LEGISLATIVE COUNCIL

Thursday 10 November 1988

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

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

PETITION: BOTANIC PARK

A petition signed by 46 residents of South Australia praying that the Council would request the immediate return of the area designated for a car park, located in the south-east corner of the Botanic Gardens, and would urge the Government to introduce legislation to protect the parklands and ensure that no further alienation would occur before the enactment of this legislation was presented by the Hon. I. Gilfillan.

Petition received.

PAPER TABLED

The following paper was laid on the table:

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

South Australian Centre for Manufacturing—Report, 1988.

QUESTIONS

ABORTION CLINIC

The Hon. M.B. CAMERON: I seek leave to make an explanation before asking the Minister representing the Minister of Health in another place a question about an abortion clinic.

Leave granted.

The Hon. M.B. CAMERON: Madam President, I refer to a recent article in the new newspaper *City Messenger* which refers to plans to set up a free-standing abortion clinic in the existing Child and Family Centre in Melbourne Street, North Adelaide. The article quotes a local medico as saying it was common knowledge in the medical profession that plans were afoot to convert the site at 271 Melbourne Street into an abortion clinic. It quotes the doctor as saying that the location was totally inappropriate as the clinic would be placed near a large number of medical practices, all devoted in part or *in toto* to the care of mothers and children. The doctor is quoted in a letter circulated to local businesses as saying:

> To place an abortion clinic amongst the practices . . . who are devoted to the welfare of children is nothing short of a macabre joke. Similarly, to have clients of such a centre faced with many pregnant women, babies and children is surely psychologically damaging.

Members might recall that earlier plans to establish an abortion clinic at Kermode Street near the Adelaide Children's Hospital fell through because of the public uproar about the insensitivity shown over choice of location. Similarly, staff at Adelaide's major public hospitals have shown a reticence to be involved in abortions and have progressively refused to participate in abortions on women more than 12 weeks pregnant for other than genetic or life threatening reasons. In view of the above my questions to the Minister are:

1. Does the Minister of Health support the concept of a stand-alone abortion clinic?
2. Has the decision been taken to establish such a clinic?
3. If so, is the clinic to be located in Melbourne Street, North Adelaide?
4. Following the concern being shown by people in the area, will the Minister reconsider the decision if such a decision has been made?

The Hon. BARBARA WIESE: I will refer those questions to my colleague in another place and bring back a reply.

MINISTERIAL STATEMENT: TUBERCULOSIS

The Hon. BARBARA WIESE (Minister of Tourism): On behalf of the Minister of Health I seek leave to make a statement.

Leave granted.

The Hon. BARBARA WIESE: This morning, Liberal MP Dale Baker claimed on ABC radio news that there was an outbreak of 14 cases of tuberculosis in Bordertown and that the State Government had indicated it would not respond to the problem until December. Mr Baker's claims were inaccurate and alarmist.

There has, in reality, been one case of active tuberculosis found at Bordertown: a 16-year-old school student. Public health authorities were notified of the case on 6 September. On the same day, the infected person was admitted to hospital for treatment. On the same day, the chest clinic sister contacted the school principal at Bordertown requesting him to immediately start compiling a list of all those who could possibly have been in contact with the infected student.

On 6 October an article was printed in the local paper to ensure that Bordertown residents were fully informed of the situation and to get a more comprehensive list of possible 'contacts'. When these usual and thorough preparations had been made, a public health team went down to Bordertown on 24 October to Mantoux test and chest X-ray all those people identified on the 'contact' list—about 350 in all.

Contrary to Mr Baker's claims that there have been unnecessary delays, this timetable is not regarded by public health authorities as being at all abnormal. An enormous amount of organisation always needs to be done before such a team can move in to do its work effectively. Of the hundreds of people who were tested at Bordertown, 30 were found to be 'silently' infected. It must be stressed that although these people have tested positive, they are not unwell, and they are not infectious to others. Within a fortnight a public health team will go down to Bordertown to work in conjunction with a local general practitioner to establish an effective management program for all those who are infected. They will be treated with a drug known as INH, which should eradicate the TB bacteria.

Again, Mr Baker has suggested that, because the chest clinic is not putting all its other commitments aside in order to commence immediate treatment in Bordertown, somehow people are being placed at risk. Let me repeat: these people are not infectious. They have tested positive, but they are not about to break out in active tuberculosis. It has been found that the infectious student was infected with TB bacteria in Malaysia several years ago. His condition went undetected. Not having received any treatment, he developed active tuberculosis seven weeks ago. After receiving treatment at the Royal Adelaide Hospital, the patient is now continuing treatment in Canberra, where his parents live.

Tuberculosis is a chest infection of public health importance. It is equally important that we keep the problem in rational perspective. There are 70 to 130 new cases notified

in South Australia each year. This is a remarkable improvement on the situation that prevailed at the turn of the century, when infection rates were 200 times higher. In South Australia, we provide mantoux testing to all year 9 students throughout the metropolitan and country areas, as a matter of routine.

EQUAL OPPORTUNITY IN COURTS

The Hon. K.T. GRIFFIN: I seek leave to make an explanation before asking the Attorney-General and Minister of Ethnic Affairs a question about equality of opportunity in courts.

Leave granted.

The Hon. K.T. GRIFFIN: From 3 October 1988 the Industrial Court is imposing charges on parties appearing in the Industrial Court and Commission for the use of interpreters. The Industrial Court says that it is imposing these charges because the Ethnic Affairs Commission is imposing charges on the court. According to the schedule of charges, the hourly rate between 8 a.m. and 6 p.m. Mondays to Fridays is $24.20 with a minimum rate of $72.60. On Saturdays and Sundays and after the normal working hours on weekdays, the hourly rate is $36.30 and the minimum $108.90. For public holidays the rate is $60.50 per hour with a minimum of $181.50. There are also cancellation fees ranging from $36.30 up to $90.75 if a request for an interpreter is cancelled within 24 hours of the day for which the interpreter was booked to attend. Travelling expenses of the interpreter must, according to the practice direction, also be paid.

The practice direction says that this interpreting service will apply only to the interpreting of sworn testimony 'and the only interpreters permitted to be used for such work are those under contract to the Ethnic Affairs Commission'. The direction is silent as to what is to be the position with less formal hearings and conferences. Several lawyers have drawn my attention to this matter, and one has written to the Attorney-General in the following terms:

> I have received notice of a Practice Direction of the Industrial Court No. 51 and dated 20 September 1988 issued by the Industrial Registrar concerning the levying of charges for interpreting costs.
>
> It is suggested that accounts will be issued monthly to the person or firm making the booking and will be charged at the hourly rate of $24.20, with a minimum fee of $72.60. In most Industrial Court matters, given the current practice which requires an interpreter at the proposed commencement time (that is 10.30 a.m.) when court matters are booked to start but very rarely do, it means an interpreter will be required for the whole of the first day of a case and probably part or most of the second day of a listed trial. This will result in the incurring of substantial expenses usually for no good purpose by the person making the booking, who will usually, of course, be the worker or his/her solicitors.
>
> I would suggest that these new arrangements are onerous and unfair on workers and applicants who for various reasons are not fluent in the English language and therefore require an interpreter to have their matters properly presented to the Industrial Court or Commission.
>
> This effects, in practice, an inroad into the services necessary to ensure that all persons are provided with equal and adequate representation before the courts and tribunals of this State.
>
> My submission is that this direction be rescinded forthwith as it is a retrograde and repressive step. Please give it your urgent attention.

There is a concern about the prohibitive costs which may be incurred by ordinary litigants in the Industrial Court seeking justice—for example, those people making workers compensation claims, wrongful dismissal claims, and many others. The imposition of the fees tends to suggest that if one cannot speak English fluently one's opportunity to appear and seek a remedy will be less equal than for those who can speak English fluently.

I should also add, to complete the picture, that about two years ago—I think it was in November 1986—the Attorney-General introduced a Bill to amend the Evidence Act, which was passed, to enshrine the right of a person to give evidence through an interpreter, where the witness is not reasonably fluent in English and whose native language is not English. My questions to the Attorney-General are:

1. Does the Attorney-General and Minister of Ethnic Affairs agree with the charges being imposed?
2. What steps will he take to have the imposition withdrawn?
3. Is this policy of charging interpreter fees to litigants to flow through to other courts and tribunals, and to agencies such as hospitals?

The Hon. C.J. SUMNER: Our policy is obviously designed to introduce some 'user pays' principle in relation to the provision of interpreters in this State. I should say that South Australia leads Australia in this respect. In fact, we are the only State in Australia that has passed legislation giving people of non-English speaking background a right to an interpreter in court. I recently attended a conference in Sydney on interpreters and the law; I was specifically asked to attend that conference and to address it—which I did—because the organisers of the conference were impressed and highly laudatory of the South Australian Government's approach.

The Hon. K.T. Griffin: We supported that.

The Hon. C.J. SUMNER: I was not being critical—I did not say that you did not support it. I was referring to the State of South Australia as a whole, a corporate entity, as we are, a collective of human beings and citizens. South Australian legislation leads Australia in relation to the rights to the provision of interpreters in our court system. We are unique. The conference was a few months ago, and it may be that some other States have caught up, but certainly at that stage we led the way.

That is the first point. Secondly, for workers compensation cases, for example, why is it that the taxpayer should pick up the cost of an interpreter when surely it ought to be the responsibility of the insurance company or the litigant?

The Hon. K.T. Griffin: It may be an unsuccessful case.

The Hon. C.J. SUMNER: That is all right. You are saying that the taxpayer should pick up the costs.

The Hon. K.T. Griffin: It may be that costs are not ordered.

The Hon. C.J. SUMNER: Madam President, am I entitled to finish my answer?

The Hon. R.I. Lucas: As long as you address the Chair and not the Opposition.

The Hon. C.J. SUMNER: I am trying to address the question, but members are interjecting. Am I entitled to finish the answer?

The PRESIDENT: Yes, but you must address the Chair.

The Hon. C.J. SUMNER: All right, I will address you, Madam President—you are better looking anyway. It is much better, I must confess. I do not know why I have not been doing it for the past 13 years—looking at the President.

The Hon. Diana Laidlaw interjecting:

The Hon. C.J. SUMNER: I thought Arthur Whyte was not too bad either.

The Hon. R.I. Lucas: I do not like your taste.

The Hon. C.J. SUMNER: The Hon. Mr Lucas says that he does not like my taste.

The Hon. R.I. Lucas: Not if you fancied Arthur Whyte.

The PRESIDENT: Order!

The Hon. C.J. SUMNER: I was asking why the taxpayers of South Australia should pay for the cost of interpreters when it is perfectly reasonable that the unsuccessful litigant pay those costs as part of the case? I am referring to the area of workers compensation. The unsuccessful litigant has to pay the cost of counsel, witness fees and many general costs including transcript fees, medical witness fees and the like. Why should not an interpreter assisting a witness also be paid as part of the costs? That, in the great majority of cases, may mean payment by the insurance company, if it is the unsuccessful litigant. If there are cases of hardship, the matter will be examined.

The Hon. K.T. Griffin: What about other areas?

The Hon. C.J. SUMNER: I was merely giving an example to explain to the honourable member the philosophy behind it. I will obtain a more detailed reply for the honourable member.

LOCAL GOVERNMENT ASSISTANCE

The Hon. L.H. DAVIS: I seek leave to make an explanation before asking the Minister of Local Government a question about Commonwealth financial assistance for local government.

Leave granted.

The Hon. L.H. DAVIS: In both 1986-87 and in 1987-88, local government in South Australia received Commonwealth general purpose financial assistance under the formula which guaranteed an increase over the previous year's allocation, based on the greater of either the increase in the consumer price index or the increase in Commonwealth general purpose payments to the State. That formula was modified in 1988-89, but South Australia received 8.789 per cent of total Commonwealth financial assistance to the States for the financial year 1988-89. However, in the next financial year 1989-90, I understand that Commonwealth financial assistance to local government will be based on a State's share of population as at the end of December 1988.

On my calculations South Australia's share of the nation's population at the end of this year will be only 8.51 per cent. I have been advised that this will lead to a dramatic reduction next year in Commonwealth funding to local government. In other words, instead of receiving 8.789 per cent of Commonwealth funds under the old formula, as was the case for 1988-89, local government—and that is the 125 councils in South Australia—will share only 8.51 per cent of Commonwealth funds in 1989-90.

In 1988-89 local government in South Australia received $57.35 million from the Commonwealth Government. Next year I am advised that there could be a cut of $750 000. This will impact particularly on smaller councils and could reasonably be expected to lead to an increase in council rates in many of the councils in South Australia, perhaps more particularly in country areas. Understandably, this cutback has been viewed with alarm and concern by many people in local government. My questions are:

1. Will the Minister confirm that there will be a significant cut in Commonwealth funds to local government in South Australia in 1989-90 as a result of the change in the formula for funding?

2. Does the Minister accept that South Australia's sluggish population growth will continue to impact adversely on the level of Commonwealth funding to local government in this State as a result of the change in the funding?

3. Will the State Government take any steps to reduce the pressure on local government following this change in the formula which could well mean that the ratepayers ultimately have to carry the burden?

The Hon. BARBARA WIESE: Local government in South Australia during the past two or three years has been significantly better off than has the State Government in respect of the Commonwealth funding that has been made available to the two levels of government, primarily owing to the fact that the Federal Government, for all intents and purposes, kept to the bargain that it had with local government about the funding arrangement that would apply for councils during the past couple of years but did not keep to the bargain that it originally had with State Governments about their level of funding. In fact, the State Government's financial position has been much more significantly affected by Federal Government economic decisions than has local government. The local government community in this State recognises that fact and certainly has not sought to highlight the point to any great extent because it recognises that it has been much better off.

The Hon. L.H. Davis: It was highlighted at its annual meeting.

The PRESIDENT: Order!

The Hon. BARBARA WIESE: But not in the press. It is not possible to make judgments about what might happen next year at this point. Certainly, representatives of the South Australian Local Government Grants Commission will be continuing their discussions with the Commonwealth Government, as will officers of my department, about future funding for local government. We would certainly hope to influence Federal Government decisions to maintain funding to local government at as high a level as possible. Clearly, we do not want local government in this State to suffer financially if it is avoidable.

I find it rather extraordinary to hear the Hon. Mr Davis, of all people, commenting on the economic sluggishness of the economy in South Australia since he, amongst all members of his Party, spends more time knocking the efforts of the State Government—

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: —to boost our economy and to promote projects for development that would provide jobs in this State that would not only allow people who are already resident in the State to find work but might also attract to the State people who would assist in boosting our population. That also seems to be one of the issues that he spends so much time on and may, in fact, be one of those things that the weekend press referred to as being the three press releases that he always keeps in front of him that he needs to keep referring to whenever he is talking to people.

It ill-behoves the honourable member to raise these matters in that context when there is never any support given by him, or some of his colleagues, to the attempts made in this State by the Government and various other people to boost economic development, and therefore to provide for population increases and employment opportunities that we need for our economy to grow and prosper.

However, returning to the issue of local government, as I indicated, the Government will be continuing its discussions with the Commonwealth Government. We will be doing all in our power to maximise the allocations made to local government in the next financial year and beyond. As always, we will support applications made by the Local Government Association in its attempts to achieve that.

The Hon. L.H. DAVIS: As a supplementary question, is the Minister able to confirm what I have been told by local government authorities, namely, that it will effectively mean

a slash of $750 000 off the 1989-90 Commonwealth allocation to local government in South Australia?

The Hon. BARBARA WIESE: I have already indicated that I am not able to inform the honourable member of the exact allocation for local government next year. It does not only depend on the sort of predictions that the honourable member was making. It also depends on negotiations that might take place between now and then. Until those discussions have occurred, and until we are in a better position to know what is happening in the next Commonwealth Government budget, I am not able to comment.

OPPOSITION ALLEGATIONS

The Hon. CAROLYN PICKLES: Is the Attorney-General aware of the attacks made on him last night in the grievance debate by the Hon. Roger Goldsworthy, and does he have any comment on them?

The Hon. C.J. SUMNER: I am aware of the renewed attack by the Liberal Opposition last night which contained further defamatory statements made about me under parliamentary privilege. Much of what else Mr Goldsworthy said is inaccurate and exaggerated.

In the light of the continued attacks by the Opposition I wish to advise the House that I have no intention of answering any more questions on this topic. The Opposition have had ample, indeed generous, time within which to ask questions and seek information. This included my offer to discuss and debate the matter with them for 36 hours outside the House during which time I promised not to sue either them or the media for anything they said, or any allegations they made. I was happy to do this in any media forum including a general press conference. Despite numerous requests from the media outlets, the Liberal Opposition were reluctant to accept any offer.

At the expiration of my defamation free offer which was unacceptable to, and not taken up by the Opposition, they returned to the privilege of the Parliament and continued their questions and attacks. On Wednesday evening Mr Goldsworthy made several more allegations against me that would be defamatory if said outside the House. The Westminster system of Parliament, which we should be concerned to support and respect, provides appropriate procedures for dealing with these matters in a proper manner to ensure fairness and natural justice to all members of Parliament.

If Opposition members want to continue these attacks on me, I suggest that they invoke the proper procedures of the Council and have the courage to test their position on the floor of the Council by a notice of motion, specifying the matters that they are alleging against me. I can then reply and let my parliamentary colleagues in this Chamber judge the merits of the case. I refer honourable members—

An honourable member interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: I refer honourable members in particular to Standing Orders—

The Hon. R.I. Lucas interjecting:

The PRESIDENT: Order! I have called for order, Mr Lucas.

The Hon. C.J. SUMNER: What do you know about this?

Members interjecting:

The PRESIDENT: Order! I suggest that interjections cease and that the Minister address the Chair.

The Hon. C.J. SUMNER: I refer—

The Hon. R.I. Lucas: That took the wind out of your sails.

The Hon. C.J. SUMNER: Are you going to continue to interject or not? I am not going to continue if he is going to interject; it is as simple as that.

The Hon. R.I. Lucas: Well, sit down then.

The Hon. C.J. SUMNER: No, I want to finish; if you stop interjecting, I will finish. I refer honourable members in particular to Standing Orders 193 and 214, and the general right of all members to move motions. If this does not happen, I regard this infamous chapter in the book of South Australian history closed.

SCHOOL CARETAKERS

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister of Tourism, representing the Minister of Education, a question about school caretakers.

Leave granted.

The Hon. M.J. ELLIOTT: Suggestions come forward from time to time that one way of solving the problems of vandalism and arson in schools is to have an on-site caretaker in some form. I recently had a telephone call from someone asking yet again about this matter. I have never seen any statistics on it. Has the Education Department looked at the question; has it prepared any statistical reports on such costs; and, if so, could they be made available to me?

The Hon. BARBARA WIESE: I will refer the question to my colleague in another place and bring back a reply.

MEDIA STUDIES CENTRE

The Hon. M.J. ELLIOTT: Has the Minister of Tourism, representing the Minister of Education, a reply to the question that I asked on 18 August regarding the Media Studies Centre?

The Hon. BARBARA WIESE: The Minister of Education has advised that the Media Studies Centre will be relocated to Plympton High School and is expected to be completed by the end of the fourth school term, 1988. The proceeds from the sale of the Barton Terrace site will contribute towards the cost of the relocation of school support units.

MEDIA SERVICES

The Hon. R.I. LUCAS: I seek leave to make a brief explanation before asking the Attorney-General a question about the National Media Liaison Service and media monitoring services.

Leave granted.

The Hon. R.I. LUCAS: In recent months there has been some controversy over the role of the Federal Government's National Media Liaison Service. The service has a staff of seven in Canberra and two in each of the capital cities, Darwin and Townsville. In a recent article in the *Australian*, Paul Kelly described it as the 'eyes and ears' of the Government in the States, and he said that its staff pump out Government propaganda and information, and monitor the media. He said:

> They are not supposed to be involved in Party campaign work, but they are.

One of the members of the National Media Liaison Service in South Australia is Mr Tom Loftus, who, most members would be aware, is a former press secretary to a Labor Government Minister. Some information provided to me indicates that some Bannon Government Ministers have

been receiving transcripts from the National Media Liaison Service. My questions to the Attorney are:

1. Has the Attorney-General or his office or indeed any other Bannon Government Minister or their officers received transcripts undertaken by the National Media Liaison Service?

2. If so, what are the full details of the arrangements with the National Media Liaison Service, and what transcripts are made available to the Bannon Government's Ministers or officers?

The Hon. J.R. Cornwall: How long ago is it since Tom Loftus was a press secretary?

The Hon. R.I. LUCAS: Some time ago; I said that.

The Hon. J.R. Cornwall: It is nine years.

The PRESIDENT: Order!

The Hon. R.I. LUCAS: 'A former'!

An honourable member interjecting:

The PRESIDENT: Order! I have called for order.

The Hon. R.I. LUCAS: Ms President, thank you. This is my final question:

3. What other media transcription services are available to Ministers of this Government and what is the annual cost of such services?

The Hon. C.J. SUMNER: Madam President, as far as I am aware, I have no specific information on the matters raised by the honourable member. I will refer them to the appropriate Minister and bring back a reply.

ENGLISH AS A SECOND LANGUAGE

The Hon. I. GILFILLAN: I seek leave to make a brief explanation before asking the Minister of Ethnic Affairs a question about the teaching of English as a second language.

Leave granted.

The Hon. I. GILFILLAN: Ms President, I attended a very worthwhile seminar this morning organised by the Community Relations Advisory Committee, which has been set up by the Minister. A conference this morning with the South Australians For Racial Equality (SAFRE) dealt with community relations in a multicultural society. Apart from hearing a very worthwhile address by Mr Elliott Johnston, we also had some working party study sessions. The one that I sat on dealt with education specifically, and the issue of the teaching of English as a second language (ESL) emerged as a major part of that discussion.

It so happens, Ms President, that today I also received in the mail a statement over the name of Alec Talbot about English as a second language, and I would like to quote briefly from that statement before asking the Minister the questions that I have in mind. Mr Talbot refers to a report by Joseph Lo Bianco to the then Federal Minister of Education, Senator Susan Ryan, in the publication *National Policy on Languages* in November 1986. The major points made by him include:

> According to the 1981 census, of the approximately 1.7 million people of non-English speaking background in Australia, 300 000 were unable to speak English or could not speak it well; 75 per cent of these had been in Australia for more than five years.
>
> Approximately 23 per cent of children enrolled in Australian schools in 1983 were of non-English speaking background; and 55 per cent of the children in need of specialist English as second language assistance in 1984 were not receiving it.
>
> Of the students recognised as requiring special assistance in English as a second language, 50 per cent had received specialist ESL activities for less than 11 per cent of their school time while 79 per cent had received specialist ESL activities for less than 26 per cent of their school time.
>
> Because of lack of sufficient specialist ESL support, many non-English speaking background students do not proceed far beyond the coping, or survival level in English and the goal of full potential is seldom attained.

I refer members to this letter because it goes on to quote Lo Bianco on how the lack of linguistic skills hold back the children who are in need of ESL teaching. In the same report, he recommends:

> The new arrivals component of the Commonwealth English as a Second Language Program ought to be expanded so that eligible students are able to participate for up to 12 months (instead of six) in intensive English and that the general support element ought to be expanded.

Mr Talbot says:

> What in fact did the Federal Government do in response to these recommendations which it had commissioned? Pleading poverty, it reduced the expenditure on the ESL program by about half and proceeded with the building of the new $1 200 million Parliament House. Since then it has maintained ESL assistance at the halved rate despite a budget surplus . . .
>
> The present Federal Government's public position is that it is in favour of increased migration without discrimination. In practice it is bringing in not only more migrants but more from Asia, particularly non-English speaking refugees. One would, in such circumstances, expect more money to be provided for ESL programs, not less.
>
> The tragedy is that not only do the individuals miss out but the nation as a whole is the poorer. It is nonsense to talk about a commitment to multiculturalism if there is little commitment to 'English for everyone' as a first priority.
>
> At the State level, there is also an apparent lack of resolve to meet the needs in ESL for children of migrant origin.

A further quote includes two questions in the letter, as follows:

> How can Australia become and remain a reasonably cohesive society unless there is a concept of the primacy of the English language at the same time as we promote multiculturalism and multilingualism?
>
> How can we as a nation share a national identity, national goals and a national vision of the future unless we can communicate with each other?

At the conference a most concerned teacher of ESL came to me and to the Hon Julian Stefani with the same problem. She is very concerned that the indication is—

The Hon. Carolyn Pickles interjecting:

The Hon. I. GILFILLAN: Perhaps I should learn Italian as a second language; I am prepared to accept that completely. The teacher was concerned that the Federal Government will cut off the funding for intensive teaching of English for those migrants who have been in Australia for more than five years and for migrants who are over the age of 55 years. If this is true, then the inference in the statement from Talbot was of course of great concern to the conference. Therefore, I ask the Minister whether he and the Government agree that more money should be provided for ESL programs. Is the Minister aware of the intentions of the Federal Government specifically in two matters that I have raised? Further, what action is the State taking on this issue vis-a-vis the Federal Government and on its own authority?

The Hon. C.J. SUMNER: Madam President, like many groups in the community, there is a desire and indeed a need for more funds. I would not wish to dispute that for one moment. There is no doubt about that. However, I would say that on the general question of support for the rights of minority cultures the Labor Party—at both the Federal and State levels—remains firmly committed to policies of multiculturalism. The State Liberal Party has also reaffirmed its support for policies of multiculturalism. However, it is true that the Federal Liberal Party has removed from its Federal ethnic affairs platform all positive references to multiculturalism. That is unfortunate and regrettable.

The Hon. L.H. Davis: You are talking about one word.

The Hon. C.J. SUMNER: No, I say—and you can check it and, if you think I am wrong, you can put another question to me next week—

The Hon. I. Gilfillan: I am not asking about Liberal policy.

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

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: I want to put my answer into a broad policy context.

Members interjecting:

The Hon. C.J. SUMNER: That is fair; there is nothing wrong with that.

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: The broad policy context is as I have just outlined.

The Hon. L.H. Davis: It's a red herring.

The Hon. C.J. SUMNER: It is not a red herring. The Federal—

The PRESIDENT: Order! These interjections will cease and the Minister will address the Chair.

The Hon. L.H. Davis: He has reneged on his promise.

The PRESIDENT: And I have called you to order, Mr Davis.

The Hon. C.J. SUMNER: Madam President, the reality (and I just repeat it for the record) is that the Liberal Party has removed all positive written references to multiculturalism from its Federal fighting platform. That is the context in which this matter must be considered. One would have to agree that, in general terms, there is a need for more funds for English as a second language activity and, probably, for other policies that come under the umbrella of multiculturalism. I know that the Hon. Mr Gilfillan would not be suggesting it, because he does not really have any interest in it, but if members opposite were to suggest that they would give more money to that area, one would have to go back to their policy to see whether or not that promise was likely to be fulfilled.

With respect to the honourable member's specific questions, the answer to the first is 'Yes'. The answer to the second question is 'No', as I recall what the honourable member said, and the answer to the third is that I will obtain information and bring back a reply.

The Hon. I. Gilfillan: Simply, has there been a cut in Federal funding for ESL?

The Hon. C.J. SUMNER: That is what I will obtain information about.

WILPENA DEVELOPMENT

The Hon. T. CROTHERS: I seek leave to make a brief explanation before asking the Minister of Tourism a question about the proposed Wilpena Station development.

Leave granted.

The Hon. T. CROTHERS: On the Philip Satchell program on the ABC the other day, I heard Stewart Cockburn, who is leading a campaign against the Wilpena Station resort proposal, say that the resort would generate up to one million visitor days per year. That seems to me to be an enormously high figure for this extremely fragile area. Will the Minister comment on that, and also on the claim that the proposed resort will be elitist; that it will cater solely for only the very wealthy?

The Hon. BARBARA WIESE: I, too, heard the statement made by Mr Cockburn on radio a couple of days ago, and I was most concerned about it because, from all the projections that I had read about proposed visitation to the Wilpena area as a result of the resort development, the figures had never been nearly as high as those mentioned during the course of that interview. So, I made a point of getting hold of the consultant's reports, etc, to check on what the projections had been.

It transpires that Mr Cockburn's estimates are out by about 300 per cent, which is pretty extraordinary and demonstrates his inability to grasp basic tourism statistics. It would appear from what he says that he has assumed a peak night's occupancy at Wilpena of some 3 000 people, which has been one of the projections, then multiplied that by 365 days making one million days per year. However, as any statistician would tell you, that is not exactly how it works. In fact, Pannell Kerr Forster did a study on projections for visitation should there be a resort development within the Wilpena area, and they predicted a peak occupancy by 1994 of 2 645 visitors on long weekends and weekends of school holidays.

Of course, they also recognised that the flow of visitors to that area of the State was likely to vary according to the seasons, etc, and off-peak visitor numbers would be considerably fewer. For example, they suggest that during June the numbers would fall to somewhere below 500, which is considerably short of the 3 000 visitors referred to by Mr Cockburn when he was being interviewed on radio. I believe that it is important, if there is to be a debate on this issue, that those people who are taking part in it, particularly those who are leading a campaign, should try to stick to the facts and not distort the information which is on the record and which is freely available for all to see, and should also try to avoid the sort of emotive style of writing in which Mr Cockburn has engaged in the papers in the past day or so, in putting his case on this issue.

As to the question of whether or not this resort will cater only for the very elite in our community, it should be placed on record that that also is absolutely untrue. It is only the cottage and hotel accommodation as proposed which would fall into the four star category and which might cater for people in our community who are a little more wealthy than others.

Eighty per cent of the proposed accommodation at the resort development falls into the budget family accommodation category. That would include camping and caravan facilities, cabin accommodation, and dormitory style accommodation for budget groups, special education tours and groups of that kind. It is not going to be an elite development: it will cater largely for Australian families who want to go to the Flinders Ranges in order to enjoy the things that are there to do and see. Australians as well as international visitors would be drawn to a place like this if we were to have the style of accommodation that is suitable for international travellers, who would then have the opportunity to participate in and enjoy the very special attractions we have to offer in the Flinders Ranges.

There is another point I wish to make about this campaign which seems to be developing and which is being spearheaded by Mr Cockburn, as evidenced by the petition in the paper a few days ago. One of the quite significant things about the group of people who signed their names to that petition was that many of them are people who are already well established in our community. They are people who have had the opportunities that our State and State economy have been able to give them in past years, so they are well established in careers or already retired, and are people who have had the opportunity to benefit from the things this State has to offer.

What we are attempting to do by promoting development of the kind proposed for the Flinders Ranges and various other parts of the State is to provide opportunities for employment of the younger generation. We cannot have an

economy that is stagnant, that is not going to provide employment opportunities, that is not going to allow us to reach our tourism potential, and it is about time that Mr Cockburn and many of the other people involved in putting that campaign together and signing that petition stopped thinking only of themselves, and stopped dwelling in the past, and started thinking about future generations.

If we were to listen to them and follow what they are seeking to promote, we would indeed be a State in which people like them can live in prosperity on their superannuation or whatever they have been able to generate over time, but the rest of us will be living in genteel poverty and will have children who will have to go interstate in order to seek employment, because people like them, and like many members of the Liberal Party, oppose any form of development which comes up in this State which might, in fact, provide the sorts of opportunities young people need.

Members interjecting:

The PRESIDENT: Order!

CLASSIFICATION OF PUBLICATIONS ACT

The Hon. J.C. BURDETT: I seek leave to make a brief explanation prior to directing a question to the Attorney-General on the subject of the Classification of Publications Act.

Leave granted.

The Hon. J.C. BURDETT: A Dr Judith Reisman, who had been studying the impact of erotica in *Playboy* and *Penthouse* magazines in the United States arrived in Australia recently to observe similar publications here. She purchased a September 1988 edition of *Australian Penthouse* at Brisbane Airport, and was horrified to find that it contained an article entitled 'The Schoolgirl', which contains a manual, in what my informant described as lurid, insensitive and disgusting details, of how to seduce a schoolgirl. I will not demean the Council by quoting from it. I can make it available to the Attorney-General for identification.

The article is headed 'Humour by Peter McDonald' but my informant described it as an extremely sick kind of humour. A copy of the same publication, carrying the same article, was purchased at a bookstall in Rundle Mall. The publication is unrestricted and was not contained in a wrapper. I understand that a Commonwealth classification usually applies by virtue of section 14 of the Classification of Publications Act, as a classification pursuant to a corresponding law. However, it is quite clear from section 14 (3) that the South Australian Board can apply its own classification if it wishes. Section 12 (3) of the Act provides that the board shall have due regard to the views of the Minister. My questions to the Attorney-General are:

1. Will the Minister monitor this publication?
2. Will he, if he thinks fit, bring it to the notice of the board?
3. Will he, if he thinks fit, express to the board his view, as contained in the Act, on this kind of publication?

The Hon. C.J. SUMNER: The answer to the first question is 'No'. The answer to the second question is that I will refer the honourable member's question to the board for any action that it considers appropriate. That means that the board will be able to make a decision as to whether or not any different classification should be given to the publication *Penthouse*. As to the third question, I do not know, because I am not aware of the publication at this stage.

The Hon. J.C. BURDETT: As a supplementary question, Madam President, if I make the publication available to the Minister—as I said in the course of my explanation—will he then give consideration to expressing his view to the board, if he thinks fit?

The Hon. C.J. SUMNER: I am certainly happy to receive a copy of the publication from the honourable member. However, it is not in respect of every publication that the Minister is called on to express a view. If the Minister did that, it would probably make the system somewhat unwieldy. Obviously, the Minister expresses a view about a publication where he feels that that is in the general public interest, the Minister in our system of parliamentary democracy being a representative, in a broad sense, of the public interest as pertaining to his portfolio. As I have said, that would occur if a Minister felt that it pertained to a particularly important public interest that had been identified. However, I am certainly happy to receive the publication from the honourable member, and not only refer it to the board but give it my consideration.

REPLIES TO QUESTIONS

The Hon. BARBARA WIESE: I seek leave to have the following answers to questions inserted in *Hansard*.

Leave granted.

TRAINEE DOCTORS' DISPUTE

In reply to the **Hon. M.B. CAMERON** (10 August).

The Hon. BARBARA WIESE: The Minister of Health has supplied the following information in response to the honourable member's questions. The review found that:

- Trainees were rostered on duty or did non-rostered duty for an average of approximately 55 hours/week exclusive of proximate call.
- Less than 50 per cent of trainees are involved in proximate call rosters at any particular time.
- The award provisions were not breached to any significant extent.
- A feature was the wide variation of the hours of duty of the trainees within each hospital.
- It identified a significant payment of overtime and suggested that consideration needs to be given to the use of this resource to extend the employment base and therefore reduce the hours worked.
- A significant amount of non-rostered duty was performed in some hospitals.

No deadlock exists between the hospitals and their trainees. Negotiations have resolved most of the issues. Steps are being taken to employ as many medical practitioners as possible to reduce the hours worked by trainees, especially at the Lyell McEwin Hospital which has a significant vacancy factor.

Vacancies in established trainee medical officer positions have existed from the start of this training year (that is, February 1988) despite the fact that South Australia has the highest number of medical practitioners per head of population in Australia. Advertising on a regular basis both intrastate and interstate has failed to attract applicants. This is the first time for many years that health units have not been able to fill trainee medical staff positions at the start of the year. This fact is a major contributor to the current shortage of trainee medical officers.

The South Australian Health Commission and the South Australian Salaried Medical Officers Association have recently established a working party to review the South Australian Medical Officers Award. The working party will

also develop guidelines that can be promulgated to health units to ensure uniformity of definition and application of the award provisions. Paramount in these discussions is the need to ensure the highest quality of care for the patients, as well as the welfare and training needs of the medical staff.

Hospitals will be required to expand their employment base to enable a reduction in trainee medical officers' working hours and the provision of relief for leave periods. This is unlikely to occur until the commencement of the 1989 training year due to the unavailability of medical practitioners.

FLINDERS MEDICAL CENTRE

In reply to the **Hon. M.B. CAMERON** (23 August).

The Hon. BARBARA WIESE: I am advised by the Minister of Health that the Executive Director of the South Australian Health Commission's Metropolitan Health Services Division, Dr David Blaikie, contacted Flinders Medical Centre and discussed the allegations with the centre's administration and with the Director of the Accident and Emergency Department. Following these discussions, Dr Blaikie was satisfied that the three patients concerned were properly assessed and had received appropriate treatment.

Dr Blaikie asked Flinders Medical Centre to contact the three patients to gain permission to have details of their attendances, medical condition and treatment released.

The three people were contacted by telephone by a staff member of Flinders Medical Centre (two patients were contacted on Friday 19 August, and the third on Monday 22 August). They indicated that they did not want to have any details released for the purpose of parliamentary discussion. At no time during these telephone discussions was this aspect pursued. It was clearly stated that the decision was theirs. The purpose of the telephone call was clearly explained, namely, that the centre was making contact to seek their consent for the release of information, in accordance with normal patient confidentiality guidelines.

In all instances, routine protocol was followed in order to protect patient confidentiality. Medical information of any kind cannot be released without the patient's consent. It is the hospital's responsibility to honour patient confidentiality even if patients choose to make public statements about themselves. To talk of funding cuts to Flinders Medical Centre and, in the same breath, to refer to cuts of $7.8 million last financial year as the member did in the preamble to his question is just plain mischievous.

The Flinders Medical Centre received a budget allocation of over $85 million this financial year and is required to make a contribution of $385 000 or .45 per cent of its total budget towards increased salary and wage costs associated with the 4 per cent second tier salary and wage rise.

Not only is $385 000 a small amount from a budget of over $85 million, but the centre has also received some $2.4 million in the past two years specifically for the treatment of people on booking lists. Medical equipment totalling $610 000 will also be specifically funded by the South Australian Health Commission in 1988-89.

MODBURY HOSPITAL

In reply to the **Hon. M.B. CAMERON** (6 September).

The Hon. BARBARA WIESE: The Minister of Health has advised that X-ray services at Modbury Hospital are available on a 24 hour, seven day a week basis. Doctors in the hospital are able to 'read' the X-rays and detect obvious abnormalities. Specialist radiologists and/or radiology trainees are on duty or on-call at all times in all teaching hospitals. All X-rays are reviewed by a specialist radiologist within 24 hours as a matter of course to ensure no abnormalities remain undetected.

ASER PROJECT

In reply to the **Hon. J.F. STEFANI** (8 September).

The Hon. BARBARA WIESE: The Premier has advised that the South Australian Superannuation Fund Investment Trust has explained in its 1986-87 and 1987-88 annual reports its expected short-term and long-term commitments to the ASER project. In addition, Mr Weiss, the Chairman of the trust, has provided answers to the Estimates Committee in 1987 and 1988 on these questions.

RESIDENTIAL CARE WORKERS

In reply to the **Hon. DIANA LAIDLAW** (25 August).

The Hon. BARBARA WIESE: My colleague the Minister of Community Welfare, advises that the advertisement cited by the honourable member specified that casual residential care workers were being sought for community-based units only and not secure care centres (that is, SAYTC and SAYRAC). Staff discussions around the use of casual relief staff have centred on the special security and safety requirements of SAYTC and SAYRAC and have never precluded the use of casual staff in community-based units.

The Hon. C.J. SUMNER: I seek leave to have the following answers to questions inserted in *Hansard.*

Leave granted.

BROTHELS

In reply to the **Hon. K.T. GRIFFIN** (12 October).

The Hon. C.J. SUMNER: The Minister of Emergency Services has provided me with the following answer:

The Commissioner of Police has advised that the police do not have a selective enforcement policy for either the laws relating to brothels or the brothels themselves.

ROCCO SERGI

In reply to the **Hon R.I. LUCAS** (12 October).

The Hon. C.J. SUMNER: The Acting Crown Prosecutor, Mr Paul Rofe, has recommended that no appeal be instituted against the sentence imposed upon Rocco Sergi. He has advised me that Sergi was involved at the lowest level only, namely as a gardener and nominal lessee. He was not involved in the planning or organisation, has no previous convictions, and pleaded guilty. It is also noted that he is to be deported on completion of his sentence. In the circumstances he has advised me that a Crown appeal on sentence would not be successful.

NURSING QUALIFICATIONS

In reply to the **Hon. J.F. STEFANI** (24 August).

The Hon. C.J. SUMNER: The Minister of Health has provided me with the following answer.

1. There is no such discrimination. The South Australian Health Commission's policy recognises that where feasible the employment of bilingual health professionals and other staff is the most efficient and effective way of overcoming the language barrier in order to achieve equitable access to health services.

Examples of action following this policy are as follows:

- Three migrant nurse bridging programs. A fourth is to commence at the SACAE (Sturt Campus) for 20 people in September 1988.
- Special 'non-English speaking background only' nurse intakes have also occurred at the Queen Elizabeth Hospital and the Royal Adelaide Hospital.
- The South Australian Health Commission has been actively involved in making both general nurse training and practice relevant to all South Australians.
- Migrant Health Unit has also specifically encouraged acceptance of migrant nurses to tertiary training.

If the names of the nurses alluded to in the question could be forwarded to the Migrant Health Unit, South Australian Health Commission, then particular assistance to those seeking work could be assessed.

2. The short answer to this question is that the South Australian Health Commission does not have the role of accreditation of overseas qualifications, in particular of nursing. Overseas trained nurses have their qualifications assessed by the Australian Nursing Assessment Council, which is a subcommittee of the Commonwealth's Council on Overseas Professional Qualifications. Final accreditation is the responsibility of the Nurses Board of South Australia.

However, as the major employer of nurses the South Australian Health Commission has an obvious interest in the issue and has therefore been active in proposing improvements to the accreditation process. In 1987 a South Australian Health Commission committee on overseas qualifications forwarded a proposal to the Executive of the commission. The proposal supported a practice based and assessed bridging course and funding for such a course and scholarships. The proposal was endorsed in July 1987 subject to funds being available.

A consequence has been acceptance of a practice based course, 'The Migrant Nurse Bridging Program', by the Nurses Board and funded by the Department of Employment Education and Training. Administrative support placements and 'housing' the program were provided by the South Australian Health Commission.

ISLAND SEAWAY

In reply to the **Hon. PETER DUNN** (8 September).

The Hon. C.J. SUMNER: The Acting Minister of Transport has provided me with the following answer:

The subsidy rate paid to the operator of the vessel is reviewed once per year. There are many factors which will influence the amount per tonne paid to the operator including the tonnes of cargo carried and the estimated level of net costs incurred by the operator on all voyages. When the subsidy rate is reviewed in 1989, the estimated level of subsidy will then be considered along with funding of roadworks in the normal budget process.

FOREIGN EXCHANGE LOANS

In reply to the **Hon. PETER DUNN** (24 August).

The Hon. C.J. SUMNER: I refer to the question asked on 24 August 1988. The Treasurer has provided me with the following answer:

1. No.

2. The State Bank has a well established policy of advising against foreign currency borrowing unless the borrower has a cash flow in the same currency to service the interest and principal repayments.

On the few occasions that foreign currency loans have been approved for non-corporate entities it has generally been at the insistence of the borrower. The risk of such borrowings are fully explained, including a requirement by the bank for an acknowledgement by the borrower that a right is reserved to convert the loan back to Australian dollars in the event of currency depreciation creating a shortfall in loan to security coverage.

As a matter of policy the bank does not give 'advice' to non-corporate customers on foreign currency matters; however, it is prepared to indicate trends and expectations in the normal course to assist borrowers in making their own decisions.

3. The bank has found it necessary from time to time to re-convert foreign currency borrowings to Australian dollars as a result of currency devaluation and the inability of the borrower to provide top-up security. These loans have:

- been refinanced elsewhere,
- been repaid through sale of assets by the borrower, or
- been continued as Australian dollar denominated loans.

On no occasion has the bank demanded any special undertaking or arrangement forbidding disclosure to third parties and the bank has no intention now or in the future of entering such arrangements.

FIREARMS REGISTRATION SYSTEM

The Hon. R.J. RITSON: I wish to obtain an answer from the Attorney-General which he does not know he has but which was delivered to me by the Deputy Premier about half an hour ago. I indicate that if I pass the reply to the Attorney-General he can obtain leave of the Council to have it incorporated in *Hansard*. This will indeed minimise the Committee stage of the Bill to which this matter relates.

The Hon. C.J. SUMNER: I seek to leave to have inserted in *Hansard* without my reading it a reply to a question asked by the Hon. R.J. Ritson on 11 February 1988 on the firearms registration system.

Leave granted.

Dear Mr Ritson

I refer to your question in the Legislative Council on 11 February 1988 concerning the firearms registration system and advise as follows. The Firearms Act 1977 came into operation on 1 January 1980. This Act requires a person to be the holder of a current licence of the appropriate class in order to have a firearm or firearms in his/her possession. The owner of a firearm is also required to register the firearms in his/her possession.

To permit a smooth transition from the Firearms Act 1958 and Pistol Licence Act 1929-71 to the new legislation, applications for licences of all classes were received at police stations from 1 December 1979, and these applications included a page for recording of any firearms owned by the applicant. The firearms listed by the applicant during the 'take-on' period were included on the automated index system without fee.

Although applicants were encouraged to produce any firearms they owned at the time of making their application there was no compulsion for them to re-register their firearms under the new Firearms Act. Section 4 (2) of the Firearms Act 1977 states:

Any firearm registered under the repealed Firearms Act immediately before the commencement of this Act shall be deemed to have been registered under this Act.

As section 4 (2) of the Firearms Act 1977 has never been amended, firearms registered under the repealed Acts are still deemed legally registered under the current Firearms Act. Firearms registered prior to the 1977 Act were recorded on a manual card index system. The card index system must be retained as a record of these legally registered firearms.

Efforts have been made to cull cards from that card index when firearms are registered on the current computerised record system. However, there are approximately 200 000 firearms recorded on the card index which has been kept for over 50 years and was the active record until December 1979.

The Commissioner of Police has estimated that there were between 250 000 and 300 000 firearms registered on the card system prior to 1980. By 30 April 1981 some 247 993 had been registered under the current Firearms Act and included on the automated index system. The discrepancy in figures would therefore probably be less than 50 000. It should be recognised that this figure is an approximation. The Commissioner advises that the exact number of owners who have previously registered firearms but have not applied for a licence under the new regulations cannot be accurately assessed.

The Commissioner of Police has advised that a significant effort in terms of staff time would be required to follow up each registration included on the card index system with a house call as suggested in your question. The Commissioner further advises that as an alternative the Act may be amended to require persons whose firearms are registered on the manual index system to re-register the firearm on the automated system. This in effect would require the reversal of the deeming provision (section 4 of the Act) detailed above. Recommendations to this effect have been made both to the former Liberal Government and the current Government. As these recommendations have not been adopted the Police Department has not sought funding to resolve this issue. I am, at this stage, not inclined to accept the recommendation as it seems to involve the application of retrospectivity in a situation where individuals would have expected the Parliament to have once and for all time determined their status.

The select committee which considered the Firearms Act Amendment Bill recognised that despite its utility the registration system has flaws in its accuracy. Accordingly the select committee recommended that the Registrar of Firearms cause a review to be undertaken into the registration system with a view to improving its accuracy and maximising its operational benefits. The Commissioner has expressed the view that it would be desirable to transfer authenticated manual records to the computer file. No doubt the Commissioner will further consider this issue in undertaking the review recommended by the select committee.

It should also be noted that the Commissioner is of the view that the present proposals do not impinge on the previously agreed privileges granted to firearms clubs. I strongly share this view.

Yours sincerely, (signed) D.J. Hopgood, Deputy Premier and Minister of Emergency Services, 10 November 1988.

MEMBERS' BEHAVIOUR

The PRESIDENT: Before I call on the business of the day, I would like to state that the behaviour in this House in recent days has not been what I consider to be acceptable. When important issues are before Parliament, such behaviour is not conducive to proper consideration of parliamentary business. I have said on many occasions that repeated interjections are out of order. There are some members who, nevertheless, continually ignore my requests for proper decorum in the Chamber. I wish to indicate that I expect standards of behaviour to improve in the remaining weeks of this session. I shall have no hesitation in naming members who persistently interject and, by their behaviour, demean the institution of Parliament. I can but remind members of their responsibilities to the Parliament and the people of South Australia. I now call on the business of the day.

AUSTRALIAN FORMULA ONE GRAND PRIX ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 9 November. Page 1378.)

The Hon. K.T. GRIFFIN: This Bill was received by the Legislative Council on Tuesday evening and read a first time after debate in the House of Assembly on Tuesday, both during the afternoon and in the evening. The second reading of this Bill in the Legislative Council was dealt with towards the end of last evening's sitting. The Leader of the Opposition in another place put clearly on the record that the Opposition supports the general thrust of the Bill in the sense that we are prepared to facilitate the consideration of the Bill in respect of those matters which are required to be amended and which are essential for negotiations by the Government with the Formula One Constructors Association and Mr Eccleston in order to arrange for the extension of the period for which South Australia is to stage the Grand Prix.

Some matters in the Bill do not appear to be related to the discussions and negotiations, and we wish to explore them in more detail. The record of support for each of the Bills that have come before Parliament on the three occasions previously since 1984 is clear. We support the Grand Prix and, whilst questioning the Government on aspects of those Bills—the principal Act, two subsequent amending Bills and now this one—we have nevertheless supported the Bills. I suppose the questioning has been somewhat irritating to the Premier as it has been directed towards clarifying issues that are relevant to the interests of citizens and property owners.

For example, we have been anxious to examine the fine print and consequences surrounding the reference in the principal Act and subsequent amending Acts to business names. We have been concerned to ensure consistency between the rights of the South Australian Government or the Crown (to put it in a non-political context) under South Australian law and the provisions of the Federal Copyright Act which, of course, extends across Australia and overrides any South Australian legislation that might be in conflict with it in respect of the recognition of names. We have also been anxious in that context to protect established rights.

Members will recall that in one of the amending Bills there was to be initially a retrospective application of a prohibition against the use of certain names, when already there had been a substantial amount of expenditure by a variety of businesses printing T-shirts and other material of a souvenir nature whilst complying with various orders from the retailers of souvenirs. Until we raised that issue in the context of that piece of legislation, great prejudice would have been done to business people of South Australia

who had acted in good faith on the basis of what was then the law in promoting certain aspects of names associated with the Grand Prix. As a result of our raising that issue, amendments were accepted by the Government recognising the rights of those persons and removed the retrospective application of that provision.

We have been concerned to explore what are, in effect, temporary compulsory acquisition powers, particularly in relation to private property surrounding or part of the Grand Prix course and arena. The impinging upon individual property rights by such a piece of legislation has serious ramifications in terms of civil liberties and individual rights. We have been anxious to ensure that as far as is possible these rights are protected. In general terms the level of complaints in relation to the fencing of and access to properties has diminished as the Grand Prix Board has developed its expertise and become more sensitive to its need to communicate with particularly those persons in the vicinity of the Grand Prix track and environment and realised that it must be on good relations with them.

I notice that in the *City Messenger* published yesterday a comment was made about the issuing by the Grand Prix Board of plastic wristbands to various business people whose properties have been fenced, to allow access to the premises during the period that the fences are erected. Those wristbands take the place of plastic passes and have to be worn 24 hours a day and cut off to remove them, after which they are no longer usable. The comment in the *City Messenger* relates to the impact upon those businesses of this course of action and the status of clients and visitors to those premises. That, hopefully, is a matter that the Grand Prix Board will address for future Grand Prix as it is one of the issues we originally addressed in relation to the wide power that the Government is given under the principal Act to make a declaration for a period of no more than five days in any year for the effective compulsory acquisition on a temporary basis for the purposes of the Grand Prix.

We have also been concerned to draw attention to some deficiencies in the earlier pieces of legislation with respect to the application of the Road Traffic Act and the Motor Vehicles Act, particularly in relation to parts of the track which are public roads and which are open for periods of peak traffic before being closed again. Members may well recall that I raised the issue of the applicability of the Road Traffic Act and the Motor Vehicles Act, particularly where the principal Act had previously provided that, when the declaration of the five-day period had come into operation, the operation of the Road Traffic Act and Motor Vehicles Act had been suspended. That included the period during which parts of the track were open for the purpose of allowing peak hour traffic to enter the city and dissipate at the end of the day.

They are some of the issues which we have raised in the past and which I submit to the Council have been raised quite properly in examining the fine print of the Bills and the consequences which might flow. These issues were not raised in any critical context but in the context of endeavouring to achieve a proper balance between the necessity, on the one hand, for the Crown to have particular powers for this event to be staged and, on the other hand, the rights of ordinary citizens. We will approach this Bill in the same way. I believe that that was adequately demonstrated by the Leader of the Opposition in the other place and during the course of this Bill's Committee consideration in the House of Assembly where a number of issues were raised, subsequently the Bill being passed.

However, not all the issues were adequately answered and I want to address those issues during the Committee stage of the Bill in this Chamber. There is one aspect that does concern me, that is, that members of the Premier's staff were peddling to the media that the Opposition was seeking to defeat the Grand Prix legislation. That sort of activity was outrageous. In effect, it was the peddling of lies because there was no way the Opposition would reject the Bill or even hinder its passage through the Parliament. The Premier's staff had been working at a pace faster than a Grand Prix car to distort the facts and to peddle the lie that the Opposition was being obstructive rather than cooperative on this issue.

I again put the Opposition's position clearly on the record, that we support the conduct of the Grand Prix. We are entitled, as an Opposition, to address the consequences of legislation and activities of the Grand Prix Board. We cast no reflection on the Grand Prix Board which, as was mentioned in the other place, has been the recipient of a number of prestigious awards in relation to its conduct of the Grand Prix. We raise our questions only in the interests of ensuring that all the consequences of the legislation have been fully considered and that if amendments are necessary they are appropriately addressed.

In the House of Assembly the Premier was asked for the letters of intent that were signed and exchanged between him and the *Federation Internationale l'Automobile* (FIA). In the House of Assembly the Premier said that he had released those letters of intent in London while he was there earlier this year. The actual letters had not, in my recollection, been published, at least by the media, but what I would hope is that before we embark on the Committee consideration of the Bill the Attorney-General might be able to obtain copies of those letters so that the Council can be fully informed of their content. As I understand the matter, the Premier indicated that the essence of the letters of intent was that there would be negotiations for an extension of the period of time for which South Australia could hold the Grand Prix and that, at the stage of those negotiations, the offer was for a further three years beyond 1991, but that the Premier was seeking to negotiate a longer period of time.

The Premier also indicated, in answer to a question, that new rules had been promulgated by the FIA in relation to the conduct of the Formula One Grand Prix events. He indicated, when introducing the Bill in the other place—and it was repeated by the Attorney-General here—that the amendments to the legislation are necessary to comply with those additional technical requirements. In answer to a question by Mr S.J. Baker, the member for Mitcham, about whether the Premier could release a copy of the new rules that were agreed with the FIA, the Premier said:

> The FIA publishes a manual of requirements for Grand Prix operators but it is not my document to release. Indeed, I do not know that it is in the public domain. It has been formulated by the FIA as part of its requirements. It is a technical document that must be complied with by the Grand Prix Board and it is not our property to publish.

Later the Premier went on to say that the fee is at the core of the contractual arrangement with the Formula One Constructors Association (FOCA). Therefore, it is not clear exactly how much of this Bill is essential to conform with the FIA rules or manual of requirements, and I interpreted the Premier's comments to mean that he would further consider the question of whether or not that manual could be made available to the Opposition. If that is a misinterpretation of his comments, I would like to ask, before we proceed further on the matter, whether the Attorney-General will inquire whether or not that manual could be made

available, or otherwise identify those areas of the Bill which are directly required by the new FIA manual of requirements for Grand Prix operators.

In answer to a question by the Leader of the Opposition as to when this legislation must be proclaimed to allow the letters of intent to have effect, the Premier said:

Quite clearly, any contract which is signed cannot have effect until the legislation is proclaimed because any contract that is worth writing will extend beyond the period of the Act. The Bill was introduced last Wednesday and we anticipate that it will pass this House today—

that is, Tuesday—

or that is the way in which the week's program has been constructed. It has taken a little longer so far and one hopes that it will pass in this place and can then go before the other place this evening and be placed on its Notice Paper. I hope that the other place will be able to deal with it, if not this week then during next week, so that by the end of next week the Act will be in position. The proclamation depends on the Governor in Executive Council so once the Act is in position the contracts can be arranged. I hope that we can deal with this Bill with some dispatch so that we know where we stand.

Subsequently, it was clear that the Premier would like to have the Bill through both Houses by Thursday of next week. Therefore, in that context, and in the circumstances that I need a little more time to consider some of the more technical aspects of the Bill, I would like to conclude my remarks next Tuesday. I can give a clear commitment to the Attorney-General that the matter will be resolved by Thursday of next week and that we certainly have no intention of hindering the consideration of the legislation and its enactment. In those circumstances, I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

TRAVEL AGENTS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 9 November. Page 1381.)

The Hon. K.T. GRIFFIN: Although this Bill is an Attorney-General's Bill, it was introduced in another place, I presume because it did not have enough work to do. However, I have had a chance to consider this relatively minor Bill. The principal Act, which was passed in March 1986, provides, as everyone knows, for a uniform scheme of regulation of travel agents in South Australia, New South Wales, Victoria and Western Australia. Much of the Act came into operation in February 1987. Other parts came into operation on 1 July 1987, and other parts have not yet been proclaimed because they were inconsistent with the terms of the trust deed which regulated the travel compensation fund created under the scheme.

As I understand it, the trust deed has been revamped. It is now no longer in accord with the Act. Of course, that means that the Act will have to be amended. Therefore, this Bill seeks to bring the Travel Agents Act into line with the trust deed which provides for the indemnity fund to compensate consumers who are caught by a defaulting travel agent.

There is a provision by which the trustees of the fund will determine the suitability of a person to be a member of the fund, and that must be determined before an application is made for licensing. Therefore, to some extent, the trustees do determine the eligibility for licensing. However, on the other hand, there is a right of appeal to the Commercial Tribunal from the decision of the trustees. In that context, I see no difficulty with the way in which it is structured.

I do not want to hold up the consideration of the Bill. However, at some stage, I would like to ask the Attorney-General if he would be prepared to make available to me a copy of the trust deed as it now applies. I support the second reading.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Interpretation.'

The Hon. K.T. GRIFFIN: In my second reading contribution I said that I did not want to hold up the consideration of this Bill. I am happy for it to pass because I understand from the second reading speech that it complies with the trust deed. However, I ask the Attorney-General if he would at some stage be prepared to make available to me a copy of the up-to-date trust deed.

The Hon. C.J. SUMNER: I will be happy to provide that to the honourable member.

Clause passed.

Remaining clauses (3 to 6) and title passed.

Bill read a third time and passed.

STATE TRANSPORT AUTHORITY ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 November. Page 1299.)

The Hon. K.T. GRIFFIN: Mr Acting President, I draw your attention to the state of the House.

A quorum having been formed:

The Hon. M.B. CAMERON (Leader of the Opposition): The Hon. Mr Griffin has already spoken on this Bill and drawn members' attention to some areas of concern. I understand that he is having some amendments drawn up. This Bill comprises nine clauses. As has been indicated, the Opposition supports the bulk of the Bill. However, we will move amendments to some clauses, and there will be some questioning in the Committee stage The Opposition is opposed in principle to the formation of companies as an extention of the arm of the State Transport Authority. We are concerned for the reason that the STA is already a corporate body and we see no reason, since it has that status under the Act, to set up a subsidiary company.

The second area with which the Bill deals is the extension of the STA's ability to acquire land other than for the establishment, extension or alteration of the public transport system. It has been suggested that the building of a car park may be outside its original statutory guidelines and that this new clause would enable it to extend its role in new areas related to the transport system, if desired. That does concern the Opposition, and we will be asking for some information to be given in relation to this matter of whether or not the need exists.

One clause deals specifically with the STA's having the power to prosecute more readily those who offend against the system by cheating. Obviously, the Opposition does not wish to support anyone who does not pay their fare or who attempts to abuse the system deliberately, mixing up the system, as happened in many instances when the Crouzet system was first introduced. We do not support that action and, consequently, we support this clause. However, a reverse onus of proof provision is proposed. That certainly is a matter that needs to be looked at very closely.

I turn now to the expiation of fines. These offences will now be treated as summary offences. The authority will be given the discretion to extend the period fixed for the

payment of expiation fees. In the second reading explanation, it was stated that the Minister should have the right to double expiation fees, but I would be interested to hear the justification for that. The clause also indicates that the authority would have the power to reduce the amount of the expiation fees. Although we support the concept of expiation fees, we oppose the authority's being given this amount of flexibility. The courts should have the discretion of flexibility, and I understand that the Hon. Mr Griffin is considering amendments on that matter.

I now refer to the clause that deals with regulations, specifically with the Minister's power to regulate in relation not only to premises of the authority but also to vehicles under its control. We support this provision because there is no doubt that, if there are disturbances in or around railway stations, or if people break the law, they cannot be touched because this authority does not have that power. If it does not, it should be granted that power.

The final clause deals with statute law revision amendments carried out principally by Parliamentary Counsel when they considered amendments to the Act. This tidies up the language and transitional and commencement provisions. I understand that some amendments will be moved; they have already been alluded to by the Hon. Mr Griffin. In essence, the Opposition supports the Bill, although with some reservations, which will be shown up in the amendments that will be proposed by the Hon. Mr Griffin. I support the Bill.

The Hon. J.F. STEFANI secured the adjournment of the debate.

BOATING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 November. Page 1301.)

The Hon. R.J. RITSON: The Opposition supports the second reading of the Bill, which contains a number of eminently sensible propositions, matters such as the ability to transfer registration instead of having to cancel it and re-register on the sale of a boat. The provisions for dealing with intoxicated persons operating boats are sensible, and indeed the licensing of persons who carry on the business of hiring out boats is also sensible.

However, I want to comment about that latter point because it is causing considerable anxiety in the boating industry. Previously, the operators of boat hire had difficulties with people wanting to hire a boat but not being licensed. In the past there have been various provisions for exemptions and, indeed, the Minister can exempt any person from the provisions of any part of this Act. There seems to be no formal perpetual provision for this matter and so the Act seeks to formalise the position of persons who wish to hire boats and who do not have a boating licence. However, the question of hired boats can involve anything from houseboats to speedboats, skiboats, dinghies and ocean going yachts.

Members of the community have become quite anxious about what regulations will be brought in under the Act. For example, an operator at Coffin Bay has been talking to me about his dinghy hire because he is not sure whether the licence fee that will have to be paid by hirers of his boat will be used as a revenue gatherer of such a size as to substantially increase the cost to people hiring his boats, and act as a deterrent. There is also the question of inspection of boats, because I think he now pays $17 to the department for an inspection of a boat. As he puts it, the inspector comes along, kicks the boat and counts the life jackets, and that is it.

He is anxious because if this was called a formal survey and he was charged by the metre at commercial rates it would be very expensive for him. I cannot answer that question and the Bill cannot answer that question because, in regard to the hire boat situation, it is indeed a skeleton Bill. I will continue with some of the anxieties that have been put to me by boat operators.

I refer especially to keel boats, ocean going yachts. A number of these yachts operate out of Port Lincoln. This matter involves two distinct Acts, because the moment vessels carry passengers for hire or reward they become a commercial ship and are subject to the Marine Act, which has a number of very complicated rules and regulations about construction and equipment on ships. Many of these commercial regulations are much more appropriate to an oil tanker than to a keel boat, and owners who have operated skippered charters, that is, carrying passengers for a fee with a skipper, I am sorry to say, have encountered what I can only describe as pigheadedness and aggressive and obstructive behaviour from some officers of the department.

To give an example of the sort of pedantic approach that can be taken, one operator had on his boat a chart light as required and more spare light bulbs than required for it. He then acquired a second chart light, which he was not required to have and when inspected his boat was defected because there were not spare bulbs for the second chart light. Those are the sort of difficulties that can be placed in the way of operators under the Marine Act and the sort of difficulties that can be experienced by the tourist industry if the Government wants to hinder rather than help that industry.

Likewise, there has arisen a problem with what is known as 'bare boat charter', which is the universal term for it amongst yachtsmen, although the Government refers to it as 'hire-drive'. Because an ocean going yacht in private hands operates under the Boating Act and as long as you have the basic safety equipment required by that Act there are no restrictions, yet people operating bare boat charters have come up against the problem from time to time over the years that the Department of Marine and Harbors has periodically held that even though they are bare boat charter, they are commercial vessels and they come under the provisions of the Marine Act.

The department has held that they should be kept to the standards, inappropriate in some cases, of survey under that Act. Of course, there is a big problem in taking that interpretation. Are they carrying people for hire or reward when there is no skipper acting as a master of the vessel? Is a hired motor car, your Budget motor car, a taxi or a bus or simply a car subject to your contract with the hirer? In spite of the fact that the department has periodically asserted that these bare boat charters should come under the strict conditions of survey, it has never enforced it and, had it done so, it is likely that the complexities of the argument would have occupied many lawyers for a good many days, weeks, or months.

It seems to me on reading the Bill that what the Government has done is to avoid that insoluble problem by making it clear, amongst other things, that bare boat charter comes under the Boating Act and that that Act is, at the same time, to be bolstered to provide for safety regulations relating to bare boat charter.

Now we come to the problems that exist in a skeleton Bill. This is a golden opportunity for the Government to

write realistic and not punitive regulations that put all operators on an even footing and direct their attention in particular to the problems of various classes of vessels, from houseboats to dinghies.

There are a number of bodies of authority as to the safety conditions for keel boats in different circumstances. Yacht clubs have safety committees and minimum standards for inshore, offshore, and ocean racing. The safety committee of the Sydney to Hobart race is an extremely experienced body. It would be possible, in relation to keel boats, to start afresh and draft a set of standards of construction, stability, and equipment for these boats under the Boating Act. The reason I think that something has hit the fan is that a senior officer of the Department of Marine and Harbors has indicated to proprietors of these boats that he will simply stick the old commercial standards into the new Act as the regulations, and he is already telling proprietors that they may as well sell their boats because they are not going to pass the survey.

Over the years an unfortunate but very real antagonism, prejudice, and bitterness has developed between senior officers of the department and certain sections of the recreational boating industry—which, after all, is just a branch of the tourism industry which we are seeking to develop and of which we boast so proudly. Furthermore, because of differences in interpretation from time to time of situations which defy interpretation because of differences, some bitterness has arisen between different proprietors that could very easily be dealt with by some sensible regulations, having regard to the sport of sailing and to the body of experience and knowledge of established safety committees in the yachting world. Regulations should be drafted accordingly and applied equally to all operators at each level.

If this were done, those operators who wished to offer skippered charter would still be regarded as being commercial shipping, would come under the department, would be required to reach particular crewing levels, and would be required to have a master of the appropriate class for the tonnage of boat. Other proprietors of hire-drive boats, including the proprietors of keel boats, instead of languishing in a situation between two interpretations—first that they are subject to the same survey standards as commercial shipping and, on the other hand, that they are not regulated at all (which are the two possible interpretations at the moment)—would be regulated according to a standard which is common to all bare boat charter, which avoids unnecessary expense in inspection and supervision, and which bears some relation to the established body of knowledge and wisdom as regards safety of vessels and equipment in the world of ocean yacht racing.

The Opposition does not oppose the Bill, but expects the Minister to listen to lobbyists when regulations are being considered. It expects the Minister not to grunt rudely and be abrupt, as is sometimes this Minister's wont. The Opposition expects the Minister to receive lobbyists courteously, to accept that they are in many ways educated men in matters of the sea, and to examine their arguments rather than blindly accept the views of some officers in the department who, after all, have been at loggerheads (some at a personality level) with some proprietors for years.

I must say that it is a totally unsatisfactory situation whereby people are bullied and threatened with being driven out of business, when the true legal situation might be that they are unregulated at all. I do not believe that they should be unregulated and, having now talked to them, neither do they. It is perfectly reasonable that a whole host of matters be considered before one of these boats is hired out: not only the construction of and equipment on board the vessel, but the experience of the hirers.

For example, in the case of hiring out a keel boat it would be totally inappropriate simply to expect that a person have a motor boat driving licence; that the motoring of a keel boat has something to do with getting it on and off the moorings and getting back when one is becalmed. It is really a question of the theory of sail, and what is required is at least some basic theory of navigation; some practical ability to handle the gear; recognition of lights and shapes; interpretation of charts, the ability to take compass bearings, at least; and to be able to fix a position by triangulation. For a whole new set of regulations, taking advice—not the blind advice of the department only but advice from the yachting world—is what is needed.

I for one will be putting forward a disallowance motion if regulations come in simply transcribing the old survey rules that apply to commercial shipping to bare boat charter. Having said that, I will save the rest of the questions on behalf of constituents until the Committee stage. I understand that the Government is not in too much of a hurry to get this Bill through at this stage, as the Government would like a chance to hear constituents on the matter. It may even be that, having heard constituents on the matter, Cabinet would like to consider it and not just leave it to the relationship between the Hon. Mr Gregory and his officers.

Certainly, much technical information will need to be considered by the Joint Committee on Subordinate Legislation: for example, classification of waters, in terms of wave height and other matters. I will wait until then. I will listen to my constituents, and I hope that the Government will listen to its constituents, because what really matters is the regulations. I support the Bill, but I think that until we have had more time to think about it and hear the people, I will just seek leave to conclude my remarks at a later date.

Leave granted; debate adjourned.

The Hon. K.T. GRIFFIN: Mr Acting President, I draw your attention to the state of the Council.

A quorum having been formed:

ROAD TRAFFIC ACT AMENDMENT BILL (No. 3)

Adjourned debate on second reading.

(Continued from 9 November. Page 1384.)

The Hon. M.B. CAMERON (Leader of the Opposition): This Bill amends the seat belt legislation, which is very important. It lays down some ground rules for the use of seat belts in vehicles that were manufactured prior to the introduction of seat belt legislation. It also covers the matter of people in wheelchairs, who will now, when on footpaths, be classified as pedestrians. I hope that they keep an eye on their speed when on footpaths.

The Hon. Diana Laidlaw: They could terrorise you.

The Hon. M.B. CAMERON: Yes, some of we older citizens cannot run as fast as we used to, and would not appreciate being chased or run down by wheelchairs on the footpaths of Adelaide. However, I know that they would not do that and that the majority, if not all, of people in wheelchairs are very responsible citizens. The Bill provides that seat belt legislation will apply to passengers of 10 years of age and over. Further, that if an early model vehicle has seat belts they must be used—and that is fair enough. The Bill also provides that if a child under the age of 12 months is carried in a car, of any sort, that child must have a seat

belt or be enclosed in a capsule with restraints on the capsule. Again, this is a step forward.

The Parliament has a responsibility to ensure that legislation associated with road safety is continually reviewed, to ensure that the community has the best possible rules in operation in relation to road safety. A number of members of the Council have had some very clear views on these matters for some time, and there has been a considerable amount of bipartisanship in the approach to them. One hopes that that will always be the case, regardless of the complexion of the Government of the day. The Opposition supports the Bill, and we trust that it will assist in ensuring that the dreadful road fatality and injury statistics of this State are reduced, if only slightly, by its passage.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Interpretation.'

The Hon. M.B. CAMERON: This clause provides a definition of 'pedestrian' to include a person in a wheelchair, and this relates to wheelchairs on footpaths. Will a person in a wheelchair who goes on to a road still be regarded as a pedestrian and, if not, what other factors will apply? Will the person always be considered a 'pedestrian' no matter where they are, whether on a road or a footpath? A person in a wheelchair will now be considered as a 'pedestrian' on a footpath, but when on a roadway potentially they could be subject to all sorts of other rules.

The Hon. BARBARA WIESE: I understand that people in wheelchairs will be viewed as pedestrians, whether on a footpath or a road. If that is not so, and some other variation to that applies, I will certainly provide that information for the honourable member later.

Clause passed.

Remaining clauses (4 and 5) and title passed.

Bill read a third time and passed.

JUSTICES ACT AMENDMENT BILL (No. 2)

The Hon. Barbara Wiese for the **Hon. C.J. SUMNER (Attorney-General)** obtained leave and introduced a Bill for an Act to amend the Justices Act 1921. Read a first time.

The Hon. BARBARA WIESE: I move:

That this Bill be now read a second time.

Section 187aa of the Justices Act 1921 provides that the Governor may on the application of the Attorney-General by order direct that any warrant that has not been executed within 15 years from the day on which it is issued shall be cancelled and destroyed. This amendment will enable warrants for the payment of monetary penalties to be cancelled seven years from the date on which they were issued.

A study undertaken by the Court Services Department showed that with the passing of each year the probability of collecting an amount outstanding on a warrant diminishes until by the time a warrant is seven years old there is a collection rate of 1-2 per cent. In, for example, the 1985-86 financial year $21 348 was collected on warrants issued in the period 1 July 1972 to 30 June 1980. The amounts collected do not justify the costs involved to the Police Department and the Court Services Department in storing records, culling records, attempting execution and maintaining accounting systems. By reducing the effective life of a warrant for a monetary penalty to seven years, system efficiency will be improved and cost savings achieved.

As under the present section, warrants will not be automatically cancelled; if for some reason it is considered the warrant should be kept 'live' then the warrant need not be forwarded to the Governor for cancellation. The amendment does not alter the position with regard to warrants of apprehension. The Governor may cancel them after 15 years but, once again, they can be left 'live' for as long as it is considered desirable. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal.

Clause 2 repeals section 187aa of the principal Act and substitutes a new provision to empower the Governor to cancel unexecuted warrants (other than arrest warrants) after seven years from the day of issue. Arrest warrants may be cancelled after 15 years. Cancelled warrants cease to have any force or effect and this section requires their destruction.

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

SOUTH AUSTRALIAN METROPOLITAN FIRE SERVICE ACT AMENDMENT BILL

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

The Hon. BARBARA WIESE (Minister of Local Government): I move:

That this Bill be now read a second time.

The purpose of this Bill is to amend the South Australian Metropolitan Fire Service Act 1936. Section 9 of the Act sets out the functions and powers of the Metropolitan Fire Service. Subsection (1) currently provides that the functions of the fire service are *(a)* to provide efficient services in fire districts for the purpose of fighting fires and of dealing with other emergencies, and *(b)* to provide services with a view to preventing the outbreak of fire in fire districts.

The fire service is presently carrying out additional functions including marine and penfield operations and salvage. Also, it has become necessary to expand fire equipment servicing activities to include replacement sale of fire protection equipment. The Fire Equipment Servicing Division of the fire service presently services and maintains fire extinguishers and fire hoses on a contract basis for clients throughout the State. It is essential that the division be able to supplement the servicing by the replacement of condemned fire protection equipment in order to provide a total service to its clients. Furthermore, the need to replace such equipment will be exacerbated in 1989 by the introduction of new standards, which will render obsolete a very large number of fire extinguishers currently in use by fire service clients. As a consequence, it is necessary to amend the Act to provide for these activities described.

I commend the Bill to members and seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal.

Clause 2 amends section 9 of the principal Act which deals with the functions and powers of the South Australian Metropolitan Fire Service. The amendment expands the

functions of the service to include such functions as may be assigned to it by the Minister.

The Hon. DIANA LAIDLAW secured the adjourment of the debate.

RACING ACT AMENDMENT BILL (No. 2)

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

LOCAL PUBLIC ABATTOIRS ACT REPEAL BILL

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

ADJOURNMENT

At 4.32 p.m. the Council adjourned until Tuesday 15 November at 2.15 p.m.