on costs arises from the support late last week of the A.C.T.U.'s submission on redundancy to the Arbitration Commission's job creation hearing. The submission seeks a minimum of four weeks pay: two weeks for each year of service in the event of retrenchment. If the submission is accepted, a redundant

worker aged 45 years, with 20 years service, would qualify for a package equivalent to 4½ years wages. This cost to small businesses, in particular, would be excessive in the event that they were unable to maintain employment levels.

Of all the conditions of employment currently applicable in this country, the annual leave loading in its present form is the least rational. The loading might have been a legitimate way of distributing the national wealth in the early and mid 1970s, but the state of the economy has altered dramatically for the worse since then. The fact is that the rationale on which the loading was originally conceived is not applicable to the great majority of employees who receive it today. The economic justification is now no longer present.

Last December the Confederation of Western Australian Industry Inc. lodged an application to vary awards other than Government awards by deleting the provision which requires the payment of an annual leave loading to employees. The Confederation said that to grant the application would be to grant relief to industry at a time when the Australian economy was in deep recession and, more particularly, that it would grant relief to the small employer.

The Confederation submitted among its members the outcome of a survey which indicated the possible result that could be achieved by the removal of the loading. About one-quarter of the firms stated that they would employ more people if the loading was removed; 39 per cent indicated that abolition of the loading would save jobs that might otherwise be lost; about one-third of the firms stated that some new investment in plant and equipment would be undertaken; and one-third of the firms specified other uses for saved funds, which included expansion of business, restoration of profitability, and reduction of debts.

In their judgment, the three commissioners of the Western Australian Industrial Commission noted that there would be a benefit from the reduction in labour costs and that this could be achieved by the removal of the loading. However, the commissioners refused the application on the grounds that it was inappropriate at that time for the Commission to act independently, for it would discriminate between employees in the private and public sectors, between employees under State and Federal awards and, consequently, even between workers who were employed by the same employer in the same work place.

The decision, though rejecting the employers' application, gives grounds for optimism should employers collectively seek the removal of the annual leave loading from Federal Commission awards. I hope that employers consider such action at the Federal level and take confidence in doing so from Senator Button's remarks about the fact that costs, in addition to wages, are a heavy burden on employers. It is my hope that, as the South Australian Government is the biggest employer of labour in this State, it will support the deletion from State awards of this iniquitous loading.

While on the subject of State awards, I wish to voice my disappointment, having learnt late last year in answer to a question that I asked of the Minister of Labour, that the Government would not move to have inserted into State awards the provision of permanent part-time employment. At a time of high unemployment, it is ridiculous to limit one's sights to the creation of only full-time employment opportunities. While this may be the ideal, the Government should also be providing further options, and permanent part-time employment is one such option. Part-time work or casual work positions are on the increase, but often the conditions applying to such positions are not always in the best interests of the workers.

Permanent part-time work offers to the worker pro rata benefits such as long service leave, sick leave, and so on, while it offers the employer a more flexible employment situation and a decrease in absenteeism. It is surprising,

when one witnesses the success of permanent part-time employment in the South Australian Public Service, that the Government is not prepared to make that provision in State awards.

Penalty rates is another area that the Government should be addressing. Such rates are an enormous burden on many small businesses and in particular on businesses associated with tourism and the restaurant and hotel trade. On 30 August, nearly two months ago, I asked the Minister of Labor whether he would agree that a simple solution, with merit, would be to amend awards so that people were employed over five periods of a seven-day week rather than the present five-day week and that work undertaken in excess of any five periods over seven days would warrant time and a half payment. In this way, double time would be removed but people would maintain the right to earn overtime and to work the basic 35-hour to 38-hour week, which unions have worked so hard to achieve in recent years. I asked that question two months ago, and I am still awaiting an answer from the Minister.

Mr Don Dunstan entered this debate by remarking recently, as Chairman of the Victorian Tourist Commission, that he believed that such a suggestion had merit for that industry and that he would support the insertion of those conditions into an award relating to the tourist industry. I suggest that Mr Dunstan's support for a change in State awards would possibly enable the Government to see the wisdom of such a move.

I have mentioned the removal of holiday leave loading, the insertion of permanent part-time employment provisions in awards and the abolition of penalty rates as options that the Government should pursue if it is genuinely keen to maintain jobs in the private sector and to create new and lasting jobs in this sector. In themselves, none of these proposals is the panacea for solving the unemployment problem, but they will help the private sector to rejuvenate and in turn to employ more people. As such, they should be pursued, and I hope that the State Government will participate fully in any inquiry that is established by the Federal Government to consider the costs of employment above the costs of wages.

The Hon. C.J. SUMNER (Attorney-General): I thank honourable members for their contributions. There are a number of matters to which I will respond, albeit briefly, because we would like to have this Bill passed today. There have been a number of recurring themes in the contributions of honourable members, and I will deal with some of them.

First, I refer to the State deficit and the related issue of the use of capital funds to provide support for recurrent activities. On 12 October 1982, I made a contribution in this place on that topic which I commend to honourable members. The conclusions that I drew from the documents that I tabled at that time and from the tables that I had inserted in *Hansard* were as follows:

First, in the 1979-80 Budget, which the Corcoran Government prepared and which was inherited by the Tonkin Government, the State budgetary position was sound: there was a surplus in Revenue Account such that \$15 540 000 could be transferred to capital works. Secondly, in less than two years of the Tonkin Government, that is, by 30 June 1981, that surplus, from the previous sound financial position, had been turned into a deficit requiring \$37 270 000 from capital for recurrent purposes. That is a deterioration from 30 June 1980 to 30 June 1981 of \$52 800 000 in recurrent activities. Thirdly, up to 30 June 1982 no other State had used capital funds for recurrent expenses to any extent, and now only New South Wales is doing that, and to a lesser extent than is the Tonkin Government. Fourthly, a total of \$141 000 000 up to 30 June 1982 which should have been spent on capital works and to stimulate employment was required to keep recurrent operations going.

That would have been the figure, including the amounts actually transferred and the amount that was budgeted to

be transferred in 1982-83. That \$141 million, in fact, as indicated by the Budget papers, was larger than that because of additional transfers that were made in past financial years beyond the amount budgeted. I believe that the conclusions that I reached at that time were valid, and I still maintain that position.

The fact is that until the 1980-81 transfer or the use of capital works funds to support recurrent work activities, it did not occur to any significant extent, so that for the first time in the State's history it was the Tonkin Government which embarked on this course of action. The present Government takes the view that an attempt should be made to wind back the reliance on capital funds to support recurrent activities.

The Hon. L.H. Davis: Don't you think it is fairer to look at the total Budget, including the budget of statutory authorities as well as the capital total—the total spending programme? If you do that, you will find that, in fact, we reversed the trend of a run down in capital expenditure during the Dunstan years and built up capital spending in the three years in which we were in government.

The Hon. C.J. SUMNER: I am not suggesting for one moment that one should not look at the overall position. Indeed, it is an unfortunate feature of State Budgets that, when Parliament considers the Budget, it does not consider all these matters in context. It considers the State's budgetary position basically in terms of Consolidated Account. There are a whole range of other statutory authorities which borrow funds and which engage in capital works. All these have some impact on the overall economic situation in the State.

The Hon. L.H. Davis: You agree that the accuracy of your remarks is diminished because the State Budget does not include all details?

The Hon. C.J. SUMNER: I concede that it would be preferable if one could look at all other matters when considering the Budget papers, but that has not occurred. It would be preferable if it would do that to a much greater extent.

The Hon. L.H. Davis: Treasury has prepared figures like that in the past, and it would be useful if it could be done on an annual basis.

The Hon. C.J. SUMNER: I appreciate that. They are prepared from time to time on request by honourable members.

The Hon. L.H. Davis: Do you think it should be done as a matter of course?

The Hon. C.J. SUMNER: As far as Parliament is concerned, it would be desirable in the presentation of the Budget if attention was given beyond the Budget itself to encompass the broader aspects—capital expenditure and revenue earned by statutory authorities—but that has not been the tradition in the past and, doubtless, to achieve that there will need to be considerable change in the methods of presentation of the Budget. I do say that the scrutiny of statutory authorities and public sector activity would be enhanced by an improved Committee system in Parliament. The Government has already taken action to try to ensure that there is an improvement in the scrutinising role of the Committee system.

However, I repeat the statement that there is no doubt that that particular transfer of capital funds for recurrent activities did occur and has still occurred in this financial year. However, it has been redressed; there has been a winding back of capital funds for recurrent expenditure, which is an important aspect of this Budget. A proposed deficit of \$5 million on Consolidated Account is to be achieved by reserving capital funds of \$28 million towards financing a deficit on current activity of \$33 million, this compared with planned transfers of \$42 million from capital funds in the last Budget of the former Government, which

was \$51.9 million, and the actual diversion of almost \$100 million in 1980-81 and 1981-82.

It is one of the Government's priorities that the use of capital funds to support recurrent expenses be reduced and, if possible, eliminated. The fact is that, if one engages in this process, it has a number of adverse effects. The first is that money is not being injected into the economy in areas of capital works construction, which everyone agrees has a multiplier effect in the economy in terms of jobs.

If one were to continue to transfer the use of these capital funds in this way, *ad infinitum* at large levels, difficulties would arise. There would be a rundown in the State's assets and a deterioration in what the public has to show for the money spent, for the money which the Government has borrowed on behalf of the public. I maintain the assertion that I have made in the past.

On 12 October 1982 I asked what views the Tonkin Government took of this procedure. I never really obtained a satisfactory answer on whether it thought it a desirable process, although the Premier (Mr Tonkin) at various stages made comments indicating that he did not think that it was ideal: he indicated that the transfer of funds was not an ideal solution, but he did not have any view as to where the State would go in the future in this respect.

I maintain and believe that it is sustainable on the information that I presented in October last year that the Government had to use this device for the first time on a significant basis in the State's history, because it miscalculated the costs of its tax cuts that were promised at the 1979 election. In order to cover for that miscalculation and the Budget deficit that would have resulted, this device was used.

The future of it needs some consideration. The Government has indicated that its preferred position is to try to return to the situation where capital funds are used for that purpose, for the reasons that I have outlined. It is desirable in economic terms, in terms of stimulus to the economy, and desirable in that it gives the community the opportunity to increase its stock of public assets. Whether that particular objective can be achieved I really cannot say. It would be quite unreasonable for anyone in Parliament to assert that the Government could do that overnight or assert that in the future capital funds would not be used for recurrent purposes.

I would be wary about the suggestion of the Hon. Mr DeGaris that there ought to be a constitutional restriction on the use of such capital funds. The Government is aware that a number of States in the United States have constitutional restrictions of one kind or another on their finances.

The Hon. R.C. DeGaris: Some have a statutory restriction.

The Hon. C.J. SUMNER: A constitutional or statutory restriction, as the Hon. Mr DeGaris interjects. I cannot claim to be totally *au fait* with how that works out in practice. Certainly, if the Hon. Mr DeGaris would like to tell us in more detail what kind of restrictions he has in mind, I would be happy to consider the feasibility and appropriateness of such restrictions. I must admit that I have some problems with the proposition and, as I indicated when asked previously about this topic, I think that some inflexibility could be introduced in some State Budget deliberations if there was constitutional or statutory restriction on the use of capital funds for recurrent purposes. On 12 October I stated:

I know that the Hon. Mr DeGaris has suggested that there should be legislation prohibiting transfers of capital moneys to recurrent operations and, quite frankly, I have no firm view on that. However, I believe that it could introduce an inflexibility into State budgeting arrangements that would not be desirable and, of course, it is true that all the moneys now go into one account. There are no separate accounts, such as a Revenue Account or a Loan Account, as there once were. At this stage, I

am certainly not prepared to say that there should be a constitutional limitation, because I believe that some Budget flexibility is required.

That is still my position. I believe, first, that there are obvious constitutional, political and financial differences between the Australian and American States. Secondly, it is probably true that what happened in the United States has occurred as a result of an ideological preference for small Government in that country, whereas it is true that the Labor Government at the State and Federal level has no *prima facie* objection to running deficits in certain circumstances to promote economic activity.

Thirdly, I believe there would be some considerable deficit problem in making the idea work. The very word 'deficit' can be used in a number of different ways. The way in which it is used in the Commonwealth Budget is quite different to the way in which it is normally used in the State Budget.

The position is also complicated by the many separate Acts and authorities through which public funds pass. I doubt whether, in today's complex and changing economic environment, the imposition of any arbitrarily fixed rule would be appropriate. It was interesting to note that yesterday the Hon. Mr Lucas indicated that some degree of deficit funding was appropriate in depressed economic circumstances. While I am prepared to consider any detailed proposition that the honourable member wishes to put up, I have grave doubts about whether there should be such a statutory limitation.

Nevertheless, this Government in this Budget has made a concerted attempt to wind back the reliance on the use of capital funds for recurrent purposes. The extent to which we can continue that trend in the future, I cannot comment upon at this stage. It depends on other general economic situations in the State. In so far as capital works funds used for those purposes stimulate economic activity, it is an objective that we would like to see retained.

While on the question of deficits, it is worth while responding to something that the Hon. Mr Lucas said yesterday when I pursued with him—by way of interjection earlier in the evening when apparently the atmosphere in the Chamber was less intense—whether he felt that, to run the deficit on recurrent activity as well as on a cash basis—

The Hon. M.B. CAMERON: Mr President, I draw your attention to the state of the Council.

A quorum having been formed:

The Hon. C.J. SUMNER: In one sense the Hon. Mr Lucas was correct in saying that one could run a deficit, as has been done over the past three years, in the sense of transferring capital works funds to prop up the recurrent deficit. In our view, it had some undesirable effects, but I admit that it can be done.

Secondly, it cannot be done in the sense of a cash deficit. The South Australian Government has to balance its Budget. It cannot resort to a deficit being financed by loans from the Reserve Bank or by printing money. In that sense, while it can run a deficit which is covered by borrowings, it cannot run a cash deficit which will run down the State's financial cash reserves to the extent that it has no funds from which to draw in order to run the day-to-day activities of Government.

We have got to the point now where there is an accumulated cash deficit of \$63.2 million. There is a limit to the extent to which that can be extended because, at a certain point, the cash reserves in the whole of Treasury are reduced to such an extent as to be non-existent. If that position is reached, the Government will have to seek alternative means of raising borrowings outside the Loan Council or raising funds in some other way. Clearly, if that occurred, the State would be in a difficult financial position. On

Consolidated Account we have a cash deficit of \$63.2 million. That amount cannot be extended without limitation. It could possibly be extended to some degree, but it certainly could not be extended to the degree of having no cash reserves at all. In the sense of a cash deficit, the Hon. Mr Lucas was not correct when he said that one could run such a deficit without limitation.

I wish to draw members' attention to superannuation costs. On numerous occasions honourable members opposite have raised the question of superannuation costs and have stated that the Public Actuary has consistently underestimated the future cost of the South Australian Superannuation Fund. On 22 September Mr Davis is reported in *Hansard* as follows:

The forecast of the Public Actuary over the past five years . . . would barely match the predictions of a crystal-ball gazer on side-show alley.

To support that statement, he tabled certain figures headed 'South Australian Superannuation Fund—Projected and Actual Costs to Government'. The Public Actuary, referring to Mr Davis, states:

He appears to have indicated to the Legislative Council that the estimates contained in that table were extracted from a report prepared by me. That is not the case. The figures in that Table headed Public Actuary's 1981 Estimate in money terms were not contained in any report of mine but were calculated by Mr Davis himself or rather, as I shall explain in a moment, they were miscalculated by Mr Davis.

The figures used by Mr Davis were based upon my report entitled Report on Long Term Projections of the Cost to the South Australian Government of the South Australian Superannuation Fund and Related Matters, which was tabled in Parliament on 16 July 1981. That Report contained the explicit note:

The purpose of the projections is to indicate long term trends and assumptions on which the projections have been based represent the average experience which may be expected in future. The actual costs over the earlier years of the projections may vary from those projected because of short-term variations from the average experience.

The report provided estimates of future cost expressed in 1980-81 dollars. Paragraph 2.2 of the report made it clear that these costs were related to 1980-81 salary levels and that any inflation of these figures to arrive at estimates in money terms should therefore be based on salary inflation (rather than price inflation as measured by the consumer price index). Nevertheless, in inflating my estimates, Mr Davis has used the consumer price index. The following table shows how Mr Davis's comparison between my estimates and actual costs would have appeared if his calculations had been carried out on the correct basis (a minor mis-statement by Mr Davis of the actual cost in one year has also been corrected).

I seek leave to have the purely statistical table inserted in *Hansard* without my reading it. It shows Mr Davis' figures and the correct figures.

Leave granted.

COMPARISON OF MR DAVIS' FIGURES AND PUBLIC ACTUARY'S FIGURES

Year	Actual	Mr Davis' figures		Correctly Updated figures	
		Estimate	Shortfall	Estimate	Shortfall
1980-81	\$31.9 m	\$31.2 m	\$0.7 m	\$31.2 m	\$0.7 m
1981-82	\$37.4 m	\$35.5 m	\$1.9 m	\$36.7 m	—\$0.3 m
1982-83	\$44.9 m	\$41.2 m	\$3.7 m	\$43.1 m	\$1.8 m
1983-84	\$53.0 m (estimated)	\$47.7 m	\$5.3 m	\$51.8 m	\$1.2 m
Cumulative	\$167.2 m		\$11.6 m		\$3.4 m

The Hon. C.J. SUMNER: The Public Actuary continues as follows:

It will be seen that there is no consistent underestimate and that the cumulative underestimate over a four year period is about 2 per cent. For the reasons given in the cautionary note contained in my report, to which I have previously referred, a larger short-term variation would not have been surprising. As indicated in my 1981 report, an up-date of the long-term projections is currently under way and should be available within a few months. In spite of the fact that my formal estimates of future

costs, including that for the year 1988, were tabled in Parliament on 16 July 1981, Mr Davis regularly quotes an estimate for that single year contained in my actuarial investigation of the fund tabled in 1979. The latter report makes it clear that the estimate is an approximate one pending the development of formal estimates and that the figure quoted (which was in 1988 money terms) would need to be revised if inflation were higher than that assumed (6 per cent price inflation and 8 per cent wage inflation). Actual inflation has, of course, been very much higher.

They are the comments of the Public Actuary on claims made by the Hon. Mr Davis and other members of this Chamber. The other claim made is that the State superannuation scheme is far more generous than private sector schemes. Therefore, I think that the following comments need to be made in relation to that allegation: first, that State scheme benefits are paid primarily in pension form, whereas private sector schemes invariably provide lump sums; secondly, because lump sums provide more flexibility in arranging affairs for taxation and Commonwealth age pension purposes, it is doubtful whether State scheme pensions are that much more valuable for a retired public-sector employee than are the lump sums available to many retired private-sector employees; and, thirdly, it is the total remuneration package that needs to be compared—not just the superannuation component of the package.

The Hon. L.H. Davis: What about the cost of the superannuation—are you making comments about that?

The Hon. C.J. SUMNER: I dealt with that matter in the Public Actuary's comments in relation to the Hon. Mr Davis' sideshow-alley comments. I have indicated that the honourable member may need to reconsider his allegation that the State superannuation scheme is far more generous than private sector schemes. There are some compensating schemes that may not make that statement seem as categorical as the Hon. Mr Davis has indicated.

The Hon. L.H. Davis: Obviously, the Attorney has not read the latest annual report of the Housing Trust, which also criticises the cost of superannuation.

The Hon. Anne Levy: The Minister has quoted the Public Actuary.

The Hon. C.J. SUMNER: I am happy to have the honourable member raise this issue, as it is a matter of public concern. However, in my reply I have been concerned to put the Public Actuary's views about Mr Davis' calculations and the fact his statements might not be as clear cut as the accusation he makes about the generosity of public sector superannuation. The Hon. Mr Cameron raised a number of matters in his response. He suggested that the Government should emphasise expanding the public sector to reduce unemployment and to create short-term high-cost job creation schemes. I have two comments to make about that: first, putting to one side the employment that will be created as part of the job creation schemes in the Budget, the Budget sets out to maintain public sector employment and not expand it, as was suggested.

As we have previously stated, the Government believes that, while unemployment is significantly high, we should not compound the problem. But, at the same time, an increase in the Public Service is not proposed. Honourable members are aware of the Government's commitment to maintain the public sector employment level as at 30 June 1982.

Secondly, the Government's first objective in this Budget is to do everything we can to stimulate economic growth within the very narrow limits available to a State Government. We plan to do it in a number of ways:

1. By winding back the use of capital funds to support recurrent deficits and thus enable an increase in real terms in the funds actually spent on capital works. This will benefit employment in the building

and construction industry and provide flow-on benefits to other parts of the economy.

2. There will be a significant boost for the housing industry. With the assistance of the Commonwealth, \$224 million will be allocated to the Housing Trust and the State Bank for housing programmes.

I understand that that is the largest commitment of public sector employment made in this State since 1967.

3. Direct action will be taken to create jobs, and \$5.7 million is to be provided for State job creation programmes. This will dovetail with the increased funding in this area now provided by the Federal Government.
4. The Government is pursuing a strategy which addresses the problems of structural imbalances in our economy and offers means to promote and maintain new employment-generating industries in the State. In relation to this:
 - The State's administrative arrangements in the area of State development have been reorganised;
 - The Government is conducting a major review of the Government's incentive and assistance programme;
 - High priority is given in the Budget to the promotion of tourism; and
 - The Government is mounting a major campaign to attract the Royal Australian Navy's submarine replacement programme to this State.

In summary, the Leader's comments do not accurately describe or assess the Budget's approach to the employment situation.

The Hon. Mr Cameron suggested that 'in the 1982-83 financial year, the Bannon Government failed to control departmental spending, resulting in over-spending by \$23 million'. It is pointed out in Attachment I to the Financial Statement of the Premier and Treasurer (page 11) that the residual net overspending by agencies and on miscellaneous lines of \$23.2 million was comprised very largely of the \$20.5 million related to the net funding of the Health Commission, where receipts came in much lower than the Commission's expectations. In the \$20.5 million, which was the contribution to the overspending, so called, that contribution of \$10.5 million from the Health Commission was the result of the receipts which came in much lower than expected. The sum of \$4.8 million was the result of the contribution made to hospitals early in the life of this Government, and the balance was cost increases which were provided in any event in the Budget from the round sum balance.

So, there has not been a massive over-run in 1982-83. There was an over-run which was primarily caused by the Health Commission budget, a substantial proportion of which was caused by reduction in expected receipts. So, to say that the Government failed to control departmental spending, resulting in overspending by \$23 million, is simply not a correct interpretation of the facts. Further, Mr Cameron alleges:

This budget has done nothing to face or solve the major economic problems which the State faces.

Mr President, I do not agree with that. The fact is that the State Government has a limited capacity to control or influence the overall economic situation in the State but, within those limitations, as I have outlined, I think the Government has made a significant effort. Indeed, it is interesting to note that the Hon. Mr DeGaris conceded yesterday in his contribution that this is not a bad Budget.

The Leader in proposing an alternative Budget strategy, refers to:

- (a) proceeding with capital works at Finger Point and Cobdogla; and

- (b) limiting promises and spending to such an extent that the accumulated deficit would be reduced by \$20 million.

This suggests a level of expenditure more than \$25 million below that proposed in the Budget.

It is interesting to note that in making that suggestion he has not said where there will be any reduction in public sector employment or public services offered by the Government. In relation to Finger Point, Cobdogla and the north-east busway project, these were looked at very carefully by the Capital Works Review team and for reasons essentially based on poor economics they were deferred for the present time.

The Hon. Mr Cameron also referred to an increase in the Public Service of 2 000 persons. This is quite an inaccurate interpretation of what has happened with Government resources. In referring to 2 000 persons he may well have been referring to actual persons—an improper way of making the assessment. If he were to look at the numbers of full-time equivalents he would find that they actually increased from July 1982 to July 1983 by fewer than 400.

The honourable member would well recall that during that period the State suffered two major natural disasters which required additional Public Service resources, particularly in the Woods and Forests Department in the South-East. So there has been some increase—certainly not a massive increase and certainly not an increase to the extent of 2 000 full-time jobs.

Indeed, when one considers that the increase is something less than 400 jobs in total public sector employment of 46 000 one can see that the increase has been insignificant and, in any event, to some extent caused by the disasters which occurred in this State earlier this year. I think they were three of the major themes that were running through the honourable member's comments. He mentioned superannuation, which I think everyone would agree is a problem not in the public sector but in the private sector. Indeed, it is interesting to note the steps that the Federal Government has taken to deal with that situation.

It might have been interesting to note that the Hon. Mr Davis, in fact, endorsed the present Government's proposal to try to reduce the extent of double dipping in relation to private superannuation. Nevertheless, that question was addressed, it is a matter of concern, and it may have to be further considered in the future. Personally, I believe that the best long-term solution is to have a contributory superannuation scheme which is available to all employees in Australia so that they receive a pension at the end of their working life. Employees would have paid contributions during their life to that scheme. Arriving at that situation is not easy, however, but at some stage I believe that that question will have to be addressed.

I have considered the deficit and the use of capital funds. I will not comment on the financial institutions duty, because today in the House of Assembly the Premier introduced a Bill that gave details of that duty and the Council will have an opportunity to debate that matter at greater length.

The Hon. R.I. Lucas: Is it .04 per cent?

The Hon. C.J. SUMNER: Yes. The Council will have an opportunity to debate that issue in considering the Bill, so I will not delay the Council any further in that respect. I merely conclude by addressing some of the issues raised by the Hon. Mr Griffin with respect to my own portfolio.

First, the honourable member referred to the disabled. He insists on making great statements about what he did when he was Attorney-General. I concede the honourable member's particular interest in policies and programmes for the disabled, but I wish that he would concede that it was a Labor Government that established the Bright Committee, which reported on the question of the rights of the disabled

and which provided the basis for the Handicapped Persons Equal Opportunity Act, which is now law in this State. However, the Hon. Mr Griffin, when he speaks on these topics, conveniently ignores that fact and seeks to criticise the present Government in this area.

I can advise the honourable member that the Government has provided funds for and continues to support the establishment of the Disability Information Resource Centre and, indeed, it is proposed that that centre be given a permanent home as part of the 150th anniversary celebrations. The Government is working actively with the Jubilee Committee to try to ensure that such a centre is built by 1986. The Government is considering whether land can be made available in the city of Adelaide for the construction of such a centre. At present, a centre is operating, it has premises, and it is being used by groups representing people with disabilities.

The Hon. Mr Griffin has some hair-brained notion in his mind that the resource centre was not to be used by outside organisations. That is nonsense. The fact is that at this point in time there is to be no change in the functions of the Disability Information Resource Centre as was determined by the honourable member when he was Attorney-General. So, there is no truth in that allegation. The centre is to be used to provide equipment and human resources for groups and individuals who represent people with disabilities and who wish to obtain assistance in preparing material and obtaining information.

The question of the adviser was also raised. An advertisement will appear in the State and national press advertising that position in the very near future—probably within the next fortnight. That is a very important aspect of the Government's policy and provides a point of contact for co-ordinating policy programmes relating to the disabled. That has not occurred before and, prior to the last election, I was concerned about the lack of co-ordination and of a focal point for people in the private sector to put suggestions to Government on policy changes, comment on programmes, and a focal point within the Government sector for advice in this area. So, that important initiative is proceeding.

The level of AO4 has been suggested for the position. I had some discussion with the Hon. Mr Griffin during the debate about the position of the Women's Adviser which I have ascertained is currently rated at the EO1 level. The fact that in the Public Service this job will be advertised at the AO4 level does not mean that if a suitable applicant comes forward that person will not be able to be employed on the EO1 level. The position will be advertised nationally with a 'salary to be negotiated depending on experience and ability'. If an applicant meets the criteria that the Government requires and it justifies an EO1 salary, that has not been precluded as a possibility for the level of appointment for this adviser. It will be subject to further discussion.

The honourable member referred to the Disability Advisory Council. All I can say at this stage is that the matter of whether the State Government will appoint an advisory council will be left in abeyance, depending on the appointment of the adviser. It has not been rejected completely as an idea but, once the adviser has taken up office, the Government will give further consideration to that idea in conjunction with the adviser. So, the Government has pursued its policy initiative in the area of the disabled and will continue to do so.

The honourable member raised some other issues relating to my portfolios, but I do not really think that there is much point in commenting any further on them, although he did make some criticism about legal aid. There has been a 10 per cent increase in funding for legal aid this financial year, and it is expected that there will be a further increase as a result of the agreement reached between the Law Society

and the banks. The honourable member seemed to think that I had nothing to do with that. I can assure him that, as soon as I heard about the arrangement that the Victorian Law Institute (with the support of the Victorian Government) had been able to enter into with Westpac in that State, I made immediate representations to Westpac in this State, to the Law Society and to other banks, and facilitated the agreement which the Law Society has now entered into to enable payment of that interest on trust accounts, and for part of that money to find its way to legal aid.

In the area of criminal injury compensation, I can only say that a review is proceeding into the Criminal Injuries Compensation Act. I do not resile from anything that I have said about the difficulty of funding criminal injuries compensation, and we may need to look at alternative methods apart from Consolidated Revenue of funding such compensation.

The Act is being examined. I reject the Hon. Mr Griffin's criticism. The fact is that he did come into this Council as Attorney-General and wanted to restrict quite dramatically the rights of victims of crime. Indeed, his proposal went to such an extent that parents of the Truro murder victims would not have been able to claim compensation. Luckily, we were able to defeat that provision in this Council when it was introduced. There were other changes to the Act, and they are now being assessed. There will be some legislation brought forward on that topic as soon as possible, but it is a matter of getting the recommendations prepared in the light of other projects which are being conducted by the legal officers in the Attorney-General's Department. As to the Corporate Affairs Commission, I merely repeat what I said by way of interjection: that relates to the future of the Von Doussa Report, and whether any prosecutions will flow is a matter for the Corporate Affairs Commissioner. It is within his discretion now to determine whether any prosecutions should proceed, and it would be quite improper for me to attempt to interfere with the exercise of that discretion. That covers the major issues raised by members during the full and comprehensive debate. I thank honourable members for their support of the Bill.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Interpretation.'

The Hon. R.I. LUCAS: As I indicated last evening, I certainly do not expect the Attorney to have answers this afternoon to all the questions that I asked. Can he indicate what procedures he will adopt in providing me with answers to my questions?

The Hon. C.J. SUMNER: Because of the lateness of the hour, *Hansard* was not available sufficiently early for Treasury officers to give detailed consideration to the questions. I will have to obtain answers and let the honourable member know by letter. If he wishes the answers to find their way into *Hansard*, I am sure that can be accommodated. The honourable member has a penchant for asking difficult questions, so I am not in a position to indicate when I might have those. Certainly, I hope that they will be provided in the near future.

Clause passed.

Remaining clauses (4 to 11), schedules and title passed.

Bill read a third time and passed.

LICENSING ACT AMENDMENT BILL (No. 2)

Returned from the House of Assembly without amendment.

LOTTERY AND GAMING ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

STATUTES REPEAL (HEALTH) BILL

Returned from the House of Assembly without amendment.

**TERTIARY EDUCATION AUTHORITY ACT
AMENDMENT BILL**

Received from the House of Assembly and read a first time.

ADJOURNMENT

At 5.26 p.m. the Council adjourned until Tuesday 8 November at 2.15 p.m.