LEGISLATIVE COUNCIL

Tuesday 10 March 1987

The PRESIDENT (Hon. Anne Levy) took the Chair at at 2.15 p.m.

The Clerk (Mr C.H. Mertin) read prayers.

ASSENT TO BILLS

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

Meat Hygiene Act Amendment,
Meat Inspection (Commonwealth Powers),
Petroleum (Submerged Lands) Act Amendment,
Statutes Amendment (Taxation).

PAPERS TABLED

The following papers were laid on the table:

By the Attorney-General (Hon. C.J. Sumner):

Report on Deregulation Initiatives.

Pursuant to Statute—

Justices Act 1921—Rules—Crimes (Confiscation of Profits).
Department of Correctional Services—Report, 1985-86.
Riverland Development Council—Report, 1985-86.
Regulations under the following Acts:
Bail Act 1985—Child Provisions.
Children's Protection and Young Offenders Act 1979—Bail Provisions.
Crimes (Confiscation of Profits) Act 1986—Search Warrants.

By the Minister of Consumer Affairs (Hon. C.J. Sumner):

Pursuant to Statute—

Report of Commissioner for Consumer Affairs, 1985-86.
Trade Standards Act 1979—Regulations—
Sparkle Bangles.
Puller Winches.
Silos and Water Storage Tanks.

By the Minister of Corporate Affairs (Hon. C.J. Sumner):

Pursuant to Statute—

Trustee Act 1936—Regulations—Trustee Investment Status (Amendment).

By the Minister of Health (Hon. J.R. Cornwall):

Pursuant to Statute—

Marketing of Eggs Act 1941—Report of Auditor-General, 1985-86.
Regulations under the following Acts—
Drugs Act 1908—Food and Drugs Advisory Committee Remuneration.
Fisheries Act 1982—
Fish Traps.
Marine Scale Fishery—Licences.
Northern Zone Rock Lobster Fishery—Pots and Licences.
Southern Zone Rock Lobster Fishery—Pots and Licences.
Motor Vehicles Act 1959—Regulations—Pre-Licence Motor Cycle Training.

By the Minister of Health, on behalf of the Minister of Tourism (Hon. Barbara Wiese):

Pursuant to Statute—

The Flinders University of South Australia—By-laws—Expiation Fee.
Forestry Act 1950—Proclamation—Second Valley Forest Reserve—Section 303, Hundred of Yankalilla, County of Hindmarsh.
Department of Marine and Harbors—Report, 1985-86.

By the Minister of Health, on behalf of the Minister of Local Government (Hon. Barbara Wiese):

Pursuant to Statute—

South Australian Waste Management Commission Act 1979—Regulations—Prescribed Wastes.
District Council of Tatiara—By-law No. 41—Keeping of Animals and Birds.

MINISTERIAL STATEMENT: STREAKY BAY AREA SCHOOL

The Hon. J.R. CORNWALL (Minister of Health): I seek leave to make a statement.

Leave granted.

The Hon. J.R. CORNWALL: In accordance with my established practice I propose to inform the Council of the strategy being implemented to deal with the contamination of Streaky Bay Area School with the pesticide aldrin. At the outset I wish to stress that the extent of contamination and the effects, if any, on the health of students or staff are matters which are still the subject of extensive scientific testing and investigation. It will not be possible to gauge the significance of aldrin contamination of the school and the environment until that work is completed.

Aldrin is an organochlorine compound which is toxic for mammals and known to accumulate (as dieldrin) in human and animal tissue following low chronic exposure. There is widely accepted evidence that no symptoms of toxicity are associated with low levels of exposure. When present, symptoms include headache, nausea, vomiting, general malaise and dizziness. Severe poisoning may result in epileptiform convulsions and coma.

I am advised that evidence for carcinogenicity in humans is described as inadequate by the International Agency for Research on Cancer and, that in relation to animals, it is limited. Studies on workers known to have been exposed over long periods have not demonstrated any specific carcinogenic activity.

The use and supply of aldrin is covered under two pieces of legislation controlled by the Central Board of Health. These are the Drugs Act, where aldrin is listed as a schedule 6 poison (the Poisons Schedule generally relates to packaging, labelling and supply); and the Pest Control Regulations of the Health Act which describe the requirements for licensing of pest controllers and qualifications of operators and which list the responsibilities of operators and companies in relation to the safe storage and handling of pesticides. Penalties for a breach of regulations which involve a risk to public health involve revoking or suspending the licence of the company or operator.

In South Australia the registered use of aldrin is restricted to the treatment of termites and the method of application is set out in Australian Standards 2057/1986 and 2178/1986. This situation is mirrored in other Australian States, except Queensland, where an additional use on sugar cane crops is permitted. It is widely used internationally under very similar controls.

In August 1986 a contract was let by the Department of Housing and Construction for termite treatment and replacement of damaged woodwork at the Streaky Bay Area School. A pesticide solution was applied (0.5 per cent aldrin) during the period August to November 1986 and there are anecdotal reports that the process resulted in widespread contamination of the school premises. Parents have reported to an officer of the Public Health Service of the South Australian Health Commission that some children have suffered vomiting, diarrhoea, lethargy, headaches and irritability and these symptoms have been attributed to the use

of pesticide (that is, the parents and others have attributed these symptoms to the use of the pesticide, rather than the commission).

The Public Health Service was contacted on 3 December 1986, when a scientific officer of the Occupational Health Branch received a telephone call from Streaky Bay. The inquirer appeared satisfied following discussion of white ant treatment and concerns about misapplication. The call was typical of the hundreds or even thousands of general inquiries received by the branch from the public each year.

Two weeks later, the same scientific officer was involved in a conference call with teachers at the school. There was no request for further assistance at this time or later and, on the basis of the description of the incident, no significant problem was suspected. However, two months later, on 16 February 1987, advice was sought and provided on services available through the Chemistry Division of the Department of Services and Supply. The parent group at Streaky Bay had decided to submit carpet samples for analysis. Shortly after, but before any results were available, there was a demand that the main school building be closed to prevent further exposure of students to the toxic effects of residual chemical. The Education Department agreed promptly and made alternative arrangements for accommodation and education.

On 24 February a Public Health Service team, comprising an occupational health physician, toxicologist and scientific officer, travelled from Adelaide to Streaky Bay. That day and the next preliminary sampling was undertaken and discussions were held with concerned residents and the local general practitioner. On 27 February the Director-General of Education, Mr John Steinle, announced that traces of aldrin had been detected in samples collected from Streaky Bay Area School by the Health Commission officers. Mr Steinle's statement said that his department had asked the Public Health Service for further advice to gauge the significance of the tests results and for advice on removal of the chemical. He also made clear the school building would remain closed until the Health Commission advised it was safe to re-open. Following further work to develop an investigation strategy, a report was submitted to Cabinet on 2 March. Details of a strategy to deal with aldrin contamination at the school, including environmental sampling and blood testing for pupils and staff, were announced in a joint press release with the Minister of Education. Arrangements for sampling and blood testing were finalised with the Institute of Medical and Veterinary Science and the local medical officer the next day. On 4 March the Health Commission's toxicologist, who had been organising those arrangements, returned to Streaky Bay to undertake further environmental assessment and implementation of the first stage of the strategy, mainly interviews, risk assessment and blood sampling. The intervention strategy has the following components:

1. Environmental sampling to determine the extent of contamination and the efficacy of subsequent decontamination. Analyses will be performed by the Chemistry Division.

2. Blood sampling and analysis in conjunction with IMVS and the local general practitioner. Those judged to be at highest risk of exposure will be tested first and initial results will be reviewed to determine whether the need for more extensive testing exists.

3. Decontamination of the school environment will be carried out to the extent indicated following an assessment of results obtained above.

4. Concurrently with this activity, establishment of an expert committee to review the toxicology of aldrin.

The committee's terms of reference will be to—

(a) review the information available on the toxicity of aldrin and dieldrin.

(b) prepare a statement setting out the acute and chronic toxicity of aldrin and dieldrin.

(c) determine the level of exposure below which it is considered there will be no adverse health effects.

The review committee's membership will include: Dr Ian Calder, Toxicologist, Public Health Service; Professor Don Birkett, Professor and Chairman of Clinical Pharmacology, Flinders University; Dr Brian Priestly, Senior Lecturer, Department of Clinical and Experimental Pharmacology, University of Adelaide; Dr Milton Lewis, Director, Occupational Health and Radiation Control Branch; Dr John Coulter, parent nominee; and Mr Len Turczynowicz, Administrative Secretary.

5. To further elucidate the nature of the illness and absenteeism experienced by students at Streaky Bay Area School, an epidemiological study is under way.

6. In parallel with these activities, at the discretion of the Chairman of the Central Board of Health, a retrospective review of pesticide application at Streaky Bay Area School will be undertaken. A review of the applicability of Australian Standards will be included if indicated.

Laboratory analysis of biological and environmental samples is time consuming but it is anticipated that sufficient information will be available by 21 March 1987 to allow the necessary decontamination to proceed. Results already obtained confirm the presence of residual aldrin in carpet and on a range of hard surfaces in the school.

Future environmental testing will include measure of aldrin in air, providing further insight into the existing situation, and a reference point for evaluation of any necessary decontamination.

With regard to educational arrangements, the Minister of Education advises me that the school was visited by the Western Area Facilities Manager on Monday 23 February 1987. Since it was not possible to make a definitive statement concerning the possibility of contamination, a decision was made by the Director-General of Education that, in the interests of student safety, the main school building would close from Tuesday 24 February, and would remain closed until declared safe by officers from the Health Commission.

Alternative measures for the education of students were instituted. The school staff operated from the local golf club premises, providing a setting/marking/checking/advisory service to students who attended on a shuttle basis. Set work was then taken home by the students. By the end of that week the Year 12 students were housed in the local Country Fire Service headquarters and received full-time instruction there. Given the circumstances, a very effective education program has been established, due largely to the splendid cooperation between students, staff, parents and community groups.

All students are now attending classes full time, either in those sections of the school which were not subject to treatment (that is the gymnasium and transportable buildings) or at other centres. The main building remains out of bounds. Until the school returns to normal operation, the additional permanent relieving teacher and 50 hours per week ancillary time will remain available for staff and students.

QUESTIONS

MURRAY BRIDGE HOSPITAL

The Hon. M.B. CAMERON: I seek leave to make a brief statement before asking the Minister of Health a question about the Murray Bridge hospital.

Leave granted.

The Hon. M.B. CAMERON: Madam President, I have obtained a copy of part of a speech made by the Mayor of Murray Bridge late last month regarding the newly appointed Chief Executive Officer of the Murray Bridge hospital. The Mayor said (and I quote from a document provided to me):

> Another item that I believe is not of great importance to this council, but I just wonder sometimes the value of members being on some of these committees when we deliberate and make decisions only to be overridden by Government departments. The newly appointed CEO has been given support by the board to obtain a Housing Trust home and in his report he came to the board asking for blinds and curtains and a garage to be placed on the lot and the board decided to be not financially involved. Well, within a matter of two or three days board members received a memo from our Chairman saying that the commission would provide the items.

All country hospitals face a funding crisis brought on by the across-the-board cut in real terms of 1 per cent and the fact that they were allowed only a 4 per cent increase in the cost of goods and services, when the inflation rate was nearer 8 per cent. I am sure the Murray Bridge hospital is no exception to this situation of financial hardship, which is threatening the services of many country hospitals. Surely there must be more serious and urgent needs for this hospital than blinds and curtains for the CEO's house.

My questions are: Who made the decision that the Health Commission would provide the requested items? What was the cost of these items? Has the cost been taken off the budget of the Murray Bridge hospital for next year? If not, where did the funds come from?

The Hon. J.R. CORNWALL: Let me say at once, Ms President, that it was not me. I know that the Hon. Mr Cameron tries to hold me responsible for every one of the inumerable decisions that are taken in a very widespread and complex health service—with 25 000 employees. He does that regularly.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.R. CORNWALL: I do not know who—

The PRESIDENT: Order! I have called for order.

The Hon. J.R. CORNWALL: I do not know who authorised the purchase of curtains for the residence occupied by the new CEO at Murray Bridge. It is probably not the most significant decision that has been taken in the health services in South Australia in the 1986-87 financial year. However, I will be pleased to seek some details and bring back a reply in the fullness of time.

GAS APPLIANCES

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before directing a question to the Attorney-General, as Leader of the Government, on the subject of the gas industry.

Leave granted.

The Hon. L.H. DAVIS: The gas industry in this State and Australia is a large and important industry, from the exploration for and production of natural gas and liquid petroleum gas to the provision of gas to homes and industry by gas utilities and the manufacture and distribution of gas appliances. The Australian Gas Association is a professional body of the industry and sets standards for the industry. For example, the Australian Gas Association tests appliances which, if approved, receive a badge of approval from the association. The South Australian Gas Company, which is widely regarded as a leader in the gas industry, is a member of the Australian Gas Association. However, it appears that there are different standards in different States for a range of gas appliances, which means that the production of gas appliances is fragmented, the design costs and prices of appliances are increased, economies of scale in production are destroyed and the capacity to develop appliances for the potential export markets in South-East Asia and New Zealand is severely undermined. The Attorney-General is probably aware that there are two producers of gas appliances in South Australia.

To illustrate to the Attorney the discrepancies that exist, I point out that, for example, in Victoria, no unflued gas appliances are allowed to be sold. In Western Australia, unflued appliances are accepted provided they have oxygen depletion sensors and in South Australia unflued appliances are restricted to small heaters. There are also different ventilation requirements for heating appliances and there are different sizing requirements. The minimum room size for gas appliances varies from State to State, which means that gas appliance manufacturers cannot optimise their design and/or production of particular models. There are different requirements between the States as to how gas water heaters can be mounted, and how far from a wall and openings in a building they can be mounted also varies from State to State.

The mess does not end there. Every State has its own code in liquid petroleum gas. For example, axle loading requirements for the transport of LPG vary from State to State. What is even more serious is that there is little or no control over the installation of LPG in certain types of accommodation: for example, caravans. There is no control over who installs a gas cooker in a caravan, which may travel over very rough roads.

All these matters taken together illustrate a lack of consistency in standards for the design and installation of gas appliances, which severely affect the costs and prices of such appliances and frustrate manufacturers trying to take advantage of economies of scale and develop export markets. There are also some real concerns about safety standards in certain areas.

My question to the Attorney-General is: will the State Government, as a matter of urgency, investigate these matters and take a lead in seeking uniform standards in all Australian States for the design and installation of gas appliances?

The Hon. C.J. SUMNER: I could reasonably safely answer that question 'Yes', but I would have to refer it to the appropriate Minister for further consideration. I recognise the problems that are caused to Australian industry and commerce by different regulations that exist in different States. In my portfolio of Minister of Consumer Affairs, I have done what I can, since 1982, to try to get greater uniformity in that area so that business knows where it stands. The legislation passed by the Council recently dealing with fair trading and with bringing our consumer laws into line with the Federal Trade Practices Act was part of that exercise. I have been a consistent supporter of uniformity in that area in so far as that is possible. Following the election of the Federal Labor Government in 1983, as Minister, I raised this matter of the uniformity of business regulation and consumer laws throughout Australia as one of the first issues that should be taken up at the meeting of Ministers of Consumer Affairs.

Consistent with that I agree that, if there are differing safety standard regulations and the like for gas appliances, we should do what we can to remove them. However, one of the real problems in this area is that different regulation is a natural part of having a federation. Whenever there is a suggestion that there should be some restriction on State powers in a particular area, honourable members opposite are usually the first to go on the attack and suggest that somehow or other we are taking away something from the States. The Hon. Mr Griffin sits in this Chamber on the Hon. Mr Davis's left and the Hon. Mr Cameron on the Hon. Mr Davis's right; I think they are around the wrong way. However, with both of them asserting affirmatively that we should not be taking away rights from the States, it makes the Hon. Mr Davis's call for greater uniformity ring somewhat hollow.

The Hon. L.H. Davis interjecting:

The Hon. C.J. SUMNER: The Hon. Mr Davis has never opposed them, but inherent in the federal system is the right of States to regulate differently. I am sure the honourable member has never had to sit down with representatives from the six States, a Territory and the Federal Government to try and achieve agreement on some of these issues, whether it be in the health area (and I am sure the Hon. Dr Cornwall would agree with me), in transport, consumer affairs or on legal matters—

The Hon. L.H. Davis interjecting:

The Hon. C.J. SUMNER: It is not only the State Government; it also involves gas and utilities. That makes it even worse, because other parties must be involved.

The Hon. M.B. Cameron interjecting:

The Hon. C.J. SUMNER: That is not true, either. I strongly support moves for uniformity in this area so that business knows where it stands and there can be greater capacity for us to treat Australia as a national market and assist the competitive position of industry. I am a strong supporter of that, but there is a problem inherent in that proposition in the very nature of our federal system. The Hon. Mr Griffin and the Hon. Mr Cameron are strong advocates of a States rights approach to these issues, but that makes uniformity very much more difficult to achieve.

The Hon. L.H. Davis interjecting:

The Hon. C.J. SUMNER: No, I support the federal system. However, I think the problem with some honourable members is that they—

The Hon. Diana Laidlaw interjecting:

The Hon. C.J. SUMNER: Exactly; I agree entirely. The Hon. Ms Laidlaw is not a narrow advocate of States rights like the Hon. Mr Griffin or the Hon. Mr Cameron. Like the Hon. Mr Davis, she adopts a more national view of these things. She nods her head and, of course, she is quite right in so doing because we need to look at these things on a national basis.

The Hon. C.M. Hill: What about .05 per cent?

The PRESIDENT: Order!

The Hon. C.J. SUMNER: That is still being considered, as the honourable member would know.

The Hon. C.M. Hill: Is that a question of uniformity?

The Hon. C.J. SUMNER: I do not think that it really impinges on industry to any great extent, which is the issue that I was addressing in particular. I was addressing my reply to the question of uniformity and certainty for commerce and manufacturing industries throughout Australia. I think that is highly desirable. However, we do not have the problem that some people adopt a more aggressive stance on States rights than others, and those States that do adopt that sort of approach—and Queensland is one—make it difficult to achieve uniformity. In principle, I would not want to argue with what the honourable member has said, and I will refer the question to the appropriate Minister and see whether some action can be taken in this area.

DEREGULATION

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General a question on the subject of deregulation.

Leave granted.

The Hon. K.T. GRIFFIN: Last week the Attorney-General announced a policy initiative relating to the review of regulations. As I understand it, he proposed that by 1 July 1987 there would be in force an automatic revocation system for all regulations passed before a certain date, although the date was not identified; he proposed there would be automatic expiration of regulations after seven years, sunset clauses in certain legislation and regulatory impact statements. I am pleased that some of the Liberal deregulation policy has been lifted by the Government for implementation. Members may remember that on 1 March 1985 the Liberal Leader (John Olsen) and I presented a comprehensive policy on deregulation to a large gathering of business people. The day before, the Premier, who had notice of that gathering, attempted to pre-empt the Liberals by setting up a task force to investigate deregulation. The terms of reference and the membership had not even been fixed at the time of the announcement. That task force presented an interim report in June 1985 and a final report in October 1985 just before the State election.

The task force recommended, among other things, the establishment of a regulatory review unit with a limited life of three years to assist in the process of reviewing all regulations. The task force also recommended a working group to plan, cost and implement a one-stop shop to provide a focal point for those seeking information on licensing and regulations, to provide one place where all forms and applications could be obtained by the public and to act as a place which could direct members of the public to the Government agency responsible for their area of concern. Neither of those two important initiatives has been implemented by the Government. My questions to the Attorney-General are:

1. Does the Government intend to implement these two recommendations of the task force?
2. If it does, when will that occur?
3. If it does not, why will it not occur?

The Hon. C.J. SUMNER: The honourable member seems to me to be unduly churlish about this matter. As he indicated, the Government established a deregulation task force in 1985 chaired by Mr Bakewell, a former Ombudsman appointed by members opposite. He was a former prominent public servant and Director-General of the Premier's Department and of the Economic Development Department. He was assisted by members from the Chamber of Commerce, the trade unions and, I think, the United Farmers and Stockowners. They presented a report in October 1985 and I think it was a month or so after that that the Government made certain announcements with respect to that task force.

The Hon. C.M. Hill: You snitched our policy.

The Hon. C.J. SUMNER: I would have thought that the honourable member should be congratulating the Government. As I said, members opposite are being unduly churlish about this matter.

Members interjecting:

The Hon. C.J. SUMNER: Well, it should show what a—

The Hon. C.M. Hill interjecting:

The Hon. C.J. SUMNER: It was the only policy you had?

The Hon. C.M. Hill interjecting:

The Hon. C.J. SUMNER: I thought you said it was the only good policy you had. I am sorry, my hearing—

The Hon. K.T. Griffin: Have you been taking some acting lessons?

The PRESIDENT: Order!

The Hon. R.I. Lucas interjecting:

The Hon. C.J. SUMNER: I heard that the Leader of the Opposition was taking media lessons.

The PRESIDENT: Order!

The Hon. C.J. SUMNER: Is there any truth in the report that Mr Olsen is taking media lessons?

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Lucas—I warn you. When I call for order, I expect interjections to cease forthwith. You have been warned.

The Hon. C.J. SUMNER: Following the establishment of the task force and the Government's decisions on the task force in principle, which were taken in November 1985, the matter was progressed in the next budget because obviously one of the principal recommendations of the task force demanded a budgetary allocation. I am pleased to say that shortly after the preparation of the 1986-87 budget, not a deregulation unit as such but a Government adviser on deregulation was appointed on 11 August 1986, initially for a two year term. That was Mr Brian Woods, who honourable members will know worked assiduously as the Secretary to the Public Accounts Committee in this Parliament. The Government felt that, as someone who had some dealings with Government bureaucracies and statutory authorities over a period of time, he would be a person well suited to the position of deregulation adviser. So, as soon as the funds were available in the budget, that appointment was proceeded with. Since then, and as a result of the recent announcements I have made, I believe that all of the recommendations of the deregulation task force have now been implemented or are in the process of being considered.

The honourable member referred to the one-stop shop proposal, and I would refer him to the paper which I tabled in the Chamber earlier today which gives a comprehensive outline of the action taken by the Government in this area over the past few years. With respect to the one-stop shop proposal, which was dealt with in recommendations 7 and 8 of the task force, the report states:

> A new and separate venue for a 'One-Stop Shop' would be a duplication of some of the services offered by the State Information Centre, the Small Business Corporation and other departmental information outlets.
>
> In consultation with relevant parties, the office of the Government Management Board is examining the possibility of incorporating the functions recommended by the Deregulation Task Force with existing information functions, and the provision of information through a network of outlets.
>
> In consultation with relevant parties, the Office of the Government Management Board is formulating a proposal to improve the ability of the Government to supply speedy, accurate and appropriate information. Telephone access to Government information and services is being improved as part of the existing work of the office.

So, that matter at the present time is before the Government Management Board and I trust that in the reasonably near future the board will produce a recommendation. One of the problems with the one-stop shop idea is that people may then go to the one-stop shop and not be able to have direct access to people who are in the departments concerned with the particular regulation. So, rather than it becoming a one-stop shop it could easily become, for many people, a two-stop shop, because they would have to go to the one-stop shop at the first point and then have to go to the other relevant department in order to speak with the people who have the necessary expertise in the problem.

The Hon. M.J. Elliott: They need to know where to go.

The Hon. C.J. SUMNER: Business knows where to go now. There are a number of areas where one can get information. The Small Business Corporation provides information for small business about where information can be obtained about a particular regulatory activity. All I am saying is that the problem with that proposal in its simplest form is that it has not been established yet that it would be cost effective and efficient and provide a service that would be useful to people. We are looking at the proposal to see whether it can be developed in some modified form that will be effective and efficient from the point of view of small business. That is a matter currently being examined by the Government Management Board. So, that issue, although not implemented yet, is being examined and I would hope that in the reasonably near future an announcement can be made about it, without in any way wishing to denigrate the notion of the one-stop shop, or the notion—more importantly—of greater information being available more easily to the public and small business. We supported that, and it is now a matter of finding the best mechanism to achieve it. The other recommendation that the honourable member mentioned was—

The Hon. K.T. Griffin: The review unit.

The Hon. C.J. SUMNER: It has been established in the sense of the Deregulation Adviser. It is not a unit as such but is a person whom I am sure members would feel is appropriate for the task.

KINDERGARTENS

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister representing the Minister of Children's Services a question about kindergartens.

Leave granted.

The Hon. M.J. ELLIOTT: Last year I was approached by a number of kindergartens that were concerned about possible staffing levels. One kindergarten, in particular, provided me with a great deal of documentation, and I actually ended up taking a deputation to meet the Minister's representatives. That deputation put forward quite a case for wanting more staff. Today I received a letter from that kindergarten which, in part, states:

> Further, I wish to inform you that our meeting provided no solution, and unfortunately our situation has worsened this year with greater numbers than anticipated to cater for. Children of pre-entry age, that is, 3½ years old, are being denied session time and children of four years are lucky to receive two sessions a week. For example, our 3½-year-old daughter will 'probably' be able to attend kindy next year on two sessions a week.

Therefore, their particular fears have been realised. I have a daughter in kindergarten and have seen similar sorts of things occurring at that kindergarten. My son, who I thought would have started at a kindergarten by now—and my daughter started at the same age as my son is now—may not start for another six months. I have had personal experience of that as well.

There is another matter of concern to me that I have also noticed. My daughter having been at three different kindergartens now, there is a variable approach to the educational role of kindergartens.

I was informed by a staff member that a curriculum had apparently been prepared for the Children's Services Office but was rejected on the grounds that kindergartens did not

have an educative role. Therefore, I ask the following questions:

1. Will the Minister indicate how many four-year-old children there are in South Australia; the number of full-time equivalent teachers working in child/parent centres and kindergartens; and the number of full-time equivalent assistants?

2. Will the Minister supply the figures for children and staff for 1986?

3. How many four-year-olds are seeking four days at preschool and are currently not receiving it?

4. Is it correct that a draft curriculum was rejected by the Children's Services Office because it does not see itself as an educational body?

5. What direction does the Children's Services Office give to activities in kindergartens and, in particular, educational activities?

The Hon. J.R. CORNWALL: In the absence of my colleague, the Minister of Tourism, I shall be pleased to take that question and refer it to the Minister of Children's Services. I know that this has been a matter of some concern, and I know that the Minister has been addressing it.

DEPORTATION

The Hon. M.S. FELEPPA: I seek leave to have sufficient time, before addressing my question to the Minister of Ethnic Affairs, to explain why I prefer immigration to deportation?

Leave granted.

The Hon. M.S. FELEPPA: During the past few days I have been doing nothing but taking cuttings from the newspapers about this poor Indian couple of whom, I am sure, everyone in this place is aware. I ask this question of the Minister of Ethnic Affairs, realising that it relates to immigration policy, but nevertheless I ask him to do me a favour and be of assistance to this Indian couple. The inspiration for this question came from an article written by a good citizen of South Australia. This journalist's articles appear in an everyday newspaper and his origin, I believe, is Scots-Celtic. The article states:

Is there no room at the inn—again? Once again, it seems, there is no room at the inn.

But couldn't we, probably still the luckiest people on earth, make a little room by tempering justice with mercy and some commonsense? The fate of an itinerant family may be decided this week, and we will have that decision on our conscience forever.

The family is that of an illegal immigrant, Mr Ranjeet Heer, his wife Parmjeet, and their two children, Ramanjeet, 4, and Kamaljeet, 2. Mr Heer is in Adelaide Gaol, waiting to be deported from Australia for the third time. Mrs Heer, who has not been deported before, is waiting a Federal Court hearing on Friday to make legal rulings on her fate.

Their children are Australian citizens who will remain here in their homeland if their parents are sent back to Punjab. Mr Heer claims he is a refugee from the civil war between Sikhs and Indian authorities. Our authorities don't appear to accept that, and many people have little sympathy with a man who's flaunted our immigration laws so blatantly and consistently.

Those laws exist to protect us all. We can't, unfortunately, just let people live here because they want to. No country can. Thousands upon thousands of people are queuing to come to Australia legally and it would be grossly unjust to let persistent illegal queue-jumpers in ahead of them.

But laws are not perfect; they're only made by human beings. And they're made for human beings—aye, there's the rub, for there never was a law that could provide justice for all. We're just too idiosyncratic, too Quixotic, too unpredictable and boundless in spirit for any law to cope with the diversity of our circumstances. And no matter what our law says and no matter what we broadly perceive as just, the circumstances in this case are that we are about to deprive two Australian children of their parents.

Australians splitting up families, effectively forcing children into becoming orphans? Ye gods, we thought that was the kind of thing that happened only in Hitler's Germany or Stalin's Soviets or today's South Africa. Mr Heer may be trying to dupe our laws, but the fact remains that he has a job and a house waiting for him here, friends galore supporting him and singing his praises as a good citizen—and, above all, he has two children who are Australians.

Here, surely, is a situation where everyday commonsense and natural compassion should override the stern technicalities of an ephemeral bureaucratic regulation. If you're unresolved, remember we're talking of real people, not abstract principles. Would you volunteer to pluck the children from the Heers' arms and then manhandle the couple on to a plane they believe may take them to imprisonment, torture or death?

—Des Colquhoun

On 26 February I wrote a letter to the Minister of Immigration, which reads:

My dear Minister,

I am writing to appeal to you to reconsider the decision in relation to the Heer family (*Advertiser*, 25.2.87) in light of all aspects of the case within the widest possible interpretation of our laws and practice. Irrespective of the past behaviour of the Heer family, it is true that there are circumstances which make the human element of this case very difficult. The children—born in Australia—have known no other environment. The option of returning to India with their parents, or staying in Australia without their parents, smacks of that myopic view of rules and regulations which serves no purpose but to defeat the overall aim of our laws, and in the process generates so much hurt and long-term damage. I would also like to remind you that our welfare and family legislation and practice is based on the unquestioned principle of 'in the best interests of the child'. It is difficult to see how this principle will be saved if, for the sake of a rigid interpretation of the law, we separate the children from the parents.

The irony of this case is that if the children were over the age of 18 years they would have the right, under the current rules, to sponsor their parents in Australia. In this case the reason for migration is mostly for the benefit of the new immigrant. In practice, then, we would condemn these children to spend the next several years without their parents, until they are of an age to sponsor them. In the meantime, the benefit they would provide to each other would not be achieved. It is also to be considered that obviously the children would be better off being cared for by their parents than by anyone else, and the cost to the Australian community would be considerably less.

Consideration must also be given to the flexibility available to you and your department in the interpretation of the guidelines and legislation; in practice, every case is considered on its own merits. Often, however, the particular circumstances of a number of cases receive little consideration because they fall outside the majority of cases; they are exceptional cases. It is obvious that the Heer case is such an exception, and consequently requires special consideration. To treat it otherwise would be discriminatory. First, I wish to point out—

The PRESIDENT: The Hon. Mr Feleppa, is this all necessary as part of the explanation?

The Hon. M.S. FELEPPA: Madam President, I have very little opportunity to raise this matter anywhere else. I seek leave to continue my remarks.

Leave granted.

The Hon. M.S. FELEPPA: The letter continues:

First, I wish to point out that the current practice already allows you to consider them under the 'humanitarian reasons' category. I hope you take these issues into account and do not give in to the voice of those who, at times for covert racist reasons, or for failure to understand the broad aim of our legislation, would prefer to deport Mr and Mrs Heer. While this act may coincide with a literal interpretation of our laws, it achieves no good to anyone. It would be positively damaging to the children, and it may jeopardise the life of the parents (who seem to be the target of political and religious factions) and would do little honour to a country that prides itself on an immigration policy which is now non-racist and humanitarian.

Has the Attorney-General any vital information on the background of this couple which could be so important for Mr Young before he can further consider this case? Will the Attorney-General, as Minister of Ethnic Affairs, approach Mr Young and request him to use all the discretion provided by the Act under chapter 23, which reads:

Decision making and the exercise of discretion.

The Hon. C.J. SUMNER: I thank the honourable member for his contribution to the debate. As he would know, the question of immigration policy and administration is a matter for the Federal Government and the Federal Minister. I have also received other representations on this topic which I am taking up with the Federal Minister. I will refer the honourable member's question to him so that he is fully appraised of the honourable member's views.

It is probably worthwhile pointing out that, if we were dealing with a welfare issue or a family law matter, the principle would be that the interests of the child or children are paramount and I have no doubt that that is a consideration that needs to be looked at in this particular case. However, as honourable members would know—

The Hon. Peter Dunn: Mick doesn't think so.

The Hon. C.J. SUMNER: I am not sure whether the Hon. Mr Young has said anything about the matter to date.

The Hon. L.H. Davis: At least Paddington Bear was allowed to stay.

The Hon. C.J. SUMNER: That was legally imported. I will refer the issues raised by the honourable member to Mr Young. As I said, I am sure that the question of the interests of the children would need to be taken into consideration. However, all members would know that these sorts of issues are not easy to resolve because, if everyone is able to break Australia's immigration laws and then have children in Australia, if that then means that they are automatically entitled to residency in Australia, that can provide a very severe undermining of the orderly processes of migration to this country, which of course negates the whole notion of people applying for immigration to Australia and gaining admission in accordance with certain established criteria and in accordance with the time at which they apply to come to Australia.

So, the issue is not an easy one and I think the article the honourable member read from the *Advertiser* indicates this. However, I point out that the Hon. Mr Young (Federal Minister of Immigration and Ethnic Affairs) has the responsibility for this matter. I am in the process of making representations to him and I will add the honourable member's representations to those which I am making.

The Hon. I. GILFILLAN: As a supplementary question I ask, will the Attorney indicate the character of his submission? Is it, in fact, pleading with the Federal Minister for the relief from the deportation order so that Mr and Mrs Heer can remain in Australia and potentially become Australian citizens?

The Hon. C.J. SUMNER: I have referred the representations that I have received on the topic. I said that I had received them. I can tell the honourable member that they are not representations supporting the deportation of Mr Heer or his wife and I intend to take those matters up with the Minister, as the Hon. Mr Feleppa has asked me to do.

The Hon. C.M. HILL: I desire to ask a supplementary question. Despite all that the Minister has just said, does the Minister of Ethnic Affairs agree with the Hon. Mick Young's decision to deport the two Indians from South Australia?

The Hon. C.J. SUMNER: It is all very well for the Hon. Mr Hill to be simplistic about these matters, as one would expect him to be in Opposition. I understand that Mr Heer has been in breach of Australia's immigration laws on three occasions. I am not going to make the situation with respect to representations that might be made to Mr Young any worse in this Council—

The Hon. C.M. Hill interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: I have answered the questions of the Hon. Mr Feleppa, the Hon. Mr Gilfillan and the Hon. Mr Hill by saying that I have received representations on this topic, that I have set in train approaches to the Federal Minister, and that I will now add what I assume is the support of the Hon. Mr Hill and the Hon. Mr Gilfillan, who both nod in assent, and the Hon. Mr Feleppa, and I will tell the Minister for Immigration and Ethnic Affairs that these three eminent gentlemen from the Legislative Council in South Australia support the proposition—

The Hon. M.B. Cameron: What about you?

The Hon. C.J. SUMNER: I have already indicated my view.

The Hon. C.M. Hill: You are the Minister.

The PRESIDENT: Order! The Hon. Mr Hill has already asked his question.

The Hon. C.M. Hill interjecting:

The PRESIDENT: Order! You do not have the call to keep asking your question.

The Hon. C.J. SUMNER: Perhaps I will have to repeat the situation. The Hon. Mr Hill was in the Chamber and he heard the Hon. Mr Feleppa ask a very long question. He then heard the Hon. Mr Gilfillan ask a supplementary question and then, not to be outdone, he asked a supplementary to the supplementary.

Members interjecting:

The Hon. C.J. SUMNER: I cannot help it if the Hon. Mr Hill is no longer on the front bench and cannot get the call.

Members interjecting:

The Hon. C.J. SUMNER: It is not a cheap point: I am saying that not to be outdone he asked a question. The Hon. Mr Hill has been in politics a long time.

The Hon. C.M. Hill interjecting:

The Hon. C.J. SUMNER: The honourable member seems not to understand the answer that I have given. I have said that I have received representations about the matter. I have said that those representations were not in favour of the deportation of Mr Heer, and I have said that I will take those representations—that I am in the process of making those representations—

The Hon. C.M. Hill interjecting:

The Hon. C.J. SUMNER: That is not right. What I have said is that this is an issue that has to be determined by the Federal Government. I want to take up the matter properly with the Federal Minister and I am not going to pontificate in this place about the matter in the way that honourable members have done. I will do it in my own way.

The Hon. M.B. Cameron interjecting:

The Hon. C.J. SUMNER: I will take up the matter with the Federal Minister in my own way. Representations have been made to me; questions have been asked in the Council.

The Hon. C.M. Hill: What is your opinion? What are you going to say?

The Hon. C.J. SUMNER: I will take up the matter with Mr Young. The Hon. Mr Hill knows everything about this case! He has studied the file and knows every last thing to be known about it! That is rubbish. The Hon. Mr Hill knows what he has read in the papers—

The Hon. C.M. Hill: I am asking for your opinion.

The Hon. C.J. SUMNER: I have said that I will make the representations to Mr Young. I am in the process of making those representations: I intend to speak to Mr Young and put the point of view that has been put to me.

The Hon. C.M. Hill: If he asks your opinion, what are you going to say?

The PRESIDENT: Order! You have asked your question, Mr Hill.

The Hon. C.J. SUMNER: I want to hear what Mr Young has to say about the matter, but the representations will be put and then I will put to him what I believe should happen in the matter. It is all right for the Hon. Mr Hill, the Hon. Mr Gillfillan—

The Hon. M.B. Cameron: And the Hon. Mr Feleppa.

The Hon. C.J. SUMNER: Yes, and the Hon. Mr Feleppa because they do not have responsibility in this matter—none whatsoever.

Members interjecting:

The Hon. C.J. SUMNER: I am not going to express a personal opinion.

The Hon. C.M. Hill: You should—you are the Minister of Ethnic Affairs.

The Hon. C.J. SUMNER: I know I am. However, I am not the Federal Minister for Immigration. What I want to be sure of, when I make these representations to Mr Young, is that I know a little more about it than obviously the Hon. Mr Hill and the Hon. Mr Gilfillan—

The Hon. M.B. Cameron: And the Hon. Mr Feleppa.

The Hon. C.J. SUMNER: That is correct.

Members interjecting:

The Hon. L.H. Davis: You have not been able to discuss it—

The Hon. C.J. SUMNER: I have not discussed it with the Hon. Mr Feleppa: he asked a question and I have responded. I have received representations from other quarters and I intend to take up those representations with the Federal Minister who is the responsible Minister. I will do that as the Minister of the South Australian Government; I will do that in a responsible way and I will advise the Council of the response of the Federal Minister.

MEASLES

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation before asking the Minister of Health about measles immunisation.

Leave granted.

The Hon. T.G. ROBERTS: The advertising campaign to encourage parents to immunise against measles has been attacked in another place for its incorrect use of English grammar. Indeed, the Minister himself has been attacked or ticked off and I had better say 'metaphorically speaking' rather than literally speaking because otherwise I shall get picked up as well.

He has been picked up in the *Advertiser* editorial for supporting the campaign in its current form. Can the Minister provide any supportive information as to the effectiveness of the slogan in promoting immunisation by reducing the risk of rubella to unborn children? I guess the media should be congratulated on highlighting the fact that it was incorrect use of the English language because it probably got more publicity as a result of the attack by the media on its presentation than if it were running under its own steam. Has the Minister any more up-to-date information on that?

The Hon. J.R. CORNWALL: I do not want to take issue with the *Advertiser*: far be it for me to do that—

The Hon. C.J. Sumner: Not on this occasion.

The Hon. J.R. CORNWALL: Certainly not on this occasion. There was something of an over reaction with regard to the spirited defence that my colleague the Minister of Education made concerning this particular sticker involved in promoting the measles campaign. From where we are—the Public Health Service—we are not interested in giving grammar lessons: we are interested in the effectiveness of an immunisation campaign and we set out with clearly defined objectives and then worked out how we could best meet those objectives.

The objective of this particular program was to raise the prevalence of children immunised against measles in our community—not to improve their educational ability. I asked for a report from the Executive Director of the Public Health Service in view of the reaction, or at least some of the reaction, that was abroad concerning the stickers. His advice to me was that any sticker that was properly designed and provided as part of this campaign—remembering that it is to raise the level of the campaign and the level of interest among children as well as among their parents—ought to appeal to children.

There is no point in having a sticker, for example, saying, 'I am not in trepidation of a macular skin eruption. I will not be susceptible to rubeola.' To say the least, that is not catchy and would not be well understood by the children in the age group that we want to attract anyway. The sticker itself was devised by the Health Promotion Unit's advertising agency following the vernacular current with children that has developed from the highly popular film *Ghostbusters*. I am sure that most members who are sensitively in touch with these matters, like the Hon. Mr Sumner, who has a young family, and the Hon. Mr Lucas (aspiring for Father of the Year) are aware of the phrase in *Ghostbusters*, 'I ain't afraid of no ghost'. That is a very 'in' phrase.

In order to appeal to the children and in order to get maximum penetration, the slogan was devised, 'I ain't afraid of no spots'. As I said, that has far more impact than saying, 'I am not in trepidation of a macular skin eruption. I have been vaccinated against rubeola'. That would not have had the effect that we were looking for. Those who claim that it is a double negative, that is meaning, 'I am not afraid of spots because I have been immunised', are making a point for us. That is precisely the message that we wanted to get across, and I thank everybody who has drawn attention to the sticker for what they have done. As I said, it was not an educational exercise; it was never intended to be. It was there to draw attention, particularly in the vernacular clearly understood by kids, and in that sense, it has been very successful.

The PRESIDENT: Order! I draw attention to the time. I will have to call on Orders of the Day.

The Hon. J.R. CORNWALL: Very well. I have made my point.

QUESTIONS ON NOTICE

COMMUNITY WELFARE SERVICES

The Hon. DIANA LAIDLAW (on notice) asked the Minister of Community Welfare: Will the Minister:

1. Identify the services provided by the Department of Community Welfare for which a fee is charged, the level of that fee and the date on which the fee was introduced?

2. Advise if it is proposed to charge a fee for other services provided by the department and, if so, what services are being considered?

The Hon. J.R. CORNWALL: The replies are as follows:

1.

Service	Fee	Commencement Date
Inter-Country Adoption	$1 200	1.1.87
Parent/Spouse Adoption	200	1.1.87

2. At this time it is not proposed to charge a fee for other services provided by the department.

CHILDREN'S SERVICES OFFICE

The Hon. DIANA LAIDLAW (on notice) asked the Minister of Local Government: in respect of the Children's Services Office, what are the names, duties, qualifications and previous occupational backgrounds of all appointments to the Children's Services Office since its establishment in 1985?

The Hon. J.R. Cornwall, for the **Hon. BARBARA WIESE:** The 1986 annual report of the Children's Services Office provides information concerning the number of staff employed by the agency and service areas in which they work (pre-school, family day care, regional support and advisory, administrative, etc.). The staff of the Children's Services Office possess the experience and qualifications appropriate to and required for the delivery of the various services for which the office is responsible. For example, an essential requirement for executive management and advisory staff is possession of an appropriate tertiary qualification in the human or social sciences, including education, psychology, child development, child-care, social work, etc., or equivalent, and experience in children's services or a related human services field. For pre-school teaching staff, the Early Childhood Education tertiary qualification is essential. For staff employed in the Family Day Care program, the possession of qualifications and experience in the human or social services field is required. For staff employed in the administrative and financial support services of the office, qualifications and experience relevant to these functions are required. The Children's Services Office has broad-ranging responsibility for the provision of a State-wide service encompassing pre-school education, centre-based child-care, family day care and other related services such as toy libraries, playgroups, out-of-school hours and vacation care. The staff of the Children's Services Office possess a wide range of skills, experience and academic expertise, as required to enable the provision of a coordinated range of education and care services for young children.

WALSH ELECTORATE OFFICE

The Hon. PETER DUNN (on notice) asked the Minister of Health:

1. What is the total cost of relocating the Walsh electorate office?

2. What is the cost of renovating the premises now occupied by the member for Walsh, including:

(a) painting;
(b) partitioning;
(c) curtains;
(d) signwriting;
(e) illuminated signs;
(f) flag pole?

The Hon. J.R. CORNWALL: The replies are as follows:

1. The total cost of renovating and relocating the member for Walsh (Hon. J.P. Trainer) from leased premises at 559 Marion Road, Plympton, to existing premises at 196 Anzac Highway, Plympton, is $24 700. The lease on the Marion Road office expired on 31 August 1986.

The Hon. C.M. Hill interjecting:

The Hon. J.R. CORNWALL: I wonder what the cost is of having some country members living in town on a permanent basis, that is, some of your country members whose actual residences are in the country but who live in town.

The Hon. C.M. Hill interjecting:

The Hon. J.R. CORNWALL: Tell us about Mr Cameron's arrangements. What does that cost the taxpayers?

An honourable member: That is a ridiculous question.

The Hon. C.J. Sumner: What about all your country members?

The PRESIDENT: Order!

Members interjecting:

The PRESIDENT: Order!

The Hon. J.R. CORNWALL: What about Olsen? He lives full time in the suburbs and claims the country allowance. He visits the electorate once every six weeks. That is when he goes home to his electorate.

Members interjecting:

The Hon. J.R. CORNWALL: The Paul Keating of the South Australian Liberal Party—John Olsen. It is a very slippery slope when you get into these areas.

The Hon. Peter Dunn: Have a go at me.

The Hon. J.R. CORNWALL: No, I would sooner have a go at the ones I know are rorting the system.

The Hon. Peter Dunn interjecting:

The Hon. J.R. CORNWALL: They are all on your side. All the rorts for country members who live in the city are on your side. There are a number of them.

The Hon. Peter Dunn: What about Keneally?

The Hon. J.R. CORNWALL: No; he and Frank Blevins are as clean as you like. Tell us about Olsen and this fellow opposite. Continuing my reply, I point out that the cost of renovations of $24 700 included the following—

Members interjecting:

The Hon. J.R. CORNWALL: Why doesn't somebody ask me a question about arrangements for all the country members and the allowances that are paid to them for living permanently in the city? Perhaps some enterprising journalist might like to do that one day. Continuing my reply: the cost of renovations of $24 700 included the following:

(a) painting—$2 000

(b) partitioning—no partitioning work was carried out—

Members interjecting:

The PRESIDENT: Order! If interjections do not cease, I will name honourable members. The Hon. Mr Dunn has asked a question and the Minister of Health has the call to reply.

The Hon. J.R. CORNWALL: I was pointing out that the honourable member is on a slippery slope and that he got his just deserts. What about the Upper House taxi? How much does that cost and how many members use it? Its motor is never cold; in fact, last year it travelled 125 000 kilometres.

The Hon. C.J. Sumner: Was Cameron always in it?

The Hon. J.R. CORNWALL: No, he certainly was not. He wears out both drivers and cars. Members opposite from both Houses ride around in it when they want to go to the country.

The Hon. L.H. Davis: That's not true.

The Hon. J.R. CORNWALL: It is. The honourable member asked this question, but can he tell us about the arrangements of Olsen and Cameron, who live permanently in the

city and draw electorate allowances from their bodgie addresses?

The Hon. R.I. Lucas: You're on a slippery slope.

The Hon. J.R. CORNWALL: No, it is members opposite who ask these questions who are on a slippery slope.

The Hon. R.I. Lucas interjecting:

The Hon. J.R. CORNWALL: There he is: the man with the dirty mind. The honourable member has shown very supple loins in the past. The Hon. Mr Lucas stoops into the gutter very quickly and easily. Tell us about the country allowances for your colleagues who live permanently in the city; their children go to school in the city and their wives work in the city. The reply concludes:

(c) curtains—$1 329

(d) signwriting to building—$580

Acrylic sheeting and signwriting was placed on an existing illuminated sign at a cost of $350

(e) flag pole—$313.

WATER AND SEWERAGE

The Hon. M.J. ELLIOTT (on notice) asked the Minister of Health:

1. *(a)* Would the Minister indicate the current position in relation to the provision of a deep drainage system for Old Noarlunga?

(b) In view of the fact that pumping of septic tanks in the area has on occasion resulted in effluent running into the street and the river, can the Minister say whether steps are being taken to deal with this potentially disastrous health problem?

2. When does the Minister intend to release the report, prepared by Paul Manning & Associates on water quality in the Onkaparinga River, that he has had since early January?

The Hon. J.R. CORNWALL: I do not yet have a reply to that question.

Members interjecting:

The Hon. J.R. CORNWALL: It is common knowledge around the building what some members opposite are up to.

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order!

The Hon. M.B. Cameron interjecting:

The PRESIDENT: Order! The Minister of Health has the call.

The Hon. J.R. CORNWALL: I notice that the Hon. Mr Cameron has come back into the Chamber to tell us about his white taxi.

TERTIARY COURSES

The Hon. R.I. LUCAS (on notice) asked the Minister of Tourism:

1. Has there been an overall drop in applications relative to the level that would have been expected for 1987 for places in undergraduate courses at colleges of advanced education in South Australia and, if so, by what amount?

2. Has there been a corresponding increase in enrolments in vocational courses at TAFE?

3. Is there any evidence the Federal Labor Government's 'administrative charge' has caused a relative movement from colleges of advanced education to TAFE colleges?

4. What will be the additional cost of such a movement to the TAFE sector and the State Government?

The PRESIDENT: The Minister of Health.

The Hon. R.I. Lucas: Cornwall.

The Hon. J.R. CORNWALL: I do not respond to that sort of abusive appellation. Madam President, young dirty Dick over there called me a nasty name across the Chamber. I do not have a reply to the question, Ms President.

The PRESIDENT: Does the Hon. Mr Lucas wish to put the question on notice for another day?

The Hon. R.I. LUCAS: Madam President, I thought you might have said something to the Minister of Health. You are pretty quick to pick up members on this side of the Chamber—if I am permitted to comment—but very slow to pick up members opposite.

The PRESIDENT: Order! I take exception to the Hon. Mr Lucas's remark. He is reflecting on the Chair.

The Hon. R.I. LUCAS: Madam President, do you allow the term 'dirty Dick' as a description of a member in this Chamber?

The PRESIDENT: Order! If the honourable member takes objection to it, I will certainly ask the Minister to withdraw it.

The Hon. R.I. LUCAS: I would hope that you would take exception to it, Madam President, without our having to object. You heard it.

The PRESIDENT: I was not listening closely, but, if the honourable member asks for it to be withdrawn, I will certainly ask the Minister to withdraw it. Does the honourable member ask me to request the Minister to withdraw it?

The Hon. R.I. LUCAS: Madam President, I am disappointed that you did not take action as President but, as you have not, I seek your indulgence and ask the Minister to withdraw.

The PRESIDENT: I ask the Minister to withdraw the remark as being unparliamentary.

The Hon. J.R. CORNWALL: Which one?

The PRESIDENT: I did not hear the remark myself, but the Hon. Mr Lucas has taken objection to a comment made by the Minister.

The Hon. J.R. CORNWALL: Ms President, what was the remark? I cannot recall. What is it that he wants withdrawn?

The PRESIDENT: Will the Minister of Health withdraw the remark to which the Hon. Mr Lucas has objected?

The Hon. J.R. CORNWALL: The remark was 'young dirty Dick'. Yes, Ms President, I will—but he is often in the gutter.

The Hon. L.H. DAVIS: Madam President, clearly that is not an unqualified withdrawal, as is required. I ask the Minister not only to make an unqualified withdrawal but also to apologise.

The PRESIDENT: Under Standing Orders an unqualified withdrawal can be requested, but an apology is not mentioned in Standing Orders.

The Hon. L.H. DAVIS: I did not say that; I was talking about the unqualified withdrawal.

The PRESIDENT: I thought I heard the honourable member mention an apology.

The Hon. L.H. DAVIS: I also ask for an apology.

The Hon. J.R. CORNWALL: Ms President, I am happy to apologise. I have made my point. The Hon. Mr Lucas has been known to go into the gutter before, and it never pays off. He never learns.

The Hon. R.I. LUCAS: I rise on a point of order, Ms President. That is not an unqualified withdrawal. Ms President, under Standing Orders. I ask you to insist on the Minister's unqualified withdrawal. He has been around long enough to know what he is meant to do.

The PRESIDENT: The honourable member asked for the withdrawal of a certain remark and the Minister has withdrawn the remark and apologised for it. If the Minister has made other remarks which the honourable member finds offensive, I suggest that he takes up that matter separately.

GOVERNMENT MANAGEMENT BOARD NEWSLETTER

The Hon. R.I. LUCAS (on notice) asked the Attorney-General:

1. *(a)* What is the total estimated annual cost of the Government Management Board Newsletter?

(b) What percentage of this cost is due to the fact that the publication is of a colour, glossy nature?

2. How many issues will be produced in 1987?

3. What number of copies are produced and what is the distribution list?

The Hon. C.J. SUMNER: The replies are as follows:

1. *(a)* $7 500 per annum.

Members interjecting:

The PRESIDENT: Order! I call both sides of the Chamber to order. This interjecting must cease. The Attorney is on his feet giving a reply.

The Hon. C.J. SUMNER: The reply continues:

(b) Two editions have been printed to date—one on matt paper and one on glossy. There was no cost difference in the production of these jobs.

The additional cost of including colour art work is approximately $200 per edition.

2. Five.

3. Five thousand—distributed to all State Government departments and major statutory authorities in South Australia on the basis of approximately one per four employees, and a limited number to libraries, tertiary institutions and other requesting bodies.

SUPPLY BILL (No. 1)

Adjourned debate on second reading.

(Continued from 26 February. Page 3190.)

The Hon. C.M. HILL: The Opposition supports this Bill. It is customary for financial measures to be approved by this Chamber and to pass without amendment. However, there are matters which constituents bring to the notice of backbenchers on both sides of the Chamber relative to parliamentary supply, and it is proper in this Chamber, as this Bill passes through the debate, for such matters to be raised and questions to be asked and, in the second reading reply, for the Minister representing the Treasurer to answer such questions. I note with some pleasure the Government's forecast that there is no reason to suppose that the overall outcome of the consolidated revenue account will depart very much from the estimates with which Parliament has already been provided. I note also that the Minister in introducing the Bill indicated that the measure provides for an appropriation of $645 million to enable the Public Service to be carried on, not only for the balance of this financial year, but into the early months of the new financial year commencing 1 July next. These second Supply Bills, to which we have become accustomed, always provide sufficient money for the Public Service to be paid and for departmental expenses to be met, not only within the current financial year but also in the early period of the new financial year.

I note, too, that the Minister has indicated that the Government is looking into the procedural matters concerning the supply measures and that the Government hopes at some stage to change the system so that one Bill only need be brought down rather than the usual two. I do not think that the Parliament would greatly object to that, provided of course that parliamentary control remains over public expenditure in all its forms. Whereas the Government decrees that moneys should be spent on behalf of the Government and the Crown, nothing should be spent without the approval of Parliament, and that, of course, is the system under which we operate. However, there are just one or two points in the Minister's explanation on which I wish to comment. The first deals with the Minister's statement:

> As I stressed in my speech last year the budget of 1986-87 is one of restraint, and agencies were given the task of achieving economies in order to live within their allocations.

That can be a rather hollow statement when we look at the money that the Government itself, as a Government and as a Cabinet, is spending whilst at the same time saying to the departments and instrumentalities, 'You have to cut down; you have to restrain yourself.'

It is interesting to note that since the Bannon Government came to power in November 1982, there has been a 23 per cent increase in staff attached to Ministers and their offices. According to budget papers, the number of employees has ballooned from 112.1 in 1982-83 to an estimated 138 in 1986-87. There has been a 7 per cent increase from 129 in 1985-86 to 138 in 1986-87. I have some reason to believe that these figures are very conservative. I believe that in fact the Government has increased ministerial staff and staff within Ministers' offices by 25 per cent over the past four years.

The Hon. C.J. Sumner: You're not right.

The Hon. C.M. HILL: Well, your own budget papers have admitted that there is a blowout of 23 per cent. If the Minister interjecting says that is not right, he had better have a look at the Treasurer's papers. I believe that the numbers have gone from 112 to about 140 or more. What do all these increased staff members do, Madam President? They keep the Government in office. That is why they are employed, and that is why this area has been expanded when, at the same time, the Government has the effrontery to come in to this Chamber and say, 'We are restraining all departments and instrumentalities.' It just does not ring true.

There are press secretaries, ministerial advisers and clerks, so I ask the Minister whether he really means what is in that speech or whether it is just camouflage? Is this meant to look good so that, whilst they try to frighten the Public Service into reductions, they expand their operations? What sort of an example is that for any Government to take, saying one thing about restraint and then, in effect, blowing out its own staff by 25 per cent? The truth is that survival is what it is interested in, not restraint. If it is interested in survival let it be honest and tell the Parliament and the Public Service what it is doing and not simply—

The Hon. C.J. Sumner: I think you're up a bit of a wattle there.

The Hon. C.M. HILL: Well, these figures are quoted from research people and they have quoted the budget papers. If I cannot believe that, I do not know what I can believe.

The Hon. C.J. Sumner: Which research people?

The Hon. C.M. HILL: The research people that I have retained.

The Hon. C.J. Sumner: Your research people?

The Hon. C.M. HILL: Yes.

The Hon. C.J. Sumner: Well—

The Hon. C.M. HILL: Well what?

The Hon. C.J. Sumner: What are you referring to?

The Hon. C.M. HILL: Budget papers. What of cases of public servants being taken into offices?

The Hon. C.J. Sumner: You're not referring to people taken into your offices?

The Hon. C.M. HILL: This expansion leaves us for dead. How can the Government expect departments and instrumentalities to restrain themselves when it is setting this example?

The Hon. C.J. Sumner: I think you'll find that your researchers are not right.

The Hon. C.M. HILL: The Minister ought to listen because this whole matter goes further than I have just reported. I have a matter here concerning the Minister of Health, who was in the Chamber a moment ago. I have been informed that the Minister of Health now has a political adviser on staff.

The Hon. C.J. Sumner: You had one. Ms Laidlaw used to run around—

The Hon. C.M. HILL: She was not a political adviser. She was a ministerial assistant.

The Hon. C.J. Sumner: What is the difference?

The Hon. C.M. HILL: Well, what is the difference? That is what this gentleman is known as within the Minister of Health's office by other staff up there, so I have been reliably informed. He is known as a political adviser in the office of the Minister of Health. He was a former press secretary who was under contract, but the Minister wanted him to have a permanent position within the Public Service. The Minister concocted a new position and this gentleman was moved sideways.

The Hon. C.J. Sumner: One left.

The Hon. C.M. HILL: No, this gentleman was moved sideways and became the Minister's political adviser, as he is called in his office. However, I think the Minister has given him some other formal title. I do not want to be told that he is not the Minister's political adviser because—

The Hon. C.J. Sumner: Like Ms Laidlaw was. You had Ms Laidlaw on tap.

The Hon. C.M. HILL: I am not talking about formal ministerial assistants.

The Hon. C.J. Sumner: That is what he is.

The Hon. C.M. HILL: No, he is not. He has been made a permanent public servant to give him permanency of office. It does not matter about the young fellows in the Public Service trying to build up their careers and come up in the proper way when one can wedge in and put the fellow in there overnight in a permanent position. If the Minister of Health has any doubt that he is not a ministerial adviser, what was he doing in the gallery today? That gentleman has been in the gallery today.

The PRESIDENT: Order! It is against Standing Orders to refer to people in the gallery.

The Hon. C.M. HILL: Well, Madam President, he is not there now, but he was. I do not think it is contrary to Standing Orders to say that somebody was there. However, if I said that somebody is there, then you, Madam President, would I think be justified. However, I accept your blessing and I will continue.

The Hon. C.J. Sumner: I'm not sure it was a blessing.

The Hon. C.M. HILL: That was a metaphor. I want to know—

The Hon. J.R. Cornwall: What's he saying?

The Hon. C.M. HILL: I am talking about this person who everyone in your department calls a political adviser. The Minister has now come in—

The Hon. J.R. Cornwall: You mean the equaliser?

The Hon. C.M. HILL: He is now an equaliser! The Minister has names for his official servants in his department. However, he should remember that the public is paying the salaries of these people. Let the Minister realise that he is expanding his department while the Treasurer and the Treasurer's representative in this place are talking about this year of restraint, and that agencies and departments have been informed of this. Because public money is being expended, Parliament is entitled to a full explanation. What example is the Minister of Health setting his Cabinet colleagues? I would say that the Hon. Mr Sumner would be endeavouring to impose some restraint. It is disgraceful conduct. If the Government wants to go on acting in that way—

The Hon. J.R. Cornwall: Do you have any idea of my heavy workload?

The Hon. C.M. HILL: I know that you always come in here and say that you are the busiest Minister in Cabinet; that you have the most responsible job in Cabinet; that you have a halo over your head all the time; and that you need staff to maintain this standard.

The Hon. J.R. Cornwall: Not the halo.

The Hon. C.M. HILL: All right, I will withdraw the halo and we will agree on the other. However, this gentleman is not up at your office every day that this Parliament is sitting.

The Hon. J.R. Cornwall: Who?

The Hon. C.M. HILL: Your political adviser.

The Hon. J.R. Cornwall: No, he is back in the other office working like crazy.

The Hon. C.M. HILL: He was in the gallery today and you know that he was there.

The Hon. J.R. Cornwall: During Question Time?

The PRESIDENT: Order!

The Hon. C.M. HILL: He was there after Question Time, as it happened.

The PRESIDENT: Order!

The Hon. C.M. HILL: I hope that I made my point, Madam President. I am really raising the question of what kind of restraint the Goverment is imposing on itself when it appoints these people known as political advisers, when it expands its own staff by anything up to 25 per cent, with the numbers during the past four years going up, from the time of a Government which really did believe in some form of restraint from 112 such people on staff, to 140 or thereabouts.

The Hon. J.R. Cornwall: You are in cloud-cuckoo-land. One hundred and forty personal staff? You are in the realms of—

The Hon. C.M. HILL: If the Minister of Health can spare the time amongst his many duties, I refer him to the budget papers that his Government—

The Hon. J.R. Cornwall: You are talking about ministerial officers who are public servants, the ones you got rid of; they are the ones you sacked when you became Minister, and this went right down to the CO1 level. You cleaned them all out. How many staff did you have in your ministerial office, and that does not mean personal staff?

The Hon. C.M. HILL: You have seen to it that you have one of them back despite the recommendation of the committee that did not recommend him. Do not come into that area—

The Hon. J.R. Cornwall interjecting:

The Hon. C.M. HILL: I am making the point that your numbers have increased from 112 to 140 and I think that you ought to look in the mirror and practise what you preach within the Public Service.

The Hon. C.J. Sumner: I think you've got it all wrong.

The Hon. C.M. HILL: I haven't got it wrong at all. You would like me to have it all wrong. It is little wonder that the Minister added in his second reading explanation:

> In some high priority areas, such as health, there are signs that not all those economies will be achievable—

this is the economies of restraint—

> and actual expenditure may slightly exceed budget.

Well, I would think that the Minister of Health gave that indication to the Treasury when Ministers were called on for reports to compile this second reading. I hope that the Government will look at this matter and practise this restraint. I hope that the Government will look at the Hon. Dr Cornwall's role of moving people sideways, giving his friends the privilege of becoming permanent public servants, and finding new titles for them. I hope that forever the Government will get away from this expression of 'political adviser'.

The Hon. J.R. Cornwall: You're making a public fool of yourself.

The Hon. C.M. HILL: No, I am not.

The Hon. J.R. Cornwall: You don't know the difference between a Minister's office and personal staff. You have been in Government twice and you have been in this place for 25 years. Ms Laidlaw was running around—a straight political apparatchik. You got her a seat in here. What did you do for your friends—lined her up in preselection. However, you might have to help her now.

The Hon. C.M. HILL: I do not know what the Minister is cackling on about.

The Hon. J.R. Cornwall: I'm not as fanciful as you are.

The Hon. C.M. HILL: I am not fanciful. Are you denying that your previous press secretary was moved sideways into the Public Service permanently?

The Hon. J.R. Cornwall: He's not a public servant.

The Hon. C.M. HILL: He is on the permanent Public Service payroll.

The Hon. J.R. Cornwall: He's in the Policy and Projects Division of the South Australian Health Commission and is seconded back to my office.

The Hon. C.M. HILL: And he has a permanent office.

The Hon. J.R. Cornwall: Do you think he has to work out of a car?

The Hon. C.M. HILL: He is not under contract, is he?

The Hon. J.R. Cornwall: No.

The Hon. C.M. HILL: But he was.

The Hon. J.R. Cornwall: Yes, as a press secretary.

The Hon. C.M. HILL: That is the crux of it. You can play with words if you like, but I am telling you what you have done.

The Hon. C.J. Sumner: It is not the same.

The Hon. C.M. HILL: Of course it is the same, in effect, and you know it. In case there is some misunderstanding about ministerial staff and Ministers' office staff, some are public servants. Some Ministers have public servants, and there is nothing wrong with that. As a matter of fact, in my view, the more public servants in Ministers' offices the better.

The Hon. C.J. Sumner: You didn't have too many.

The Hon. C.M. HILL: Yes, I did; I had all but two. With 140 in 13 ministries—

The Hon. J.R. Cornwall: That's rubbish and you know it.

The Hon. C.M. HILL: Public servants are in ministerial offices and they should be. The Hon. Dr Cornwall has a case to answer. As a member of a Government which preaches restraint and which, when introducing the Supply Bill, says that the Government is practising restraint, he should be ashamed of himself for doing the things I have referred to. And that is only one example.

The Hon. C.J. Sumner: Are you saying that there are 140 non-public servants in Ministers' offices?

The Hon. C.M. HILL: No, of course I am not. I didn't ever say that.

The Hon. C.J. Sumner: What are you saying?

The Hon. C.M. HILL: I am saying that there are 140 ministerial advisers and staff within Ministers' offices. Can I be any clearer than that?

The Hon. J.R. Cornwall: Yes, you can; you can be a lot clearer. You're a cunning old fox and you are misleading this Parliament. You should be ashamed of yourself. You know damn well that the overwhelming majority of staff are public servants who service the Minister in quite non-political and apolitical ways. That is the way it has always been; you know that very well. You ought to be ashamed of yourself for getting up and misrepresenting the position.

The Hon. C.M. HILL: I have not misrepresented the position at all. If you will keep quiet for a moment and give me a go you will see that I have not claimed that public servants in Ministers' offices are political. I have not made that claim at all.

The Hon. J.R. Cornwall: Yes, you have.

The Hon. C.M. HILL: I have not claimed that. You read what I said. You are out of the Chamber half the time. You know you are in trouble about this. Why don't you sit there and take your medicine? Why don't you practise what you preach? A member of a Government which tells the Public Service to restrain itself and then increases its own staff by 25 per cent should be ashamed of himself.

The Hon. J.R. Cornwall: You've never been terribly honest about it.

The Hon. C.M. HILL: I've got it right all right but you don't want to talk about it—you don't want too much publicity. Why are you doing it? As I said, you're doing it to survive—that's why you've been doing it.

The Hon. J.R. Cornwall: You've never been too honest.

The Hon. C.M. HILL: He's calling me dishonest now.

The Hon. J.R. Cornwall: You're misrepresenting the position.

The Hon. C.M. HILL: I am not.

The Hon. J.R. Cornwall: You're grossly misrepresenting it, and you know it.

The Hon. C.M. HILL: All right, I'll say it again so the Minister gets a fair serve of it—he had a contract man as a press secretary and he wanted him to get some permanency in office so he moved him sideways into the Health Commission.

The Hon. J.R. Cornwall: Upwards!

The Hon. C.M. HILL: All right, upwards—that is even worse still. He found a new title for him.

The Hon. J.R. Cornwall: No, the commission did.

The Hon. C.M. HILL: I'm sorry, the commission, with the Minister's blessing, found a new title for him. Woe betide any permanent officer who would normally have aspired to that higher position, because this fellow was the Minister's mate and he became what is called now, in the department in which he works, a political adviser.

The Hon. J.R. Cornwall: No!

The Hon. C.M. HILL: Yes, he is called that.

The Hon. J.R. Cornwall: No, he's not; he is a senior policy adviser.

The Hon. C.M. HILL: I know he is, but he is known by all the staff who work around him as a political adviser and he is down here every day when this Council is sitting, and he was here today. In what way am I being dishonest in mentioning these facts?

The Hon. J.R. Cornwall: You said there are 140 ministerials, and you know it's a lie.

The Hon. C.M. HILL: I didn't say that. I will repeat myself.

The Hon. J.R. Cornwall: You know it's a lie.

The Hon. C.M. HILL: You won't put that over me. I said there are 140 ministerial advisers—

The Hon. J.R. Cornwall: You are being grossly dishonest; you're keeping up with a tradition that you have kept in 25 years of politics.

The Hon. C.M. HILL: Are you finished? Let me have a go now. I said that there are 140 ministerial advisers.

The Hon. J.R. Cornwall: That's not right.

The Hon. C.M. HILL: Methinks he doth protest too much. Why don't you shut up and let me finish?

The Hon. J.R. Cornwall: I can't stand lies, that's why.

The Hon. C.M. HILL: I said there are 140 ministerial advisers, comma, ministerial staff and public servants within the Minister's office and when the honourable member came to Government in 1982 there were 112, which is an increase of about 25 per cent, and at the same time—

The Hon. C.J. Sumner: Have your researchers told you who has got them all?

The Hon. C.M. HILL: I will bring the whole list in, if you like. You should know better than I. If you do not, you should be taking an interest in this area. Do not come in here telling me this is a Government of restraint, as you did in this address, when at the same time you are making hay. That is what you are doing, and it is the public's money that is being spent. Why do you not give some thought to that?

The Hon. J.R. Cornwall: How many staff are in the Minister of Community Welfare's office?

The Hon. C.J. Sumner: Where are these figures?

The Hon. C.M. HILL: I will get them in detail but you can check them and, if your budget papers are wrong and if you have deceived Parliament during the Estimates Committees' debates by providing wrong information, then you should be on the mat for that and you should answer to Parliament. So, you cannot have it all ways.

The Hon. C.J. Sumner: I don't think you can add up; that's the problem.

The Hon. C.M. HILL: I would like to move on to the area that deals with the question of housing. The Minister said in his speech:

> Housing is one of the Government's top priorities. Because of Commonwealth budgetary restrictions in this area the Government has under consideration the provision of extra funds to the Housing Trust.

I want to commend the Government for its effort in trying to appropriate more funds to the Housing Trust because we all know of the very long list of prospective tenants seeking welfare or public housing. It is appropriate that any Government of this State should make every possible endeavour, despite the financial situation of the State, to channel optimum funds into the Housing Trust so it can continue with that good work.

However, I want to draw the Government's attention in a constructive way to the provision of new rental accommodation for young South Australians. When one travels into the other metropolitan areas of Australia it can easily be seen that South Australia lacks blocks of modern flats. The flats that were here a few years ago have in most instances been strata titled and sold as home units, which has some advantages for buyers of that kind of accommodation. However, it does not help those people who simply want to rent accommodation, of which there are many, especially the younger married couples who do not want to be rushed into buying housing, particularly in the early years of marriage and at a time when prices are high and mortgage interest is exceedingly high.

There is nowhere for this sector of the community to turn for rented modern flats or apartments. Indeed, I do not think it is unfair to say that there is simply no supply of any sort in this sector of housing. What happens here is that these young married couples are forced to buy, sometimes in areas where they find from experience, after a certain period of time, that they are not very happy. Of course, it is a very expensive business to sell one house and then buy another. Such people find the ever increasing interest rates cause them to wish that they had not purchased a home; some get into such predicaments with their mortgage repayments that life becomes unbearable and leads to domestic break-up and other serious consequences. These people do not go to the Housing Trust because the trust accommodation is welfare housing for the needy and they do not fall into that category. These people are often two income families.

I believe that the Government should make a special effort to help this section of the community. It is clear that private enterprise cannot afford to do it, so the Government has a clear role and duty to look at this question to see whether Government help should be provided. I believe there should be incentives to builders and developers to provide blocks of flats and apartments. This could be done by reductions in rates for, say, five or 10 years after completion of these buildings. The Engineering and Water Supply Department rates could be halved for that period and such properties could be exempt from land tax. In conjunction with local government, council rates under the scheme could follow with reductions along the lines of those for the E&WS Department rates. Of course, that concession would allow the builders to make a reasonable profit between the rents they received and their outgoings, which are, in the main, these rates and taxes. From the Government's point of view, it would stimulate extra building in a trade which is in the doldrums as far as residential construction is concerned.

It would be done in the knowledge that after a period of time, and again I refer to, say, five or 10 years, when rates would come back to normal and Government revenues would come back to what they normally should be. In any case, I think that rates on blocks of flats where, say, there are 50 units in a block and there is a separate assessment for water and sewerage for each flat, when compared with other rates and taxes where the need to service those flats and units is low, the losses to the department would not be exceedingly high anyway. Whether that is a fact or not, it does not alter the possibility of metropolitan Adelaide being provided—for a period of time with a scheme that could run for a set number of years—with large modern blocks of flats, and we could satisfy the needs of those younger married people who wish to rent accommodation in those early years.

It would greatly help those young couples who find the housing problem difficult. They need not rent forever. We have, of course, somewhat of a philosphy in this State that home ownership is part of our ultimate dream and ultimate goal, and I am a strong supporter of that ambition. After, say, five years of renting these young people could then become buyers of houses. They would be more certain of their financial obligations and incomes. They would be

more certain of the areas in which they wish to live in the longer term and, of course, in some cases where there is some domestic difficulty they would be more certain of their actual marriage. I submit that that is the best time for such people to buy their dream home. In the meantime, they ought to be able to choose—based on the ordinary principle of free choice—to rent, and the State ought to be involved in helping them to secure such rental accommodation. I hope that the Government considers that proposal in due course.

The next point to which I intend to refer affects the Minister of Health, but I see that once again he has been called out of the Chamber on parliamentary business. I refer to the indication in the Minister's speech, when he introduced the Bill, as follows:

> Present indications are that outlays from the capital side of the budget will be somewhat above the budget level of $566 million. This stems mainly from the following items:

The third of those items is:

> Extra expenditure of $5 million by the Health Commission, principally for the purchase of the Payneham Rehabilitation Centre.

It has been my duty in the past few days to take a delegation to the Minister's office. This delegation represented the residents who live in the near vicinity of the Alcohol and Drug Rehabilitation Centre in Joslin. These women, who are mothers with young families, have expressed serious concern about the extent of the redevelopment of that centre in Joslin.

They are not saying that it ought not to be there in that residential area: they are not taking that view because, of course, there has been a comparable centre, although much smaller in its operations, than the one envisaged in the Minister's plans. The Minister is kindly looking into that subject to see whether he can do anything to help that community of 200 or 300 families who have expressed concern in local meetings and who have formed their own association and so forth.

However, when I noticed in the Minister's speech that the Payneham Rehabilitation Centre was being acquired for the sum of $5 million I could not but help ask why that particular venue or site could not be utilised for this expansion of the Alcohol and Drug Rehabilitation program that the Government is implementing. I am not saying that the program is not needed, but I agree with the women who live in the Joslin area who, when they are told that about 75 outpatient visits will be made each day to the new centre when it is developed, believe that the traffic position and the numbers of outpatients visiting the centre are far in excess of what ought to occur in a centre of this kind in a residential area.

We all know that Payneham Rehabilitation Centre is on the main Payneham-Paradise Road, which was formerly the Lower Main North East Road. It seems to me to be an ideal position for a centre as is envisaged in Joslin. Therefore, I ask the Government to have another look at this question in view of the fact that the Payneham Rehabilitation Centre is being acquired. I ask the Government to see whether or not, whilst continuing the present activities which are being taken over by the Health Commission at Payneham, perhaps that venue could be developed and expanded, because it would be a far more suitable site for an alcohol and drug rehabilitation centre than the Joslin centre. I would like to hear the Minister's comments about that in his reply.

The last matter that I raise is that I cannot find any reference in the acquisitions of properties and expenditure of public money, and there are some of course referred to in his speech, to the purchase of the old hotel on North Terrace known as the Centralia Hotel. Its acquisition was announced in the press on 18 February this year. That press release indicated that the Centralia Hotel was being purchased as part of the Living Arts Centre adjacent to the old Fowlers site on the corner of Morphett Sreet and North Terrace.

I would like to know what the acquisition price was for that property, whether settlement has been made and whether there was any reason for it not being mentioned in the explanation by the Minister of this Supply Bill. I would like to know also of the other extended arts centre proposals which are mentioned in this arts centre release. There is some reference to the Living Arts Centre, a proposal which in general terms I support. I would like to know just what the Government's new plans are, because apparently it does not intend to develop that property only, which was owned by the old Fowlers Company, but now they have jumped over the side street and have bought the hotel for some part of the proposal. There is reference also to the use of the vacant land in Hindley Street which was previously occupied by the buildings of the West End Brewery.

If the Government is going to move into that particular land and acquire it, with the acquisition of the Centralia Hotel and the Living Arts Centre building, which is already on the books so to speak, I can envisage that there could be a lot of public funds expended in any proposal planned for the arts in that area. There is reference in the press release and there has been reference previously to the fact that the Government is endeavouring to have commercialism involved in the development, and that principle is one with which I agree.

I do not want to see the Government getting too far down the track with these public acquisitions and nothing coming of it eventually or getting into a position in which it cannot escape heavy regular financial commitments. If those commitments are paid out under the general umbrella of the arts, it means that a lot of other art activities, particularly new and experimental art work, will not be financed. If we reach that situation, it will be too late to turn back. I would like some further explanation about that proposal in the Minister's reply.

In general terms, I support the Bill. I hope that, in the proposal to bring down only one Bill in the future in lieu of two under the heading of Supply, parliamentary control will not in any respect be overlooked. I also hope that the Government estimates, which have been recorded in this explanation, come up to expectation for the current financial year. I support the Bill.

The Hon. K.T. GRIFFIN secured the adjournment of the debate.

STATE EMERGENCY SERVICE BILL

Adjourned debate on second reading.

(Continued from 26 February. Page 3191.)

The Hon. C.J. SUMNER (Attorney-General): I will answer a number of questions raised by members with respect to this Bill. The Hon. Ms Laidlaw asked, with respect to clause 12:

> Will there be immediate access to compensation funds if property owned by a State Emergency Service officer is damaged or lost?

The answer is that further consideratic on this matter will need to be given, perhaps in conjunctio. with those responsible for the State Disaster Act, namely, the State Disaster Committee. The Chairman of the State Disaster Committee will be advised of this question.

The second question from the Hon. Ms Laidlaw was as follows:

I would be quite interested to learn from the Minister what his advice was in terms of the case for maintaining the penalty at $5 000 with respect to clause 15.

The answer is that the penalty of $5 000 for offences identified in clauses 15 (1) and 15 (2) was inserted by the Parliamentary Counsel after being briefed that the amount was consistent with the penalties contained in sections 16(1) and 16(2) of the State Disaster Act. The amount was seen to be appropriate by the briefing officers, who included the Director, State Emergency Service. No comments were raised by the Police Department or other emergency services in this matter. There is no doubt that clause 15 (2) could be considered the more serious offence of the two and could, therefore, attract a high penalty.

With respect to clause 13, the Hon. Ms Laidlaw asked:

Are persons who come from interstate into South Australia during an emergency situation deemed to be emergency officers and do they have the authority to use powers under clause 12?

The answer is that members of recognised interstate emergency organisations would be deemed to be emergency officers and to have powers conferred in clause 12, provided an emergency order was in force. Those members, as emergency officers, would have the same protection as South Australian members, as regards injury and liability, whilst undertaking operations in South Australia. This is the prime intention of the clause. It is considered that, pursuant to this Bill, the only interstate organisations to be recognised would be the Victorian, New South Wales and Western Australian State Emergency Services and the Northern Territory Emergency Service.

With respect to clause 12, the Hon. Ms Laidlaw asked:

What will the situation be in the case of a fire which, as we are all aware, has no respect for State boundaries, and when an emergency officer may have to confiscate property of a South Australian resident but that property is damaged or lost, for example, in Victoria, New South Wales or Queensland? Would the South Australian owner of that property still be entitled to compensation and would the volunteer or emergency service officer be entitled to workers compensation?

In answering the questions regarding fires along the State boundary, I am advised that the State Emergency Service would be acting in support of the appropriate fire service, either Country Fire Services or National Parks and Wildlife Service, which would be the first response organisations on site and, as such, the primary combat authority. Under these circumstances an emergency order could not be issued and the powers under clause 12 could not be used. The service would act under the control of the appropriate fire service. The members of the State Emergency Service and any interstate emergency officer would be entitled to workers compensation.

The Hon. Ms Laidlaw also said:

I point out that where the Minister starts referring to four areas of responsibility of the SES, he lists nos 1 and 2 but for some reason nos 3 and 4 have been left out.

That is correct. The Hon. Ms Laidlaw referred to paragraphs dealing with reconnaissance and search and rescue. The third and fourth paragraphs were as follows:

3. Welfare to provide interim warmth and sustenance to disaster victims before their arrival at welfare assembly centres.

4. Storm and flood to provide response for the purpose of the mitigation of the effects of storm and flooding. The fourth role—storm and flood—is also a day to day role of the service.

The Hon. Mr Elliott made the following comment with respect to local government:

A number of matters relating to local government and the SES need to be considered. First, local government does make a significant contribution towards the supply of equipment and other facilities, and I fail to see why this Bill has not recognised that in some statutory fashion. I also fail to see why the SES does not, at the very least, have some form of advisory committee in a similar fashion to that of the CFS.

The answer is as follows: it is agreed that local government has contributed to the supply of equipment and other facilities to the State Emergency Service. It should be stressed, however, that support to the service, in fact, is gained from four sources: Commonwealth Government, State Government, local government, and public fund raising. Local government does support local State Emergency Service units but only at about the same level as State Government and well below the level of the Commonwealth Government. In regard to the question regarding an advisory committee, this organisation forms part of the commissioner's command of the South Australian Police Department and, accordingly, is responsible to the Commissioner of Police as Chief Executive Officer.

Also with respect to local government, the Hon. Mr Elliott pointed out:

The Local Government Association also expressed some concern that the existing provisions of sections 640 and 641 of the Local Government Act relating to flood management may require addressing in the SES Bill. The association believes that that has not been taken into account.

In answer, I point out that it would appear that the Local Government Association may be concerned about section 641 (1), where a council may order such action to be taken to avert or reduce the danger of flooding. It is not envisaged that the enactment of the State Emergency Service Bill will in any way affect the powers of councils, as the local State Emergency Service unit is a community based organisation within local government areas and, as such, would respond to such council direction.

The Hon. M.J. Elliott: What if contrary orders are given by local government and by the emergency services? Who would have the superior power?

The Hon. C.J. SUMNER: That is covered under sections 640 and 641 of the Local Government Act. I suggest that the Hon. Mr Elliott study both sections. He can then ask a question during the Committee stage. The powers are set out in the Local Government Act. In relation to clauses 11 and 12 the Hon. Mr Elliott said that the responsibilities of the various emergency services should be clearly identified, particularly in the command/control area. In reply, I should at this point bring to members' notice that problems which apparently occurred in the Danggali Conservation Park were between the National Parks and Wildlife Service and Country Fire Services. The State Emergency Service was purely in support of the fire operations and in that instance provided feeding and accommodation. The State Emergency Service was not involved in the command function in any way whatsoever.

Clauses 11 and 12 were discussed at length with the heads of other emergency services in the drafting process, and now reflect the wishes of all concerned. The intenton is 'to get on with the job' so that, if State Emergency Service should be first on the scene at a situation where another emergency service does have that statutory responsibility, it can commence work immediately and will hand over the command/control to the service having lawful authority, upon its arrival. As mentioned before, this meets with the approval of all services regarding their respective statutory roles and responsibilities. In the event of State Emergency Service personnel 'losing command or control of a situation' they would, forthwith, act in support and under the direction of the lawful authority.

The Hon. Mr Elliott then said that he saw a conflict between clause 7, where the Commissioner is responsible to the Minister, and the rest of the Bill, where the Director seems to have all the power. The Hon. Mr Elliott said that

there seems to be no direct tie-up or direct line between the Minister and those officers. He did not know whether that was a problem but, on first reading, it seemed to him that that was the case.

In reply, I point out that the State Emergency Service is a component of the South Australian Police Department and is located within the Commissioner's Command. The Director, State Emergency Service, is directly responsible to the Commissioner of Police as Chief Executive Officer. The Director would operate through the Commissioner, who has a 'direct line' to the Minister. Any request for extension of an emergency order under clause 11 (3) would be processed through the Commissioner of Police to the Minister.

It should be noted that the intention of clause 7 is in conformity with departmental arrangements which have existed since 1961 where all budgetary matters and administration processes have been 'part and parcel' of the day-to-day Police Department operations. No problems are foreseen at all in this regard.

The Hon. Mr Elliott then had difficulty with clauses 21 (2) *(a)*, 21 (2) *(b)* and 21 (2) *(d)*, which relate to matters that he would have preferred to see dealt with in the Bill itself rather than by regulation.

In reply, I point out that clause 21 is the enabling clause for the making of regulations. Clause 21 (2) *(a)* refers to the form of schedule of an emergency order and methods of implementing that order and other associated matters. It is appropriate that these matters should be included in regulations. Clause 21 (2) *(b)* also provides for the form of schedules as applicable to registration and dissolution and would be wide enough to include provision for regulating the appointments of principal officers and other matters relating to the organisation and conduct of State Emergency Service units. At this stage, regarding clause 21 (2) *(a)*, I cannot foresee whether fees would be charged for administrative matters; however, at some later time this situation could change.

The Hon. Mr Dunn suggested that the Government should look very seriously at setting up orders of command so that it is known exactly what will happen in the case of the introduction of an exotic pest or plant or an epidemic. In reply, I point out that the State Emergency Service would be very heavily involved in any situation regarding an outbreak of animal and human disease. For example, one area of this involvement would be provision of long-range and reliable communications and the provision of personnel. Communications links between State Emergency and the Department of Agriculture are already established and exercised.

The State Disaster Plan clearly allots responsibility once a state of disaster has been declared. However, in that period of time prior to the declaration, the State Emergency Service would be operating under this Bill; hence this contingency has been included in the definitions of 'emergency'; the service would operate in support of other statutory authorities (for example, Agriculture Department, Health Commission and Police Department) in such a situation. The recently amended Agriculture and Animal Service Counter Disaster Plan, a plan prepared under the auspices of the State Disaster Act, provides the orders of command, procedures, etc., in case of the introduction of exotic pests, plants or epidemic. This plan would be implemented in an 'emergency' or during a 'state of disaster'.

The Hon. Mr Dunn urged the Government to look very carefully at the question of command centres.

In reply, I point out that the State Disaster Plan provides for 13 functional services, of which the State Emergency Service is one. Each functional service has its own State Control Centre: in the case of the State Emergency Service, this is located at the service's headquarters, Police Barracks, Thebarton. It is from these centres that operations are controlled. There is a State Emergency Operations Centre located in the central police headquarters, Angas Street and divisional emergency operation centres are being established in those Police Divisions identified in the regulations under the State Disaster Act 1980. The State Emergency Operations Centre is under the control of the Commissioner of Police as State Coordinator.

Each emergency service has its own control centre at the various levels. The State Disaster Organisation is exercised regularly both at State and divisional levels. The various control centres are activated as part of those exercises. It is considered that there is a sufficient chain of control centres which, as well as providing control functions within an organisation or service, also provide liaison facilities across all services. Mobile control centres are an integral part of that chain.

The Hon. Mr Griffin's area of concern about the definition of 'emergency' was that it is extraordinarily wide. He said that it may be a motor vehicle accident or some other event which is not naturally occurring and he asked to what extent is the power to be exercised under this Bill.

In reply I point out that the powers contained in clause 12 will be used only when an emergency order has been issued. This will occur only when an organisation having statutory responsibility to handle an emergency is not in attendance or when no other organisation has such authority. Because of the wide range of likely emergencies to be encountered, particularly in country areas, the definition, of necessity, must be wide. The powers included in this Bill are identical to those conferred upon authorised officers under the State Disaster Act and are similar to those given to principal officers in other services, namely, volunteer fire control officers and senior Metropolitan Fire Service officers.

In relation to clause 6 the Hon. Mr Griffin said:

> The Director of the SES may in fact delegate to any person appointed to the Public Service any of the Director's powers under this Act. That is probably a reasonable limitation, but I think that we ought to have clarified to us what sort of powers are likely to be delegated.

In response, I point out that with the exception of clause 11, where the Director has the power by written order to assume command of operations and the subsequent extension of an emergency order, the powers of the Director are related to administrative matters. The delegation indicated in clause 6 would not be wide and, in fact, would only be given to the Deputy Director of the service or the person acting in that position, if appropriate.

The Commissioner of Police, as State Coordinator, has the powers under the State Disaster Act to request a declaration of a disaster if an emergency appears to be escalating to disastrous proportions and in fact can declare an 'alert' stage under the State Disaster Plan if he deems it necessary, prior to a state of disaster being declared. In all other regards in relation to this Bill, the Commissioner of Police is responsible for the administration of this Act.

In relation to clause 7, the Hon. Mr Griffin sought clarification of the line of authority and an explanation of how the Commissioner will be able to exercise responsibility for the administration of the legislation yet not have any control over the Director.

In reply, I point out that the State Emergency Service forms part of the South Australian Police Department, and is located within the Commissioner's command. The Director is responsible to the Commissioner of Police as Chief Executive Officer. Clause 7 of the Bill makes the Commis-

sioner responsible to the Minister and, in carrying out that function, is subject to the control and direction of the Minister.

The Hon. Mr Griffin stated that there is no public registry in which any person may search the registration or incorporation of an SES unit established under clause 9. He said it is important that there be that opportunity for public search of the registration or incorporation of the SES unit. The answer is that at present there are no State Emergency Service units incorporated under the Associations Incorporation Act. Complete records of all units, membership lists, officers and other related matters are maintained at State Emergency Service headquarters. Such records are available for public information and scrutiny. Certain details of registered units will form part of the service's annual report to be submitted annually in accordance with clause 7 (2). This will be a similar situation to that which currently exists and which has existed for the past 10 years in the Country Fire Services since the inception of the Country Fires Act 1976.

In relation to clause 11, the Hon. Mr Griffin stated that in the Bill under consideration, it is the Director who makes the orders and the Minister who may extend, notwithstanding that very wide powers similar to those effectively applying under the State Disaster Act apply under this Bill. He suggested that maybe the Minister should make the initial declaration and that it may be extended for 24 hours, for example, by the Governor. Clause 11 enables the State Emergency Service to immediately commence work in an emergency situation. This requires rapid procedures administratively for the issue of the order, if such action is required. It is considered appropriate that the Director, as head of the service, have these responsibilities, having due regard to the possible time factor in locating the Minister or even the Governor.

The Hon. Mr Griffin stated that clause 11 provides for the Director to assume command in certain emergencies. It is a written order which remains in force for a period of 48 hours, unless sooner revoked. The Hon. Mr Griffin contends that several aspects of this clause need further attention. First, what sort of public notice is to be given of the order made by the Director, recognising that the making of the order carries with it some very significant powers which can impinge upon the liberties, freedoms and rights of individual citizens? The other aspect he asserts that needs to be addressed is in relation to the revocation of the order. He questioned the sort of notice to be given. He compared it with the State Disaster Act which provides for publication. The answer to his concern is that public notice of the making of the order and the revocation of the order will be made by the best means available at that time and location. As a matter of course, other emergency services will be notified as required under clause 11 (6). Other actions will be taken as the actual situation demands and dictates.

The Hon. Mr Griffin raised issues relating to clarification of powers of an emergency officer. Clause 12 (1) clearly states the terms under which the powers contained in subclause (2) can be used. No action taken by an emergency officer should be outside those conditions included in subclause (1).

With respect to clause 12, the Hon. Mr Griffin said that he did not believe that the amendment that I, as Attorney-General, had on file to insert a new clause 12a actually dealt with the question of liability towards the person who had been given a direction to assist the emergency officer if, for example, that person was injured. He thought that the indemnity against any liability which might arise if the person directed to assist the emergency officer caused damage to property or injury to a person was adequately covered by clause 16. The answer is that the contents of the new clause 12a are identical to that which appear as sections 15 (4) and (5) in the State Disaster Act. The actions of a person acting under the direction of an emergency officer are covered in the compensation provisions suggested in the new clause 12a.

Concerning clauses 12 and 16, the Hon. Mr Griffin said that in relation to the amendment that I have on file, although identical with the provisions in the State Disaster Act, it may be possible to argue that it does not cover the purported exercise of powers under section 12 because, if the emergency officer purported to exercise powers but in fact they were beyond power, the Hon. Mr Griffin insisted that there was an argument that the person who suffered as a result of that purported exercise of power should not be entitled to compensation. He said that it was a technicality that should be addressed because it could have far-reaching implications. Parliamentary counsel is examining that matter to determine whether there is in fact such a problem and now believes an amendment is not necessary. The only circumstances that parliamentary counsel could think of where persons might not be covered is where an emergency period expired at a given time, the worker's watch was wrong, and he thought he was acting during an emergency when in fact he was not. Parliamentary counsel believes that, in almost every conceivable circumstance, persons would be covered where the worker was acting in good faith. However, no doubt an amendment could be very easily accommodated if the honourable member wanted it.

Finally, with respect to clause 12, the Hon. Mr Griffin said that there was no provision for appropriation of money to meet the objectives of compensation. He said that there was an appropriation section under the State Disaster Act. He is correct in that that is contained in section 23 of the State Disaster Act and, with respect to this Bill, we can consider it in conjunction with the inclusion of the new clause 12a. I trust that that answers the honourable member's questions.

Bill read a second time.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

FISHERIES (GULF ST VINCENT PRAWN FISHERY RATIONALISATION) BILL

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

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill provides for the rationalisation of the number of prawn fishery licence holders in the Gulf St Vincent prawn fishery, for payment of compensation to those licensees removed, and for repayment of compensation moneys by remaining licensees.

By way of background, the Government announced an inquiry into the management of South Australia's prawn fisheries in November 1985, and in particular, asked Professor Parzival Copes of the Simon Frazer University in British Columbia, Canada:

(a) to assess and report to the Minister of Fisheries on the effectiveness of the management strategies being implemented in the Gulf St Vincent/Investigator Strait prawn fishery;

(b) to investigate and report to the Minister of Fisheries on the allegations of mismanagement against the Department of Fisheries by the Gulf St Vincent Prawn Fishermen's Association;

(c) to investigate and report to the Minister of Fisheries on additional management measures, where appropriate, for the Gulf St Vincent/Investigator Strait prawn fishery.

Written submissions to the inquiry were invited up until the end of February 1986, followed by a visit to South Australia by Professor Copes in April 1986, during which time verbal submissions were received. Thus all parties were provided an opportunity to place any facts or points of view before Professor Copes.

The final report to the Government was received in July 1986, and immediately released for public comment until the end of August 1986. The Government subsequently endorsed most of the recommendations from the inquiry in October 1986, but recognised that the recommendation on the removal of vessels required careful discussion with industry, particularly on the actual process of achieving the recommended reduction of six vessels. Accordingly, the Government instructed the Director of Fisheries and the Executive Officer of the South Australian Fishing Industry Council to consult with all 16 licence holders in the Gulf St Vincent/Investigator Strait prawn fishery to discuss alternative options for removal of vessels, including the financial and legislative implications of such options. A report on the outcome of the discussions with the fishermen was made available to the Government on 7 November 1986.

Since the release of the Copes Report, the research staff of the Department of Fisheries have worked very closely with the St Vincent Gulf Prawn Boat Owners' Association (currently 10 members) to develop the required research and survey programs necessary to determine the most appropriate harvesting strategies aimed at assisting in the rehabilitation of the fishery, whilst enabling continued fishing by the fleet. By necessity, as clearly identified by Copes, during this rehabilitation period and until the number of vessels are reduced, the available time for fishing must be restricted to contain the effective effort within biologically acceptable limits. Ultimately, however, the removal of six vessels must be addressed to avoid a return to the indiscriminate and inappropriate fishing levels and practices experienced in the past. Failure to do so will result in justifiable criticism that the fishery is not being properly managed, despite clear direction from Copes on what management measures need to be implemented.

In considering the matter of vessel removal, the Government is well aware that there is substantially greater fishing capacity in the Gulf St Vincent/Investigator Strait prawn fleet than required to take the available stock, even with a rehabilitated stock and fishery. Unless this over-capacity is removed, the present licence holders will continue to experience financial difficulties and, without very stringent controls on fishing activities, the stock will remain at reduced levels. In summary, whilst the Department of Fisheries has applied much more restrictive time and area closures in the absence of any removal of vessels, the Government recognises that this course of action cannot continue indefinitely. The Government is also keen to ensure that the State's reputation for fisheries management is maintained, in keeping with Copes' observation that:

South Australia has a good reputation for fisheries management, largely because the State has been more active than most other jurisdictions in efforts to correct fisheries problems before they become intolerable.

Above all, Copes left no doubt that the ultimate responsibility for management of the fishery lies with the Government; accordingly, this Bill provides the Government with the necessary legislative authority to adequately address this responsibility.

In response to the Copes report, the Government has removed three vessels from the combined fishery by allowing the two licences under the Scheme of Management (Investigator Strait Experimental Prawn Fishery) Regulations 1985, to expire (with compensation of $450 000 for the licence being paid to each of the two licence holders), and by accepting the surrender of a Gulf St Vincent prawn licence and vessel, with the Government agreeing to pay compensation of $600 000. The Government has allowed a further period of three months in which licence holders in the Gulf St Vincent prawn fishery have been invited to voluntarily surrender licences; however, the Government warned that, if insufficient licences were surrendered, legislation would need to be implemented to cancel the required number of licences. No such offers have been forthcoming and the Government has therefore decided to pursue appropriate legislation not only to achieve the required vessel reduction, but also to provide the means whereby compensation can be paid to the three licence holders already removed.

This Bill makes provision for the Minister of Fisheries to cancel fishery licences in the Gulf St Vincent prawn fishery if there are more than 10 licences in force as at commencement of the Act. However, the Bill provides the Minister with flexibility as to when licences might actually be cancelled.

It makes provision to compensate licensees for the removal of their licences (and vessels and gear where appropriate) and to require the remaining licence holders, who are expected to benefit from improved returns from the fishery, to contribute equally to the cost of providing that compensation. The purpose of the Bill, therefore, is to establish a legislative scheme that provides for cancellation (if necessary) of licences, for compensation of former licensees (including the three licence holders already removed from the combined fishery) and for recouping the cost of providing that compensation from those licence holders remaining in the fishery.

The Government has considered three alternatives for the removal of a further three vessels on a compulsory basis as follows:

1. *First In, First Out*

The South Australian prawn fishery resource is a community property with commercial access provided to a restricted number of fishermen under a limited entry licensing arrangement. Initially, access was provided at a nominal fee, although in more recent years, the access fee has risen significantly to more realistically compensate the community for the costs incurred in managing the resource. Original licence holders in the Gulf St Vincent prawn fishery received the protection of limited entry from the outset, and received excellent returns at nominal costs; this was identified by Copes in his report. In addition, the original licence holders demanded and won the introduction of licence transfer provisions in the fishery, together with the removal of the owner-operator policy. Consequently, later entrants paid a high entry fee with the result that they received less favourable returns on capital invested due to the transfer debt they were required to service.

Removal of vessels under this option will result in the removal of those licence holders who have benefited most at minimum cost from privileged access to a community

resource. It is likely that these licence holders would be best able to absorb the impact of removal, provided their removal is accompanied by fair and reasonable compensation. Importantly, the debt repayments from those licence holders remaining in the fishery will be minimised. On the other hand, this option removes licence holders who entered the fishery in its formative stages and have not capitalised their licence on transfer.

2. *Ballot*

Removal of a further three licences by ballot is probably seen as the most equitable means of determining who should be removed, as all licence holders have an equal chance.

3. *Last In, First Out*

This option recommends that the most recent entrants to the fishery should be those first removed. Under this option, there is concern that if compensation is to be based on the transfer price that any of the current licence holders paid, then the total debt that will be placed on the remaining fishermen may be in excess of what they might realistically be able to afford. If this is the case, then the restructuring process may unnecessarily delay economic improvement in the fishery. In fact, it may also result in further biological damage to the Gulf St Vincent prawn stocks through inappropriate fishing practices in an attempt to service any excessive debt, despite the implementation of rigorous fishing strategies.

The Government has decided to pursue the compulsory removal of vessels (if necessary) on a ballot basis as the most equitable and fair means of selection.

Whilst the Government intends implementing Copes' recommendation of removing six vessels in all, it recognises that the success of any further vessel removal process largely hinges on the ability of the remaining fishermen to meet the repayments associated with the scheme. The Government is presently assessing this aspect, and will take any relevant information into account in any decision to remove further vessels from the fishery. Any deferral of a decision to remove further vessels from the fishery, however, must be accompanied by a clear and written undertaking from the St Vincent Gulf Prawn Boat Owners' Association that that Association will nominate a system whereby a further three vessels will be removed from the fishery within a specified time period on a voluntary basis.

In the absence of agreement on the further removal of three vessels, the Minister will require the necessary legislative authority contained in this Bill to compulsorily acquire licences. Specifically, if the Government is unable to remove the excessive effort in the fishery at the earliest opportunity as recommended by Copes, then it will be necessary to attempt to achieve some reduction on the impact on prawn stocks through even more rigorous area and seasonal closures. This in turn will result in very restrictive fishing periods which will have a detrimental effect on marketing and returns to the fishery.

In summary, although this legislation provides for compulsory removal of vessels from the Gulf St Vincent prawn fishery, it does not preclude the implementation of a buy-back scheme on a voluntary basis by agreement with the remaining licence holders in the Gulf St Vincent prawn fishery. However, the Bill itself will still be required to ensure the payment of appropriate compensation to those vessels already removed, as well as providing the Minister with the legislative authority to remove a further three vessels in the absence of an agreement with the remaining licence holders. I commend the Bill to the House.

Clause 1 is formal. Clause 2 provides for commencement on a proclaimed day. Clause 3 defines certain words and expressions used in the Bill. In particular, 'former licensee' applies to three categories of former licence-holders—those who surrender their licences (including the licensee in the Gulf of St Vincent fishery who has already agreed to do so); those whose licences in that fishery are cancelled under the proposed Act; and the two licensees in the Investigator Strait fishery whose licences have already expired.

Clause 4 provides for cancellation of licences held in respect of the Gulf of St Vincent fishery. This proposed section will not apply if, before the commencement of the Act, sufficient licences have already been surrendered. The Minister is empowered to cancel sufficient licences to reduce the total number in force to 10. The Minister need not cancel all the licences 'in excess' at the same time but may proceed gradually. The licences liable to cancellation will be those drawn by lot in a ballot conducted by the Electoral Commissioner.

Clause 5 provides for compensation for loss of licence to be paid to former licensees. The amount will be $450 000 or the value of the licence at the time it was acquired by the former licensee, whichever is higher. (Subclause (2) relates to the calculation of the value of the licence at the time of acquisition.) Subclause (3) provides that where the Minister and a former licensee cannot agree on the amount of compensation, either may apply to the Land and Valuation Court to determine the amount. The compensation is to be paid from the Fisheries Research and Development Fund under the Fisheries Act 1982.

Clause 6 gives the Minister power to purchase a former licensee's vessel and equipment at their market value and then to re-sell them. The purchase price will be paid out of the Fisheries Research and Development Fund and the proceeds of a subsequent sale paid back into the Fund.

Clause 7 provides that the net amount of money expended under the Act will be recouped to the Fisheries Research and Development Fund by means of surcharges on licence fees payable by the Gulf of St. Vincent licensees. The Minister will have power to impose the surcharges, vary their amounts and give directions as to payment. If a licensee fails to pay the surcharge or an instalment of the surcharge, his or her licence may be cancelled. The Minister may give an exemption to a licensee whose licence is liable to cancellation under the proposed section 4 or whose licence was acquired after the commencement of the proposed Act. Subclause (9) provides for calculation of the amount to be recouped to the fund and once all of this amount is recovered the surcharge will be revoked.

Clause 8 provides that the Minister may borrow money for the purposes of the proposed Act, and any money so borrowed will be paid into the Fisheries Research and Development Fund.

Clause 9 enables regulations to be made. The schedule amends section 32 of the Fisheries Act 1982, to enable transactions in and out of the Fisheries Research and Development Fund to occur.

The Hon. K.T. GRIFFIN secured the adjournment of the debate.

PUBLIC FINANCE AND AUDIT BILL

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

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The Bill brings together, in a modern form, the principles contained at present in the Public Finance Act, originally enacted in 1936 and the Audit Act, passed in 1921. Those Acts were developed (and this Bill has been drafted) in the context of certain basic principles about parliamentary control over the public purse. I will return to those principles later.

The close relationship between financial administration and the auditing function is recognised by incorporating the legislative framework for both of them in the same Bill. The clear distinction between the two functions is preserved by including them in separate parts of the Bill. The wording and the detailed coverage have been changed to bring them into line with current practice but the underlying principles remain the same as those in the earlier legislation.

In introducing the Public Finance Bill of 1936, the Premier and Treasurer of the day (Hon. R.L. Butler) observed that the Bill was intended to embody the main provisions of a number of existing Acts relating to the public finances and to add to the law certain provisions dealing with Treasury methods so as to remove any doubts which might arise as to whether the correct constitutional procedure was being followed. It appears that the Act of 1936 was the first attempt in South Australia to provide a comprehensive coverage of the subject matter in a single piece of legislation.

The Audit Act has a longer history. The Act now to be repealed was passed originally in 1921 and was based upon a previous Act passed in 1882. It provided (and I quote from the second reading explanation of the then Chief Secretary—the Hon. J.G. Bice):

> ... for the appointment of an auditor, free from all governmental control, and responsible only to Parliament, whose function it is to check and examine the appropriation and expenditure of all public moneys, and to report at least once annually to Parliament on the manner in which the finances of the State have been dealt with, calling attention specifically to all irregularities in the management of the public revenue.

The Bill was described as 'largely, a machinery measure' and it is true that the Audit Act now to be replaced and the Regulations which were made pursuant to it, are very prescriptive as to the procedures and processes by which public moneys are to be controlled. That is not the style of the Bill now before the House.

In accordance with the recommendations of the Review of Government Financial Management Arrangements (the Barnes Committee) the Bill contains the more important principles associated with the administration of the public finances and public sector auditing. Matters of lesser principle are to be promulgated by way of Regulations. These will be fewer in number than the current Audit Regulations because matters of procedural detail are to be covered at a new level of prescription, to be known as Treasurer's Instructions.

The other structural change made to the legislation is to incorporate in the public finance part of the Bill all of the legislative machinery which establishes the manner in which the administration of the public finances is conducted. This also was recommended by the Review of Government Financial Management Arrangements and has been adopted by the Government as the logical arrangement of the provisions. Presumably, the reason for including many provisions of this kind in the previous Audit Act was simply that it predated the Public Finance Act by many years.

One other change should be mentioned. Section 35 of the Public Finance Act now to be repealed provides that the Treasurer may deal with moneys provided by the Commonwealth through a special account. This provision does not appear in the Bill. It is intended, as recommended by the Review of Government Financial Management Arrangements, to channel all Commonwealth funds in future through Consolidated Account so that they are subject to scrutiny by the South Australian Parliament.

Appropriations

The basic principle underlying all appropriation law is that public money is Parliament's money. Not one cent may be spent without the authority of an Act of Parliament. The various forms in which this authority is given are as follows:

- the appropriation authority sought in the annual Supply Bills;
- the appropriation authority sought annually in Appropriation Bills;
- the appropriation authority sought in this Bill (which reflects the current provisions of the Public Finance Act);

and

- the appropriation authorities contained in certain Special Acts.

An appropriation is an allocation of funds by Parliament for a particular purpose. It is essential to the principle of parliamentary control that, if moneys are not used within a reasonable period of time for the purpose for which they were appropriated they must be returned to the Parliament. This principle is given effect by means of the annual Appropriation Acts. The authority conferred by the annual Appropriation Acts is expressed to be in respect of the financial year to which the Act relates. Therefore, it lapses at the end of that financial year.

This gives rise to the need for Supply Acts—the Acts which convey parliamentary authority for ongoing expenditure between the end of a financial year and the day on which an Appropriation Act for the new financial year comes into effect. The annual Appropriation Acts are the Acts which give legislative expression to the Government's budgetary proposals for the year and, as members are aware, an Appropriation Act is not passed until parliamentary scrutiny of the budget is complete. This is usually several months into the financial year to which the Act relates.

This Bill contains several other forms of appropriation authority. They include:

- Clause 8 (4)—expenditure from Special Deposit Accounts. Special Deposit Accounts are a longstanding part of the State's accounting structure and are used to control stores, motor vehicle operations and the like and to record some departmental operations of a commercial nature. The authority for their operation was contained in section 36 of the repealed Act. Clause 22 *(a)* (v) of the Bill provides for more information to be published about these accounts than has been the case in the past.
- Clause 12 incorporates in this Bill the provisions of section 32a of the repealed Act to authorise, within the limits expressed in the clause, expenditure in excess of the amounts specified in the annual Appropriation Acts.
- Clause 13 is also modelled on the current legislation. It authorises the transfer of appropriation from one department or purpose to another. This provision facilitates the transfer of funds when a transfer of functions occurs. Similarly, clause 14 provides for the Governor to reduce the moneys appropriated for a department or purpose.
- Clause 15 is a provision which it has been the practice for many years to include in the annual Appropriation Bills. It authorises the expenditure of amounts

necessary to comply with the determinations of certain wage-fixing authorities. Because of its ongoing nature, it would more appropriately be included in this Bill.

Some Acts contain their own permanent authority for particular payments—for example, the salaries of judges and other statutory appointees such as the Commissioner of Police.

Investments

Clause 11 of the Bill provides for an up-to-date approach to investment. It is important that adequate flexibility be provided in order that the maximum possible returns which are consistent with the Government's risk preferences can be earned on cash balances not immediately required for the Government's purposes. It is current Government policy to make all short-term investments with the South Australian Government Financing Authority (SAFA) which, in turn, invests in the market. However, the Government does not believe it should be restricted to this single avenue of investment and clause 11 provides for a wide-ranging investment power.

Borrowing

Clause 16 seeks to bring in to the Public Finance and Audit legislation, the authority to borrow which is presently derived from the annual Appropriation Acts. As the central component of the financial administration framework, the Public Finance and Audit Act is considered to be a more appropriate place for this provision than the annual Appropriation Acts.

It is considered to be unnecessary to retain the rather complex provisions of Part II of the repealed Public Finance Act. They have not been used, for the most part, for many years. Any public securities issued in the future are likely to be issued by SAFA. However, an appropriation authority to replace clause 5 of the repealed Act is required in order to authorise repayment of any indebtedness the Treasurer incurs on behalf of the State.

Accountability

In the first paragraph of its Report on Financial Administration legislation, the Barnes Committee observed:

> In current day practice ... control is not exercised by the Parliament refusing authority to spend. Control rests on the use of the formal authorising processes to elicit information ...

Greater emphasis has been given in the legislation under consideration to the matter of the reports the Government is required to provide for the information of the Parliament and the public. The main provisions with regard to the Treasurer's accountability are contained in clause 22 of the Bill.

In respect of Consolidated Account, it is intended to provide much the same information as is given currently, with some additions to provide for the more comprehensive reports required by this Bill. Some presentational changes will probably also be incorporated.

The information will include:

(a) a comparative statement of the estimated and actual receipts and payments on Consolidated Account (both recurrent and capital) for the preceding financial year classified under the headings and subheadings and in the form used in the Estimates presently laid before Parliament, including amounts paid by authority of Special Acts;

(b) a statement of the sources and applications of funds for the financial year;

(c) all expenditure made pursuant to appropriations from the Governor's Appropriation Fund;

(d) details of transfers made pursuant to proposed clause 13 and reductions made pursuant to proposed clause 14;

(e) details with regard to special deposit accounts;

(f) a statement of the balances at the end of the financial year of all the deposits lodged with the Treasurer;

(g) a statement of imprest advances outstanding at the end of the financial year;

(h) information about transactions with SAFA and SAFA's financial statements;

(i) a list of organisations (other than SAFA) with which the Treasurer invested funds during the preceding year;

together with such written explanation of these matters as may be necessary.

Subparagraph (ix) recognises the central role which SAFA now plays in the financial management of the State and the importance of understanding SAFA's financial relationship with the Treasurer if a complete picture of the central Government Treasury operation is to be obtained.

Clause 23 picks up and reinforces section 40a of the repealed Audit Act and the relevant provisions of the Acts of statutory authorities which the Auditor-General is required to audit. It requires public authorities to present financial statements each year which have been compiled in accordance with guidelines to be laid down in Treasurer's Instructions.

The Auditor-General

The independence of the Auditor-General as a statutory officer, subject only to the direction of the Parliament, is a fundamental principle of the Westminster system of Government. The proposed legislation acknowledges and preserves that fundamental principle.

Clause 24 deals with the appointment of the Auditor-General as an officer of the Parliament and subclause (6) gives emphasis to the independence of the office. Clause 26 sets out the specific conditions under which the Auditor-General can be removed from office.

The Bill provides formally for the first time for the establishment of an administrative unit to assist the Auditor-General in the discharge of his statutory responsibilities. Clause 25 gives the Auditor-General the powers and responsibilities of a Chief Executive Officer under the Government Management and Employment Act 1985 in the administration of that unit. Subclause (3) also gives the Auditor-General the flexibility to draw on resources outside the administrative unit where he is satisfied that:

(a) some particular expertise not available within the administrative unit is needed for the conduct of a particular audit;

(b) to do so is more efficient than to increase the resources of the administrative unit on a permanent basis.

Under existing arrangements the formal approval of the Governor needs to be obtained on each occasion that the Deputy Auditor-General is required to act as Auditor-General during the absence from duty of the Auditor-General. Clause 28 now dispenses with this requirement.

The proposed legislation also puts beyond doubt the Auditor-General's power to extend the traditional financial and compliance audit to incorporate the examination of public resources in terms of their efficient and economic use, an accepted practice both interstate and overseas. While the Auditor-General has not felt constrained by existing legislation in undertaking this expanded audit role, doubt as to his powers in this area has been expressed from time

to time. The Government has decided that any doubt about the matter should be resolved.

Clause 33 requires a public authority to report to the Auditor-General whenever it carries out all or any part of its functions in partnership or jointly with another person, or through the instrumentality of an agent, or by means of a trust. Accountability to the Parliament is achieved by enabling the Auditor-General to audit the accounts of such ventures.

Clause 36 requires the Auditor-General to report on the financial statements of each public authority and the financial position of prescribed public authorities and to include copies of those financial statements in his report to Parliament. Therefore, it is no longer necessary to have provisions relating to such reports in the separate Acts which govern the operations of these authorities. The Statutes Amendment (Finance and Audit) Bill will be introduced to remove the redundant provisions.

The remaining clauses in Part III of the Bill are self-explanatory. All, except clause 35, deal with the Auditor-General's power to obtain information, his requirement to report to the Parliament and his scope to charge an audit fee.

Finally, the Auditor-General is anxious that he not be seen to have an advantage over other agencies with respect to matters of accountability, efficiency and economy. Clause 35 puts an end to the Auditor-General auditing the accounts of his administrative unit and provides for an auditor registered under the Companies (South Australia) Code to do so. I would like the Parliament to be assured that the independence of the Auditor-General and the sensitivity of information involved in carrying out the proper function of his office will be protected fully and will not be affected by this change.

Clauses 1 and 2 are formal.

Clause 3 repeals the Public Finance Act 1936 and the Audit Act 1921.

Clause 4 defines terms used in the Bill.

Clauses 5 and 6 reflect the basic rule of common law that revenue of the Crown cannot be expended without the authority of Parliament. Clause 5 sets out the categories of money that must be paid into Consolidated Account. Paragraph *(e)* is a catch all that includes the Crown's recurrent revenue.

Clause 7: statutory authorities with close connections to the Crown are (in most cases) regarded by the law as the Crown in one of its various aspects. Statutory authorities have traditionally not paid their revenues into Consolidated Account and the provision will release them from that requirement.

Clause 8 provides for special deposit accounts. The provision is similar to section 36 of the Public Finance Act 1936. Section 36 allows special deposit accounts to be opened in respect of instrumentalities of the Crown as well as Government departments. In fact no special deposit accounts have been opened for the benefit of instrumentalities of the Crown. In the future special deposit accounts will only be opened in relation to Government departments. Subclause (5) requires that any surplus in a special deposit account at the end of a financial year be transferred to Consolidated Account.

Clause 9 provides for the establishment of imprest accounts. The purpose of an imprest account is to provide departments with money at short notice. Subclause (4) prevents such accounts being used as a method of by-passing parliamentary appropriation on a continuing basis.

Clause 10 solves a problem that occurs at the end of each financial year. Annual Appropriation Acts authorise the expenditure of money until the end of a particular financial year. It is common for cheques to be drawn before the end of the year under the authority of an Appropriation Act but not be presented or honoured before that time. This provision allows those cheques to be honoured after the end of the financial year.

Clause 11 provides for the investment of money by the Treasurer.

Clauses 12, 13 and 14 are almost identical to and fulfil the same function as section 32a of the Public Finance Act 1936.

Clause 15 is a provision that has appeared annually in Appropriation Acts for many years.

Clause 16 gives the Treasurer power to borrow on behalf of the State.

Clauses 17 to 20 inclusive repeat sections 32k to 32n of the Public Finance Act 1936. The term 'prescribed authority' in the existing provisions will become 'semi-government authority' and will comprise bodies of the kinds referred to in clause 17. The substance of section 321 (4) is not repeated in the new provisions. It is considered that such a provision affords a method by which an authority can avoid the requirements of the section.

Clause 21 provides for deposit accounts.

Clauses 22 and 23 provide for detailed statements to be supplied by the Treasurer and public authorities to the Auditor-General.

Clauses 24 and 25 establish the office of Auditor-General and provide for the assistance necessary to enable the Auditor-General to carry out his function.

Clause 26 sets out the grounds on which the Auditor-General can be suspended and the procedures to be followed on suspension.

Clause 27 sets out the circumstances in which the office becomes vacant. Under paragraph *(h)* Parliament can remove the Auditor-General. This applies whether the Governor has suspended him or not.

Clause 28 provides for the appointment of a Deputy Auditor-General.

Clause 29 requires the Auditor-General and the Deputy Auditor-General to make a declaration before Executive Council.

Clause 30 is a provision stated in general terms obliging persons to assist the Auditor-General or an authorised officer in carrying out their functions. More detailed powers are set out in clause 34.

Clause 31 requires the Auditor-General to audit the public accounts and the accounts of public authorities. When auditing the accounts of a public authority the Auditor-General is entitled to examine the efficiency and economy with which the authority uses its resources.

Clause 32 makes the accounts of publicly funded bodies subject to examination by the Auditor-General. A publicly funded body is defined in clause 4 to be a local council or a body using public money to carry out functions of public benefit.

Clause 33 empowers the Auditor-General to audit the accounts of a person who undertakes functions jointly with, or on behalf of, a public authority.

Clause 34 sets out detailed powers required by the Auditor-General to carry out his functions under the Bill.

Clause 35 provides for the independent auditing of the accounts of the Auditor-General's Department.

Clause 36 sets out the requirements for the Auditor-General's annual report to Parliament.

Clause 37 requires the Auditor-General to prepare a report where he is dissatisfied with the lack of efficiency or economy with which a public authority operates.

Clause 38 requires that the Auditor-General's reports be laid before both Houses of Parliament.

Clause 39 provides for the payment of audit fees.

Clause 40 requires the Treasurer to publish quarterly statements setting out the information referred to in the clause.

Clause 41 enables the Treasurer to issue instructions as to the form and content of accounts, records and statements and the procedures to be followed in the financial administration of public authorities.

Clause 42 constitutes the offences under the Bill as summary offences.

Clause 43 provides for the making of regulations.

The schedule deals with transitional matters.

The Hon. K.T. GRIFFIN secured the adjournment of the debate.

STATUTES AMENDMENT (FINANCE AND AUDIT) BILL

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

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill provides for certain amendments consequent on the Public Finance and Audit Bill 1986. First, the Constitution Act 1934 is amended by removing the necessity for warrants for payment of public money. Since under the Public Finance and Audit Bill 1986 money that has already been appropriated may be spent for purposes for which it was appropriated the need for a warrant from the Governor for the expenditure of that money becomes obsolete.

Secondly, a number of provisions in various Acts, relating to the audit of bodies established under those Acts by the Auditor-General have been amended. Provisions in these Acts relating to the transmission of an audit report to the relevant Minister and the tabling of the report by the Minister to Parliament are deleted. The Auditor-General (under the Public Finance and Audit Bill 1986) is required to include financial statements of these public authorities in the Auditor-General's annual report (see clause 36).

Clauses 1 and 2 are formal.

Clause 3 and clauses 5 to 12 amend various Acts to remove requirements for an audit carried out by the Auditor-General on bodies established under these Acts to be given to the relevant Minister and for those reports to be tabled in Parliament by the Minister. The Acts so amended are the Adelaide Festival Centre Trust Act 1971, the Electricity Trust of South Australia Act 1946, the Hairdressers Registration Act 1939, the Opticians Act 1920, the Pipelines Authority Act 1967, the State Government Insurance Commission Act 1970, the State Theatre Company of South Australia Act 1972, the State Opera of South Australia Act 1976 and the West Beach Recreation Reserve Act 1954, respectively.

Clause 4 removes the requirement for warrants for payment of public money to be issued by the Governor.

The Hon. K.T. GRIFFIN secured the adjournment of the debate.

ADJOURNMENT

At 5.1 p.m. the Council adjourned until Wednesday 11 March at 2.15 p.m.