

LEGISLATIVE COUNCIL

Thursday, 13 May 2021

The **PRESIDENT (Hon. J.S.L. Dawkins)** took the chair at 2:15 and read prayers.

The PRESIDENT: We acknowledge Aboriginal and Torres Strait Islander peoples as the traditional owners of this country throughout Australia, and their connection to the land and community. We pay our respects to them and their cultures, and to the elders both past and present.

Question Time

SOUTH AUSTRALIAN MULTICULTURAL AND ETHNIC AFFAIRS COMMISSION

The Hon. K.J. MAHER (Leader of the Opposition) (14:17): I seek leave to make a brief explanation before asking a question of the Assistant Minister to the Premier regarding multicultural affairs.

Leave granted.

The Hon. K.J. MAHER: The government published an advertisement on 7 May seeking applications for a new SAMEAC board and members. The ad stated, 'We are seeking to fill 15 positions on the commission.' This ad was issued without knowing what the composition of the board will be under legislation that is before another place. The legislation before another place in schedule 1 of the multicultural bill states:

The South Australian Multicultural and Ethnic Affairs Commission is dissolved on the day on which clause 2 of this Schedule comes into operation.

My questions to the assistant minister are:

1. Can the assistant minister confirm whether the intention is to appoint the new members of SAMEAC under the current or the proposed new legislation?
2. Exactly what is the process to address any membership of SAMEAC that is not consistent with the new legislation, should it pass?

The Hon. R.I. LUCAS (Treasurer) (14:19): I indicated yesterday the government's response—

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: —to this particular set of questions.

Members interjecting:

The PRESIDENT: Order, on both sides!

The Hon. R.I. LUCAS: The government will be nimble, agile, flexible and will respond to circumstances as they roll out in the parliament. I have nothing on behalf of the government to add to the comprehensive answers I provided yesterday to exactly the same questions—

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: —that were asked by the Hon. Mr Wortley.

MULTICULTURAL GRANTS PROGRAM

The Hon. C.M. SCRIVEN (14:19): My question is to the Assistant Minister to the Premier regarding multicultural affairs. At a Pakistani Australian Association of South Australia event did the assistant minister say in relation to grants, 'Just apply and I will be the one who approved it,' and, 'Make sure you aren't recording me'?

The Hon. J.S. LEE (14:20): No.

The Hon. C.M. SCRIVEN: Supplementary.

The PRESIDENT: You can't get out a supplementary out of a no.

The Hon. C.M. SCRIVEN: Wouldn't you like to hear it?

The PRESIDENT: No. I am going to move—

The Hon. C.M. SCRIVEN: Wouldn't you like to hear it?

The PRESIDENT: You can't get a supplementary out of a no.

MULTICULTURAL GRANTS PROGRAM

The Hon. E.S. BOURKE (14:20): My question is to the Assistant Minister to the Premier regarding multicultural affairs. Can the assistant minister outline the changes to the multicultural grant application and approval process since March 2018, and who exactly approved these changes?

The Hon. J.S. LEE (14:20): All the processes as well as guidelines are actually published on the website of the Department of the Premier and Cabinet, and the multicultural affairs grants are administered by DPC, the Department of the Premier and Cabinet.

MULTICULTURAL GRANTS PROGRAM

The Hon. E.S. BOURKE (14:21): Supplementary arising: can the shadow minister—sorry, assistant minister—

Members interjecting:

The Hon. E.S. BOURKE: I meant no disrespect.

The PRESIDENT: Members on my right are not helping.

The Hon. E.S. BOURKE: Is the assistant minister aware of any changes to the grant application process, and what are those changes?

The Hon. J.S. LEE (14:21): As per my previous answer, the guidelines for grants and approval processes are as per the protocol approved.

Members interjecting:

The PRESIDENT: Order! If you ask a question, you should listen to the answer.

MULTICULTURAL GRANTS PROGRAM

The Hon. K.J. MAHER (Leader of the Opposition) (14:21): Supplementary arising—

The PRESIDENT: Supplementary. I don't know whether you heard the answer, but I—

The Hon. K.J. MAHER: —from the original answer. The outline to grant processes on the website the minister referred to, have they changed since the assistant minister has held the position?

The Hon. J.S. LEE (14:22): What do opposition members—I just need clarification. What changes do they mean? Do they mean from the previous government, or do they mean the government has made changes since March 2018? I just need clarification.

MULTICULTURAL GRANTS PROGRAM

The Hon. K.J. MAHER (Leader of the Opposition) (14:22): Final supplementary—

The Hon. J.S. Lee: Where's the clarification?

The Hon. K.J. MAHER: Final supplementary arising from the original answer: can the minister outline if there have been any changes to the grant applications that are on the website, which she alluded to, since March 2018?

The Hon. J.S. LEE (14:22): Since we came into government there are four streams of government grants under multicultural affairs grants. Those guidelines are published and since then it has been published and is available in the public domain.

Members interjecting:

The PRESIDENT: Order! The leader is out of order. The Hon. Mr Hood has the call.

I WORK FOR SA—YOUR VOICE SURVEY

The Hon. D.G.E. HOOD (14:23): My question is to the Treasurer. Can the Treasurer provide details to the house about the I Work for SA survey?

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS (Treasurer) (14:23): I thank the honourable member for the question because this does canvass a very important issue. The Marshall Liberal government for the first time approved funding back in 2018 for a comprehensive survey of all public sector workers, under the title of 'I Work For SA—Your Voice Survey', which sought insights from public sector workers about their experiences at work, any concerns, etc., in relation to their public sector work experience. I am advised that this was in direct contrast to the former Labor government, which was asked by the Commissioner for Public Sector Employment to fund a survey. The former Labor government and the former Treasurer refused to provide the funding for the survey.

In direct contrast to that, this government is genuine in terms of wanting to hear from its employees. If they have concerns about issues like bullying and harassment, we don't want them swept under the carpet. We are prepared to have them revealed or exposed so that we as a government, the public sector generally and indeed the community can be aware of what the concerns might be within the public sector.

I hasten to say that the public sector has more than 100,000 employees. Whilst there has been a recent concentration on the number of workers compensation claims or sexual harassment claims, etc., it is a very small percentage of the more than 100,000 public sector employees.

I do want to indicate that the government, having funded the 2018 survey, is now funding the 2020 survey. The commissioner today has sent a whole-of-government email urging more employees to respond to the survey to provide information about their experiences, and I as the minister with responsibility for the public sector take this opportunity to support the call by the commissioner for more public sector employees to undertake the survey.

When I met with my very good friends from the Public Service Association yesterday, one of the issues that we canvassed was indeed the tackling of the issues of bullying and harassment, the encouragement of their members and employees of the public sector to participate in the survey and an open invitation to the PSA to work with me as the minister, the commissioner and the government on ways that we might be able to tackle these issues within the public sector.

I would have to say—and it is for the PSA to speak for themselves—that they, too, as I said to them, have an important interest in the public image, branding and integrity of the public sector as being a good place to work. It is important that in highlighting figures and statistics we don't portray the public sector as being a bad place to work or a place that people, and young people in particular, should fear coming into in terms of employment. There is genuine concern from the government, the commissioner and senior management to ensure that it is a good place to work and that their concerns can be addressed.

The survey was launched on 27 April and it concludes on 28 May this year. Without going through all the details, there is a very comprehensive series of questions on bullying and harassment, whether people have witnessed harassment or bullying in the current workplace and whether they have been subjected to harassment or bullying. If they answer yes to the first question, there is a detailed set of about eight sets of examples that they can tick in terms of the sorts of bullying and harassment they have witnessed or have been subjected to. I won't go through all the details of the various options.

They are then asked, 'What did you do in response to the bullying and harassment you experienced?' Again, there is a series of options in terms of what they did or didn't do. If they select that they lodged a grievance or complaint, there is then a series of follow-up questions in terms of what was their experience in terms of their senior management responding to their grievance or complaint and their particular surveys.

There is then a series of questions about discrimination: have you personally experienced workplace discrimination? What type of discrimination? There are a series of options there. If you are experiencing distress at work or at home, they encourage you to seek support, and there is a listing there of agencies that people should contact if they are suffering distress, etc.

There are a whole series of questions. I don't want to take up too much of question time by going through the detail of all those, but I do want to stress the importance of the survey and the fact that it will be open for another couple of weeks. I urge public sector workers, and I would ask members of this chamber who have contact with members of the public sector, or indeed leaders of public sector unions, to urge them to have their members, employees of the public sector, take it up.

I conclude by saying that there is a genuine endeavour from this government to shine a light on issues in the public sector, contrary to the attitude of the former Labor government in this respect. We do want people to respond, identify the problems and then see what we can do to try to address them. I hasten to say that we need to bear in mind that we have 100,000-plus employees within the public sector and that any portrayal of the results of surveys, such as the last one, or workers compensation claims I hope would be done in the environment of highlighting the fact that this is a very small percentage of people within the public sector.

LAND SERVICES COMMERCIALISATION PROJECT

The Hon. J.A. DARLEY (14:29): I seek leave to make a brief explanation before asking the Treasurer, representing the Attorney-General, about the land services commercialisation project.

Leave granted.

The Hon. J.A. DARLEY: The land services commercialisation project by the previous state Labor government led to the appointment of a private operation, Land Services SA, to deliver certain land titling and property valuation services for 40 years, commencing on 13 October 2017. The South Australian government retained ultimate responsibility for maintaining the ongoing integrity of the land and valuation roll under the commercialisation contract arrangements to ensure the proper performance of the outsourced services and maintenance of statutory functions and protections. A report by the Auditor-General on 10 December 2018 to parliament concluded that:

...there were delays in establishing several elements of the framework and a number of key elements are yet to be fully established and operating. To ensure the effectiveness of the outsourcing arrangement with the service provider, the South Australian government needs to be vigilant in actively monitoring contract deliverables, service level reporting and the effectiveness of service provider systems and controls over the 40-year term.

The Auditor-General reported implementation deficiencies and recommended actions. My question to the minister is: will the Attorney-General request the Registrar-General and the Valuer-General for a detailed report on what actions have been taken by them in the last two years to address the concerns expressed in the Auditor-General's report to parliament?

The Hon. R.I. LUCAS (Treasurer) (14:31): The Hon. Mr Darley is right to provide a forensic light on one of the many Labor Party privatisations when they were in government and I'm happy to refer the honourable member's question to the Attorney-General and bring back a response.

FLINDERS MEDICAL CENTRE

The Hon. J.E. HANSON (14:32): My question is to the Minister for Health and Wellbeing regarding health. As part of the Southern Health Expansion Plan, how many beds at the Flinders Medical Centre are being closed to make way for the expanded emergency department? Secondly, what is the net increase or decrease of overall beds at the hospital at the end of that redevelopment?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:32): I thank the honourable member for his question. I think it's important to see the Flinders Medical Centre ED expansion in

the context of the Southern Health Expansion Plan, of which it's a part. That is an \$86 million investment—

The Hon. D.W. Ridgway: How much?

The Hon. S.G. WADE: It's an \$86 million investment—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —and across those—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. Maher: How can you spend that much and reduce capacity?

The PRESIDENT: Order!

The Hon. K.J. Maher: This is nothing to brag about.

The PRESIDENT: Order, leader!

The Hon. R.P. Wortley: I would be ashamed.

The PRESIDENT: The opposition has asked a question—

The Hon. R.P. Wortley: I would keep that quiet.

The PRESIDENT: I think it would be a good idea for the Hon. Mr Wortley to listen to the answer.

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: So that \$86 million investment across three hospitals will see a net increase of 24 beds. At the Flinders Medical Centre—

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. Ridgway: I can't hear the minister.

The PRESIDENT: I can hear the Hon. Mr Ridgway, too.

Members interjecting:

The PRESIDENT: Order! Let's listen to the minister.

The Hon. S.G. WADE: If the opposition doesn't want to give me room to answer the question, I will not even try. As I said—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: As I said, across three hospitals, it's 24.

FLINDERS MEDICAL CENTRE

The Hon. J.E. HANSON (14:33): Supplementary question on that: is the government's Southern Health Expansion Plan consultation plan document correct that there will be a closure of 30 existing beds to make way for the expanded emergency department there?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:34): I would hardly see that as a supplementary. If we want to talk about history, let's talk about history.

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: If we want to talk about history, the consultation document—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —that the honourable member referred to was a consultation document—

Members interjecting:

The PRESIDENT: Order! Sit down, minister. We are going to have a very productive question time today, but we will not have it if the members of the opposition and others on my right are shouting over the top of the minister. The minister has the call.

The Hon. S.G. WADE: As I said, the southern hospital extension program—

The Hon. I.K. Hunter interjecting:

The PRESIDENT: Order!

The Hon. I.K. Hunter interjecting:

The PRESIDENT: Order, the Hon. Mr Hunter!

The Hon. I.K. Hunter interjecting:

The PRESIDENT: Order! As I said before, you wouldn't want to dip too far into your own memory. The minister has the call.

The Hon. S.G. WADE: What the southern hospital extension program—

The Hon. I.K. Hunter interjecting:

The PRESIDENT: Order! If you don't want the answer, we will move on to the next question. Minister, continue.

The Hon. S.G. WADE: The southern hospital expansion program—

Members interjecting:

The Hon. S.G. WADE: Sorry, can I go beyond three words?

The PRESIDENT: Please.

The Hon. S.G. WADE: The southern hospital expansion program involves \$86 million across three hospitals, with a net increase of 24 beds. At Flinders there is approximately the same number of treatment bays and beds.

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: In the emergency department, there is a 30 treatment bay expansion, which is in the order of a 50 per cent increase. I was delighted to go down to the Flinders Medical Centre today and see—

Members interjecting:

The PRESIDENT: Order! The opposition is on notice that they will lose the next question if this doesn't stop.

The Hon. S.G. WADE: In terms of the southern hospital expansion program, there is, I am advised, the same number of beds at Flinders Medical Centre, but what has happened is that we have decanted services from Flinders Medical Centre to Noarlunga and from Noarlunga to the Repat so that across those three hospitals there is a net increase of 24 beds.

But that's not the end of it. At the hospital that they tried to close, the Repat, not only do we have the SHEP expansion, we have also got the 18-bed Neuro-Behavioural Unit go in at that facility.

We have already got the SADU facility operating. Yesterday, I was delighted to visit the Bangka Strait Ward, which is the old Ward 1 and Ward 2, where there is—

The Hon. K.J. MAHER: Point of order, sir.

The PRESIDENT: There is a point of order. The minister will resume his seat.

The Hon. K.J. MAHER: The supplementary was specifically about the cutting of beds by this minister. It's not even close or tangential to the question.

The PRESIDENT: The supplementary was about the southern region of health.

The Hon. K.J. MAHER: It wasn't.

The PRESIDENT: Yes, it was. The minister will continue.

The Hon. S.G. WADE: The honourable member might remember when this government came to power, how many beds were there at the Repat? Zero. The former government closed the Repat. That's in the southern—

The Hon. K.J. MAHER: Point of order, sir.

The PRESIDENT: There is a point of order. Resume your seat, minister.

The Hon. K.J. MAHER: If the minister's previous answer was straying, this is nowhere near the question, sir. It's completely irrelevant.

The Hon. J.M.A. Lensink interjecting:

The PRESIDENT: Order! Other frontbench members are not helping, Minister for Human Services. I am sure the minister is going to bring his answer to a conclusion soon, but he is answering it within the realms of the question that was asked originally, which was all about the southern region of health.

The Hon. S.G. WADE: This government is delivering an expansion of beds in the southern region—a net increase of 24 beds in SHEP alone and then at the Repat you have got the Neuro-Behavioural Unit, the Bangka Strait Ward, the HammondCare facility. This is a party that should be ashamed of having closed the Repat.

FLINDERS MEDICAL CENTRE

The Hon. J.E. HANSON (14:38): I have a supplementary, Mr President—this is going well. Given that there is record ramping, including 30 patients stuck in emergency waiting for a bed at Flinders Medical Centre today, how can you upgrade a hospital under such demand without any extra beds?

The PRESIDENT: The minister can answer that, but I don't see how that related to the original answer.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:38): Please, please, let me go.

The Hon. K.J. Maher interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: This is bald-faced hypocrisy. This is a Labor Party that failed to invest in the Flinders Medical Centre for years. It is years since the Flinders Medical Centre emergency department reached its desired capacity. What were Labor's plans even at the last election? Not a jot. What did they do for the Flinders Medical Centre emergency department? Faced with an emergency department that was already over its design capacity, they brought in Transforming Health—they downgraded the Noarlunga Hospital ED so that there would be even more patients going to the Flinders Medical Centre emergency department.

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: So what did this government do? Under the stewardship of Treasurer Lucas—

The Hon. I.K. Hunter interjecting:

The PRESIDENT: The honourable Opposition Whip!

The Hon. S.G. WADE: —this government committed to an \$86 million investment in improving emergency services in southern Adelaide.

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: That will see, for children and adolescents, almost a doubling of the treatment capacity. I was delighted to be there today, where we saw an increase in not only the number of treatment bays from seven to 13, but also we saw a high acuity room, an isolation room, I think another reverse flow—

Members interjecting:

The PRESIDENT: Order! I am sure the minister will conclude his answer soon. We need to move on, minister.

The Hon. S.G. WADE: I just want to make the point that, when honourable members try to suggest that this government is making the Flinders Medical Centre—

The Hon. I.K. Hunter interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —less able to deal with an emergency, look at the facts. We have almost doubled the paediatric emergency department capacity.

The Hon. I.K. Hunter interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: By the end of July there will be a total of 30 treatment bays across that emergency department; it is much better equipped to deal with the challenges of the south. We are leaving behind the neglect of Labor.

The PRESIDENT: The Hon. Jing Lee has the call.

MENTAL HEALTH SERVICES

The Hon. J.S. LEE (14:41): Thank you, Mr President—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. Maher interjecting:

The PRESIDENT: Order, leader! The Hon. Jing Lee will be heard in silence.

The Hon. J.S. LEE: My question is to the Minister for Health and Wellbeing about health. Will the minister update the council on mental health services in South Australia?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:41): I welcome the increased investment in mental health from the commonwealth through this week's budget, and we are very keen to work with the commonwealth to make sure that the range of services in South Australia complement each other to maximise the benefit to South Australians.

The Hon. E.S. Bourke interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: An example of such collaboration is the Urgent Mental Health Care Centre here in Adelaide. It is the first in a series of similar centres being funded by the commonwealth

around Australia. Whilst the centre has been operating for less than three months, there is certainly positive feedback about the progress being made. Opportunities to grow the service will be explored in the future.

In this regard, I acknowledge the question earlier this week from the Hon. Tammy Franks in relation to what some of the indications are in terms of demand. I am pleased to be able to say that yesterday, whilst it was not a record, saw a high number of presentations—10 presentations to the Urgent Mental Health Care Centre.

Since the opening of the centre in early March, it has provided care to nearly 300 South Australians with mental health needs. Of course, not every day has seen such high activity, and as I commented earlier in the week it is interesting to note in this regard that often the busier days in the system see fewer referrals, as we fear that when the system is under pressure staff often do not fully engage in alternative pathways.

The Hon. E.S. Bourke interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: Importantly, however, because of the strict referral criteria, every single South Australian who receives care at the Urgent Mental Health Care Centre would otherwise have been taken to an ED, so we know that this is reducing pressure on our EDs.

As an example of the positive feedback we have received, I would like to quote feedback from a consumer as follows:

The guest rang today to say her experience at UMHCC was extremely positive, she felt valued and heard. She said the care and support she received has changed her emotional state from victim to survivor. She was very thankful for this service and believes it not only helped on the immediate front, but also put her on to a different path of thinking.

It is still early days for the UMHCC. Additionally, not only has it not been open for a full three months yet, there is more need for the service to settle and be evaluated. There is significant unused capacity, and we are keen to work with Neami to continue to grow referrals.

It is interesting that, in this regard, the opposition has called for an increase in hours in the centre. Just this year, prior to its opening, Labor was out criticising the centre as privatisation, and now they want this so-called privatisation increased. Their hypocrisy is breathtaking.

MENTAL HEALTH SERVICES

The Hon. K.J. MAHER (Leader of the Opposition) (14:44): Supplementary: is the minister embarrassed by the scathing critique by Professor John Mendoza of the mental health system under his watch in South Australia?

The PRESIDENT: I don't know how that comes from the original answer. If the minister wishes to respond, I will let him. No, he doesn't.

COVID-19 MANDATORY VACCINATIONS

The Hon. F. PANGALLO (14:45): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing about vaccinations and workers.

Leave granted.

The Hon. F. PANGALLO: Recently, the New South Wales Fair Work Commission upheld the dismissal of an aged-care worker for refusing to have a COVID vaccination. The decision points to a building body of case law that affirms an employer's direction to employees to get a vaccination, whether COVID or flu, to be lawful and reasonable. There would be few jobs where such a direction would not be within the scope of their employment.

However, there is no law that specifically prohibits giving such a direction, nor, in general terms, is there any law that prohibits an employer responding to an employee's refusal to be vaccinated with adverse consequences, including dismissal. So far, the only state to require its health workers to be vaccinated against COVID-19 is Queensland. My question to the minister is:

1. Is the government now intending to make vaccinations for healthcare workers and security staff in medi-hotels mandatory in South Australia?
2. Can the minister provide figures on how many health and security workers have so far declined to have COVID vaccinations since the rollout and how many have had the vaccine?
3. Have any staff, including SA Health and security personnel, been stood down or lost their jobs for refusing the vaccine?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:47): I believe that the Australian government's approach to the COVID-19 vaccine is well founded, particularly in its commitment to a voluntary vaccination regime. In that context, we have supported and encouraged our medi-hotel staff to be vaccinated.

In relation to Tom's Court, I am advised that all the staff are vaccinated across all the staff streams, and that is where the risk to the worker is greatest because that's the COVID-positive facility. My understanding is that to achieve that we would have been facilitating transfers of staff who didn't want to be vaccinated, so I wouldn't even call that facility mandatory vaccination.

It is certainly the case that we encourage not only all the staff in our medi-hotels but also facilitate the vaccination of their families as well, in recognition of the families' increased risk. The latest advice I have received was that all our clinical staff in the medi-hotels had been vaccinated. The importance of that is that they are the staff who are most likely to have close proximity contact, but of course they do that within the PPE requirements.

In terms of the New South Wales case and the case law that it relates to, to the extent that it's an industrial law matter, it would be a matter for the Treasurer as the Minister for Industrial Relations. It is certainly not our practice in South Australia, in relation to flu and other vaccines, to have vaccines mandatory, and there's no proposal to follow Queensland's lead and make it mandatory for all staff, if in fact that's what has happened.

COVID-19 MANDATORY VACCINATIONS

The Hon. F. PANGALLO (14:49): Can I ask the minister to give me a complete answer? He may have to take this on notice.

The PRESIDENT: Ask the question.

The Hon. F. PANGALLO: I have already asked it. Only half was answered.

The Hon. S.G. Wade interjecting:

The Hon. F. PANGALLO: If you can take it on notice. If the minister can provide those figures.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:49): Yes, I am happy to take on notice the figures requested.

COVID-19 MANDATORY VACCINATIONS

The Hon. K.J. MAHER (Leader of the Opposition) (14:49): Supplementary: is the minister able to outline for the chamber the percentage of health workers across the medi-hotel system who have been vaccinated?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:50): I refer the honourable member to my previous answer to the Hon. Mr Pangallo.

PUBLIC HOUSING

The Hon. I. PNEVMATIKOS (14:50): I seek leave to make a brief explanation before asking a question of the Minister for Human Services on housing.

Leave granted.

The Hon. I. PNEVMATIKOS: Irene of Greenacres turns 99 in July and lives in public housing. She is now on her 10th day of no water, as we go through nights where temperatures have been dropping down to 6°. Irene first contacted the Housing Authority on Tuesday 4 May and then

called again on the Friday. The weekend passed with no action, and her son began to advocate. Irene's son called on Monday, Tuesday and again on Wednesday, before contacting his local MP, which appears to have caused someone to visit, but it is now Thursday and the hot water is still not fixed. My questions for the minister are:

1. What does the minister have to say to Irene?
2. How old does someone have to be, or how long does a person have to go without hot water, before they can get their hot water system fixed?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:51): I thank the honourable member for her question. Clearly, that is an unacceptable delay for Irene, and we apologise to her. In terms of our priority times, I am happy to outline for the chamber that they are as follows. Priority one is maintenance which is immediately dangerous and may affect someone's health and safety, such as exposed live electrical parts, and work is expected to start within four hours of it being reported.

Priority two is maintenance that causes serious inconvenience to the tenant—such as the example that she has outlined—such as no hot water, a blocked toilet or something that has the potential to be dangerous, such as an unearthed metal light fitting, and work should start within 24 hours of it being reported or at a time agreed with the tenant. There are two other priority areas.

That is unacceptable. I would urge the honourable member, and indeed the MP's office, to contact my office with any of these immediately on 8463 6560 and speak to my relevant ministerial liaison officer, who will get onto it.

INTERSTATE MIGRATION

The Hon. D.W. RIDGWAY (14:52): My question is to the Treasurer. Can the Treasurer please comment on claims based on the federal budget papers that South Australia will lose 3,900 persons to interstate migration next year?

The Hon. R.I. LUCAS (Treasurer) (14:52): I understand that buried in the federal budget papers there is a table that purports to reflect federal Treasury estimates in terms of net interstate migration figures for the last couple of years and for the forward estimate figures. That particular table estimates that there will be a net loss—that is, more people leaving South Australia than coming to South Australia—for this financial year (2020-21) of 2,600, and then estimates next year at around about 3,900 more people leaving South Australia than coming to South Australia.

I suspect, and my advice is, that this possibly is federal Treasury looking at the last 20-year average under the former Labor government, when over 16 years approximately 64,000 more people left South Australia than came to South Australia, which is an average of about 4,000 people a year. Next year's estimate takes you back almost to 4,000, which is 3,900.

I think I had a question either last week or this week in relation to the most recent net interstate migration figures and I indicated that in the last year under this government the terrible record of the former Labor government, where more people were fleeing the state than were being attracted to the state in terms of net interstate migration, had been, thankfully, reversed. My advice is, in relation to—

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: I am advised that in the first six months of the financial year 2020-21 there was actually a net interstate migration gain of 210—

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: —people in South Australia, which is clearly entirely inconsistent with the federal Treasury estimate of a loss of 2,600 over the 12-month period.

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: As I said, with great respect to the federal Treasury people who are responsible for these particular estimates, they certainly don't coincide with the—

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: —independent figures being released by the—

The Hon. K.J. Maher interjecting:

The PRESIDENT: The Leader of the Opposition!

The Hon. R.I. LUCAS: —Australian Bureau of Statistics, because I placed on the public record before and I do so again today the most recent figures in relation to net interstate migration. The government is confident in the economic recovery that we are seeing. There is certainly the significant investment in defence, submarine, shipbuilding—

The Hon. J.E. Hanson: COVID.

The Hon. R.I. LUCAS: —Space Agency. Yes, the response to COVID has been as good or better than any other—

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: —jurisdiction in Australia. It is being seen as an attraction for people to move from other parts of Australia to the safe confines of South Australia.

INTERNATIONAL STUDENTS

The Hon. R.A. SIMMS (14:56): I seek leave to make a brief explanation before addressing a question without notice to the minister representing the Premier on the topic of international students.

Leave granted.

The Hon. R.A. SIMMS: Before the pandemic, international students were a big export earner for South Australia, bringing in more than \$2 billion a year, creating jobs in our local economy and helping our accommodation, hospitality and tourism industries. Last November, South Australia was given approval to pilot bringing back 300 students but that trial has since stalled. The New South Wales government have announced their plan to bring international students back to university campuses this year, which is now under consideration of the federal government. My question to the Treasurer is: with our international borders expected to remain closed until mid-2022—

Members interjecting:

The Hon. R.A. SIMMS: —and no additional funding for our universities, where is the state government's plan to bring international students back to the state up to?

The PRESIDENT: The Treasurer has the call. I heard most of the Hon. Mr Simms' question but there was some interjection happening on my left, and I would like to hear the Treasurer's answer.

The Hon. R.I. LUCAS (Treasurer) (14:57): Thank you, Mr President. I would like to hear it too. On behalf of the Premier, I know he would welcome the honourable member's question and his interest in this particular area. This is a particular passion of the Premier and indeed the government. He has been working actively with the Minister for Health, the minister for industry and trade and their respective officers in relation to this issue.

You can rest assured that the Premier and the responsible ministers and officers have active proposals before the commonwealth government for their consideration, but it does require approval of the commonwealth government. It is not just the New South Wales government that's interested in this area. The Board of Treasurers discussions I have had over recent months indicate that

certainly Chief Minister Andrew Barr from the ACT has been actively engaged in this space, as has the New South Wales government, as has the South Australian government.

So there are a number of jurisdictions that have varying proposals, of varying nature and complexities, before the commonwealth government, but ultimately it does require the agreement of the commonwealth government in relation to these issues. We are not able to take these decisions as sovereign nations in ourselves because we are not a sovereign nation in South Australia. We are part of the commonwealth and, clearly, the federal government has the major say in relation to this.

I know that the Minister for Health and his officers, as I said, have been actively engaged. We do have, in our view, a viable proposition awaiting approval and we will have to sit back and work together cooperatively with the commonwealth government, as some of the other jurisdictions are, to see whether we can get an early response from the commonwealth government.

We are certainly very hopeful that it will be much sooner than the middle of next year that the honourable member has raised, which is the general federal budget assumption about the opening up of borders more broadly—the attraction of international students in pilot programs, specially controlled, monitored, etc., with all the sorts of rigorous controls that Australians and South Australians would want to ensure the safety of South Australians in relation to this program.

But the member is right, there is a genuine passion from the Premier. He recognises, as the member does, that international students and international education are an important part of our universities' financial experience and our state's export performance but it is also our state's future attractiveness in terms of hoping to keep some of these young students on, all with an ongoing interest in what occurs here in South Australia. It is a win-win from the state's viewpoint, and the Premier and the government are actively engaged.

The PRESIDENT: The Hon. Mr Simms has a supplementary.

INTERNATIONAL STUDENTS

The Hon. R.A. SIMMS (15:00): Whilst these discussions are ensuing between the state and federal governments, will the state government commit to providing our higher education institutions with a lifeline to ensure that there are no further staff cuts or potential campus closures?

The Hon. R.I. LUCAS (Treasurer) (15:00): That is where we might diverge: the answer is no. I have had that discussion with vice-chancellors in the universities and they have very strong balance sheets. The honourable member is probably familiar with some of our universities. They have strong balance sheets, considerable assets and, yes, they have faced challenges to varying degrees, but I would invite the honourable member to look at the recent financial report of one of our three universities which indicates that, contrary to their earlier expectations, they have emerged in a relatively strong financial position.

As I said to one of the vice-chancellors, their balance sheet was very attractive to the state Treasurer. We envied the fact that they weren't running deficits and debt levels the size that the state was having to run to try to save jobs, save businesses and to help households. I made that comment half in jest, tongue-in-cheek but, nevertheless, the answer to the honourable member's question is the same that I gave to the universities on behalf of the government, that we weren't going to help them out.

I hasten to say that we did provide emergency assistance during the worst of the COVID-19 pandemic last year via my colleague the Minister for Human Services—in terms of emergency assistance. My recollection is that we provided a financial package of around about \$13 million, not to bail out the universities but to actually use them as a mechanism to provide assistance—some of that money; I think it was \$10 million of the \$13 million—to students who were struggling for food or basic needs: emergency assistance during the worst of the COVID-19 pandemic.

INTERNATIONAL STUDENTS

The Hon. R.A. SIMMS (15:02): If the balance sheets of these universities are so spectacular, could the Treasurer shed any light on why our South Australian universities might be laying off staff?

The PRESIDENT: I just remind the Hon. Mr Simms that the supplementary needs to refer to the original answer, and I don't think the balance sheet reference was in the original answer, but I will ask the Treasurer to respond.

The Hon. R.I. LUCAS (Treasurer) (15:03): I am happy to have another conversation, which is consistent with the standing orders, with the honourable member after question time, but the reality is that universities have to make decisions and some of them may well be related to COVID. In many respects they may not be related to COVID, but whatever decisions the universities have taken, they are significantly less than they were contemplating through the worst of the COVID-19 pandemic last year. Running universities, big institutions, there are always challenges in relation to how they manage their budgets. However, they are in a relatively very healthy position given the strength of their balance sheets.

SOUTH AUSTRALIAN MULTICULTURAL AND ETHNIC AFFAIRS COMMISSION

The Hon. R.P. WORTLEY (15:03): My question is to the Assistant Minister to the Premier regarding multicultural affairs. Given the Treasurer's attempt to protect the assistant minister during question time today and yesterday, is the assistant minister confident that she retains the confidence of her colleagues to do the job? Has the assistant minister been advised not to answer questions about SAMEAC in this place due to any investigations into SAMEAC appointments?

The Hon. R.I. LUCAS (Treasurer) (15:04): I am confident that I speak on behalf of the Premier and all of my colleagues that the assistant minister has the absolute confidence not only of myself but all of my parliamentary colleagues. She is a magnificent assistant minister. She does an outstanding job, and it is recognised by all and sundry—all of those groups and individuals she has worked with not only as assistant minister but for many years prior to that.

So the answer to the question is yes, she does retain the confidence. She doesn't have to put a point of view. I can speak on behalf of her colleagues and the Premier. She does retain our confidence in relation—

Members interjecting:

The PRESIDENT: Order! The Hon. Dr Centofanti.

RURAL HEALTH WORKFORCE

The Hon. N.J. CENTOFANTI (15:05): My question is for the Minister for Health and Wellbeing. Would the minister update the council on what the government is doing to strengthen South Australia's rural health workforce?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:05): I thank the honourable member for her question. The Marshall Liberal government is investing heavily in regional health services to ensure country South Australians can access first-class healthcare services as close to home as possible, both now and into the future. Our investments include more than \$150 million for capital works to address the years of neglect and underinvestment under the previous Labor government and to build bigger and better facilities in regional towns and centres for the thousands of South Australians living beyond the metropolitan area.

These investments include funding to expand dialysis services in Ceduna and Mount Gambier; to build new ambulance stations in towns like Port Augusta and Strathalbyn; to improve and expand emergency departments in Mount Barker, Gawler, Victor Harbor and Murray Bridge; and to double the amounts of chemotherapy services delivered in country South Australia.

Of course, our investment in services and in bricks and mortar is only part of the story. We are also investing heavily in our most important asset: our clinicians, the people without whom there wouldn't be any regional health services. So at the heart of the Marshall Liberal government's investment in rural health services is our investment in country clinicians. Over a four-year period we are investing \$20 million to develop and deliver a Rural Health Workforce Strategy that is revolutionising the way we train, develop and recruit the workforce needed to deliver healthcare services to our regional communities.

So far more than \$16 million has been spent on initiatives to support the doctors, nurses, midwives, paramedics, Aboriginal health workers and allied health professionals working in rural

South Australia and to attract the next generation of clinicians. Fundamental to the success of the Rural Health Workforce Strategy has been the development of detailed workforce plans for individual professional groups. The first of these plans, the rural medical workforce plan, was released in December 2019. This was followed in August 2020 with the release of the rural ambulance service workforce plan.

Yesterday, on the international day of the nurse, it was my privilege to launch the SA Rural Nursing and Midwifery Workforce Plan 2021-26 at Strathalbyn hospital. The plan includes 31 strategies to secure and enhance the future of the rural nursing and midwifery workforce. It was delightful to be in the room with nurses, midwives and other health professionals, some of whom had come from remote parts of the state to Strathalbyn to be there for this milestone event.

The Chief Nurse and Midwifery Officer, Jenny Hurley, an outstanding leader in the SA Health workforce, was there, as was the Chief Clinical Advisor, Dr Hendrika Meyer. There were also people who joined us by Zoom, and there was representation for every part of the state. The excitement was palpable.

Two more workforce plans that are currently under development will be finalised this year: a rural allied health workforce plan and a rural Aboriginal health workforce plan. Of course, each plan is not an end in itself but a road map: a clear road map for growing and sustaining the profession in rural South Australia.

Last month, an important element of the rural medical workforce plan was launched at the Boston Bay Family Health Practice in Port Lincoln, that being the rural generalist program. The rural generalist program is a new coordinated and streamlined training pathway to attract, train and retain a skilled rural medical workforce. It recognises the fundamental value of rural generalists as multiskilled doctors who deliver health care across the full gamut of services, from primary care in the community through GP clinics to hospital-based services, including emergency care, anaesthetics and obstetrics.

I would encourage anybody with an interest in rural health care to go onto our new website in relation to the rural generalist program and I would encourage people to particularly refer young health practitioner trainees to consider the rural pathway as their career choice. The rural generalist program is yet another example of the Marshall Liberal government delivering on its commitments and supporting the provision of health services in rural and regional South Australia.

RURAL HEALTH WORKFORCE

The Hon. C.M. SCRIVEN (15:10): Supplementary: when will this Rural Health Workforce Strategy the minister referred to throughout his answer deliver a reinstatement of maternity services at Waikerie and a return of maternity services at Millicent as per the Marshall team's pre-election promise?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:10): The opposition trades in half-truths. I am afraid—

Members interjecting:

The PRESIDENT: Order! Let the minister answer the question.

The Hon. S.G. WADE: Unfortunately, in this case, I am not sure if there is even half a truth to it. I would like the honourable member to specify where I ever committed to the reinstatement of Millicent birthing services since the former Labor government closed those services in July 2013.

RURAL HEALTH WORKFORCE

The Hon. C.M. SCRIVEN (15:11): Supplementary: the member for MacKillop, presumably on behalf of the Marshall Liberal team—

The PRESIDENT: No, a question.

The Hon. C.M. SCRIVEN: He asked me a question, so I answered it.

The PRESIDENT: No, you ask the question.

The Hon. C.M. SCRIVEN: My question is: when will the reinstatement of maternity services at Waikerie occur and when will the reinstatement of Millicent services for maternity occur?

The PRESIDENT: That is a repeat of the previous question.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:11): If the honourable members of the opposition want to continue to peddle half-truths and less than half-truths, that is going to continually undermine the confidence of country South Australians—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —in their health services. Let me start with Ceduna.

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: Let me start with Ceduna. Ceduna—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: No, I'm sorry; I will answer this question.

The PRESIDENT: Minister, resume your seat. I think there might be a point of order. It is very hard to hear it.

Members interjecting:

The PRESIDENT: Order! The point of order?

The Hon. C.M. SCRIVEN: Point of order: the questions were specifically about Waikerie and Millicent and the minister is talking about Ceduna.

The PRESIDENT: I might add that it is a fairly long bow for Waikerie and Millicent out of the original answer. The minister has the opportunity to respond.

The Hon. J.M.A. Lensink: Take your medicine.

The PRESIDENT: Order!

The Hon. S.G. WADE: I thank my honourable ministerial colleague for the reminder to talk slowly for the opposition. Let's explain the experience of Ceduna. Ceduna is not dissimilar to what Waikerie—

Members interjecting:

The Hon. S.G. WADE: I can't even get half a sentence down. This is disrupting the house.

The PRESIDENT: Order! There is a point of order. The minister will resume his seat.

The Hon. K.J. MAHER: As the last point of order pointed out, sir, the question had nothing to do at all with Ceduna. It was about Waikerie and Millicent.

The PRESIDENT: The original question was about regional health and that is what the minister is referring to.

The Hon. S.G. WADE: I would put it to the residents of Waikerie that they should be taking courage—

Members interjecting:

The PRESIDENT: Order! The Opposition Whip is out of order.

The Hon. S.G. WADE: I would say to the residents of Waikerie that not only is their local health network working assiduously to recruit and retain the midwifery services that are required to maintain the birthing services at Waikerie but, in that context, they should take encouragement from

the work of the team at Ceduna. The Ceduna midwifery team, working in a midwifery group practice, engaging new—

The Hon. K.J. Maher: How does that help Millicent?

The PRESIDENT: Order! The honourable Leader of the Opposition might like to listen. Minister, I am sure you are going to conclude your answer soon.

The Hon. S.G. WADE: I certainly agree with you, Mr President. This is taking twice as long because of the interjections from the opposition.

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: The South Australian nursing and midwifery workforce plan is—

Members interjecting:

The PRESIDENT: I don't think they want to listen. Resume your seat, minister. The Hon. Ms Bonaros has the call.

STATE BUDGET

The Hon. C. BONAROS (15:14): I seek leave to make a brief explanation before asking the Treasurer a question about the budget.

Leave granted.

The Hon. C. BONAROS: Yesterday, the Treasurer advised the council of the near \$1 billion unexpected windfall the state government will receive from the federal government in GST payments that it hadn't budgeted for and that windfall, the Treasurer said, would be used to help reduce the government's huge deficit. My questions to the Treasurer are:

1. Will any of the money be directed towards replacing \$11 million in outdated medical equipment at the Women's and Children's Hospital?
2. Will any of the money be directed towards addressing the worsening ambulance ramping above what the government has committed to in its recent EB negotiations with the ambulance union?
3. Will any of the money be directed towards addressing the mental health crisis crippling our public health system over and above what has already been committed to?
4. Will any of the money be committed towards the four priority care centres across Adelaide to allow them to extend their opening times beyond 8pm to ensure a person presenting with a mental health episode outside those hours can get the care they require?

I qualify all those questions by stating that they are over and above what has already been committed and in light of the windfall that the Treasurer has pointed to.

The Hon. R.I. LUCAS (Treasurer) (15:16): I'm sure it won't surprise the Hon. Ms Bonaros that, given she isn't currently a member of the cabinet, I'm not going to discuss with the Hon. Ms Bonaros, before we finalise decisions as the cabinet, as to what will be in the budget on 22 June, as much as I would love to have a discussion with the Hon. Ms Bonaros and take her into my confidence about all the details that we are working through in relation to the budget.

What I can say in relation to budget considerations is that my colleague the Minister for Health and myself and others are actively engaged in how we can continue to improve the health system, in particular to meet the ongoing challenges that we have both within our hospitals and also, as he has outlined, in terms of the many initiatives he has already initiated and the many initiatives he would like to initiate in relation to tackling the mental health issues that confront our health system.

We are now better informed, although we don't have all the details, of the new commitments in terms of mental health funding from the commonwealth government from the federal budget. We have commenced discussions with the federal government and their officers in relation to what they have in mind in relation to mental health funding, but I'm sure the Hon. Ms Bonaros will be as excited

as I will be as Treasurer when we release the details of the 22 June budget at the range of responses that the government will have, not just in the health area but in education, housing and right across the board.

I indicate that I have certainly not indicated that any additional funding that the government has received will be solely devoted towards the reduction of the state's deficit. We will continue to have a \$4 billion economic stimulus package. We will continue to have a significantly increased debt level, as all other state and territory governments are confronting as a result of COVID-19, with the exception of Western Australia, and we will continue to try to address the many pressing needs in terms of health and education spending right across the board.

I can't do much more than reveal broadly the general shape and tenor of the budget preparations, much as the member would like. I would love to take her into our confidence, but I'm not prepared to do so.

Bills

COVID-19 EMERGENCY RESPONSE (EXPIRY) (NO 2) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 6 May 2021.)

The Hon. K.J. MAHER (Leader of the Opposition) (15:19): I rise to speak on this bill and indicate that the opposition will be supporting this bill. The bill seeks to extend temporary emergency powers, particularly those related to directions given by the State Coordinator, from 31 May until 17 September. It is important to note that the opposition has supported every one of the government's COVID-19 legislation initiatives, but it is true that it is peculiar that this bill is before us to once again extend the time for the operation of the emergency response bill.

In January this year, the Premier was quoted as saying the government had been working on longer term reforms to the Emergency Management Act since November last year. It had been widely acknowledged by the government that the current piecemeal changes were not fit for purpose for the times that we find ourselves in. On 4 January this year, InDaily reported:

As the state enters its tenth month under an emergency declaration—and Marshall enters his final full calendar year before kicking off his re-election campaign—the Premier said authorities were considering how to return the state's emergency decision-making to cabinet government.

'We're looking at that at the moment,' he said.

'We were looking at it very carefully in November—before the Parafield cluster.'

The State Coordinator publicly addressed this issue when he spoke to journalists. When he was asked about when he may step aside from the role of State Coordinator he said, and I quote:

We are providing advice to the government in relation to what those options might be that see the requirement for a major emergency declaration to be revoked. At this point in time, this is the only mechanism...that gives us the ability to require people to participate in QR code activity, to have COVID marshals onboard, to have one person per two square metres. All of those things are contingent upon some ability to require people to do that. That's the major emergency declaration. The government are having a look at how we can replace that with another mechanism that provides that same level of accountability to the community. Until that's developed, then I will continue to operate as the State Coordinator.

He went on to say:

The major emergency declaration is the only mechanism under the Emergency Management Act that allows this to occur. The replacement for this would be a specific piece of legislation that provides a baseline level of restrictions for community activities and gives us the ability to introduce restrictions for people coming into South Australia so we can manage risk.

When asked whether he would consider State Coordinator in such legislation, the State Coordinator responded, 'My role as State Coordinator would cease.'

Since November last year, when the Premier outlined that they had been looking at a different regime, and certainly since January this year, when the Premier made the comments

outlined to InDaily, the public have been led to believe that the government wants to return to normal cabinet government, where elected officials make decisions and are accountable for them. There has been much said and debated about a divided Liberal party room in relation to the ongoing continuation of emergency management as we know it today.

I will ask the Treasurer, who is responsible for this bill, to outline what steps have been undertaken since the Premier made his statements way back in January, many months ago, that the authorities were considering how to return the state's emergency decision-making to cabinet government. I would ask that the Treasurer outline either in his wrap-up or perhaps at clause 1 what steps have been taken to fulfil the commitment that the Premier gave way back in January and why we are being asked now to continue piecemeal extensions when in fact the government has continually represented that they are looking at a more appropriate and permanent regime.

I would also ask the Premier to outline what is the rationale behind the date in September. Why not shorten it and then return to parliament, if that was not a reasonable time frame? On the basis of how the Treasurer can answer and outline those questions, the opposition will consider in what form they support the bill before us.

The Hon. R.A. SIMMS (15:24): The Greens have a number of questions that we will be asking in relation to this bill in committee. My colleague the Hon. Tammy Franks has indicated that she will have a number of questions to raise. One of the issues that I intend to raise that I have concerns with in this bill relates to clause 3, and that is the provisions that relate to the moratorium on evictions and on rent increases.

Those provisions were put in place in response to the economic crisis faced by vulnerable South Australians. I welcome the fact that the government did put those protections in place because we know that vulnerable South Australians, particularly those who are renting, have been really hard hit by the pandemic and the ensuing economic crisis. But those provisions will come to an end. I know the government has talked about extending it for a month, up until June, but that really is not good enough, and that is one of the significant concerns the Greens have.

I take this opportunity to read into *Hansard* some of the stories of renters during this economic crisis, because I think it is very important that people understand the implications of not extending this moratorium. In the committee stage I will be moving to amend the bill so that we extend those protections for another 12 months, up until May next year.

I refer to a news article published on Thursday 15 October on ABC online by the national social affairs reporter, Norman Hermant, and the specialist reporting team's Lucy Kent. This was looking at renters and at the impact of the pandemic on that cohort. The headline reads, 'Renters skipping meals and paying bills late to afford rent during coronavirus pandemic, study finds'. The article goes on to say:

Researchers behind the biggest ever snapshot of Australian renters suspected they would see a big impact from COVID-19 in their survey, but they did not realise how large it would be. 'The first thing that really struck me is the absolute scale of the effect of COVID-19, and how it has affected people's lives', Emma Baker, professor of housing research at the University of Adelaide, said.

More than a third of people were doing things like not being able to pay their bills and skipping meals. Lots of people were affected by things like not being able to pay their rent, but also what came up was this risk of eviction and not knowing what was going to happen.

So people not being able to pay their rent on time, people being in fear of eviction and people living under a cloud of uncertainty. This was a significant study by the Australian Research Council, a survey of 15,000 renters and households in July and August of last year.

This moratorium on rent increases and evictions has thrown those people a temporary lifeline, and the government is talking about pulling the rug out from under them in the middle of the worst economic crisis in a generation, in the middle of this one-in-100-year pandemic. That is something the Greens are very concerned about and I intend to talk further about this in the committee stage.

The Hon. C. BONAROS (15:28): I rise to speak on the COVID-19 Emergency Response (Expiry) (No. 2) Amendment Bill. At first glance it appears that we are being asked to extend all the

provisions of the response to 17 September—for 3½ months—but in reality we are focusing on the extension of specific provisions related to: the power of the State Coordinator and authorised officers to issue directions; assault provisions against prescribed emergency workers; and residential tenancies, residential parks and supported residential facilities.

According to the briefings we have received, a number of provisions contained in the act have been working well, and members would agree that some provisions have been working well and should be enshrined in legislation permanently. We will have a bit more to say about that when we deal with the permanent measures bill, which contains a number of measures that we are very supportive of.

The Attorney has indicated that the remaining provisions, which include the reverse presumption of bail for certain offences and detention of certain protected persons, are to be expired by *Gazette* on 31 May. She has indicated her intention to expire sections 8, 9 and 10—the residential tenancies, residential parks and supported residential facilities provisions—at the end of this financial year.

Though we have not been supplied with any specific data—and we have made a request for very specific data about the number of COVID-related applications considered by SACAT—we are being told that these temporary measures are being used significantly less as time goes on. We have been advised that the hardship provisions that predate the emergency measures are in fact being used by SACAT a lot more often and a lot more effectively. I would have liked, prior to today, to have the actual statistics in front of us. We do not have those. I note for the record that we have asked for them, but we do not have those.

I have had some discussions with honourable members across the floor in relation to these provisions, particularly given that the Hon. Robert Simms has filed amendments with the effect of extending those dates to 1 May 2022. Our position has been that we are not minded to support an almost half-year extension of those provisions. We have concerns, and have been concerned all along, about the impact that this is also having on mum-and-dad landlords, who have been hit just as hard as others by the adverse impacts of COVID in terms of rental income that they have received.

This has been a difficult situation all round, and in here we have all endeavoured to do our level best to make it accessible and fair for all the parties involved. I note that there are ongoing safety nets in the existing hardship provisions that I have pointed to in the Residential Tenancies Act. They are not going anywhere; we know they are going to stay there. Those protections, if indeed they are being used more than the COVID measures, as we are told—I think it is fair to say that the test, in terms of getting the provision of hardship under the COVID measures, is exceptionally high, given that you have to prove that there is a direct link back to COVID, as opposed to the more generic hardship provisions. I think we must be mindful of that in this as well.

Having said all that, SA-Best always likes to sit in the centre of things, so I am always looking for a compromise where I think there can be one. If indeed it is correct, as we are being told, that these provisions are being under-utilised, then there would be, in my view, no reason for them to expire in June, and they could expire in September of this year. I accept that we have been extraordinarily generous in terms of those provisions, compared to other jurisdictions. I accept that there are already hardship provisions available, as I have just outlined, which might be more easily accessed than the ones we have been debating today. I am very mindful of the impact that this has on landlords as well.

So, on that basis, I have been talking to the Attorney, through her office, and have asked her to give us an undertaking that, at the very least, these provisions will not be extinguished prior to September this year. I do see that as a way forward. I see that as somewhat of a middle ground between what we are being told on one hand by the government and the concerns that the Hon. Mr Simms has highlighted on the other. If it turns out that, in the meantime, we get statistics that show this is overwhelmingly incorrect, we can address it then.

I think we also need to make it crystal clear for the record that we are all expecting to see what the permanent measures will look like by September, above and beyond those that have been addressed in the permanent measures bill that I referred to earlier.

The South Australian community across the board has been extraordinarily patient and understanding of the position that we are all in with this declared state of emergency, and I am hoping that by September the many businesses that continue to operate under the restrictions of the current directions, for instance the three per four square metre rule, will be able to trade as usual.

I am hoping that business will be able to get back to some sense of normalcy, but qualify that by saying we also have to be very vigilant and very prepared, should there be an outbreak in South Australia. It is a fine balancing act. I think we all accept that it is a very fine balancing act. While we are minded to support the extension of the power of the State Coordinator and authorised officers to issue directions until 17 September, again I want to make it crystal clear for the record that this is not indefinite support for these measures.

It has been over a year since we declared a major emergency. I am sure the State Coordinator himself would like us to move towards more permanent measures that would see him get back to the business of being the police commissioner but still enable him and his team to issue directions where they are appropriate, outside of a declared state of emergency, should, God forbid, things turn ugly for us, which we all accept can happen at any given hour on any given day; we just do not know, that is the nature of the COVID beast.

I hope, certainly, that the government acknowledges that all members in this place have been willing to work together. We have been willing to trust in decisions being made for the benefit of the entire South Australian community that we would not, ordinarily, make in this place. We have made these decisions sometimes very quickly and with very little information available to us, but we again absolutely accept that by extending this to September we expect to see those permanent measures, as I have outlined, dealt with once and for all.

We cannot keep going and keep businesses, communities and people in limbo forever. We support it on that basis and look forward to further discussions with the Attorney, the government and indeed all members about what those permanent measures might look like in the next raft of changes, and specifically as they relate to the State Coordinator's powers outside a declared state of emergency.

With those words, I indicate our support for the bill. I indicate that, while we will not be supporting the amendments of the Hon. Robert Simms, I acknowledge and understand wholeheartedly why they have been proposed. I am hoping that there will be agreement that at least extending this out to September of this year will provide us with a bit more certainty going forward than what we have at the moment. At that point, we will be better placed to make decisions about what is permanent, what is not and how we proceed from here.

The Hon. F. PANGALLO (15:37): I thank the Hon. Connie Bonaros. She has said most of what SA-Best believes on this matter in showing our support for this. Like the Hon. Kyam Maher, I am hoping that the government does take control of the reins much sooner rather than later. I am sure the State Coordinator would like to get back to his normal day job of fighting crime in South Australia, although I must say he has been doing both jobs quite admirably. We commend him and SAPOL for the work that they have done during this COVID pandemic. In saying this, think of this scenario: if the government wants another extension after September, it could take the State Coordinator's tenure until the end of the year, or beyond, going to the state election.

The Hon. E.S. Bourke: We might have to put him on a corflute!

The Hon. F. PANGALLO: Well, what we might find is that it could make the State Coordinator a month short of the Premier in leading the state, which would be an extraordinary situation. As for the hardship measures for renters, while I am very sympathetic with what the Greens have put up, I endorse what my colleague the Hon. Conaros—Bonnie—Connie Bonaros has said.

The Hon. C. Bonaros: I'll take both.

The Hon. F. PANGALLO: That is the first time being tongue-tied for me. I endorse the words of the Hon. Connie Bonaros, and we await the Attorney's assurances on that as well. I will point out that, even though they have copped a bit of stick in some sectors, we have to acknowledge that landlords have also borne the brunt of lockdowns, restrictions and rent payments that have been deferred.

Landlords, like other businesses and other businesspeople, do have commitments. They are not a bank, and they have to eke out a living in difficult economic times such as this. I am not sure when those land tax bills are going out, but when they do they are going to cause some landlords some grief, so I think we need to bear in mind that they have also had to bear a burden during the pandemic situation.

We also need to consider that tens of thousands have now moved off JobKeeper payments and have gone back into work. We can actually see the economy starting to tick over now. That is a good thing, but many businesses, such as cafes and restaurants, are still hurting and are still to get back to capacity. Many are still operating at 60 per cent capacity and they would like some normalcy. In closing, we will support the second reading of the bill.

The Hon. R.I. LUCAS (Treasurer) (15:41): I thank honourable members for their contribution to the second reading. The Leader of the Opposition raised some general questions about alternative options that have been canvassed since, I think he said, January this year. I think it is correct to say that the Premier and indeed others have canvassed a variety of alternative mechanisms that might be possible.

The government's position at this stage is that, whilst alternative options have been considered and continue to be considered, it is the government's view at this stage that this particular model, for all its strengths and weaknesses, is the best model in terms of managing the COVID-19 pandemic. I think, whatever anyone thinks about governments generally—Labor, Liberal, state or federal—we would all much rather be in Australia, and in particular in South Australia, than in most other parts of the world, given the way we as a nation and as a state have handled COVID-19.

That is in no small part due to the governance model that we have had. As clunky as it might be and—I cannot remember the exact words the Premier used—as ill-suited as it might be to the whole notion of an ongoing emergency, which is what we are talking about, those who drafted the original provisions would have been envisaging relatively short-term emergencies such as bushfires, perhaps earthquakes, possibly floods and the like. No-one was contemplating a 12 months plus global pandemic such as COVID-19.

So yes, it is clunky, but the simple answer to the member's question—and I will not be able to provide any more detail in the committee stage—is yes, we have considered and are still as a government considering what better governance models or alternative mechanisms there might be. But as we stand here today, it is the government's position that the current model we have is the best model for continuing to cope with these circumstances as they confront us. I will leave my comments in relation to the issue of evictions and rent increase provisions for the committee stage of the debate when the amendment is moved.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. T.A. FRANKS: My first question is a reasonably obvious one, and I know it was canvassed in the other place, but why has this particular expiry date been chosen?

The Hon. R.I. LUCAS: I am advised that previous iterations of this legislation have gone for three-month blocks and it is slightly longer than that to fit the sitting calendar, so it is three months and a couple of weeks, as I understand it, or something like that. Essentially, the previous extensions were for three-month periods and when the sitting calendar was considered it was extended for a little bit beyond the three-month period.

The Hon. T.A. FRANKS: We are well over a year into the pandemic, why has the government not provided a range of levels of lockdown, as other countries and jurisdictions have done? For example, when we entered the short-circuit lockdown why was there not a level 1, 2, 3 or 4 that the community had been consulted on—particularly businesses and those who were, say, deemed to be essential workers but were not sure if they were essential workers or not, and facing a potential fine—so that they could actually see what the situation was rather than waiting for the

State Coordinator declarations and determinations, often nearing midnight, that often have to be tweaked on the run? Why are we not actually forward planning at this point?

The Hon. R.I. LUCAS: I am advised that in relation to interstate restrictions there are some elements of gradations—levels, I think, to use the honourable member's word or phrase. In relation to within state restrictions, which is the point of the honourable member's question, that has not been resolved as yet. It certainly continues to be under consideration. My advice is that it is not entirely clear that other states have every i dotted and every t crossed in terms of the level of intrastate restriction in their jurisdictions either.

It is a relatively simple concept to talk about but I am advised that it is a much more difficult concept to deliver on. The model that we have used in South Australia is one to be flexible and to be nimble and to be agile. Whilst the member refers to the fact that it is the police commissioner who issues the ultimate direction, the Transition Committee—which incorporates, as the member would be aware, a number of senior officers, including health and police, and a couple of other agencies as well—provides advice ultimately to the police commissioner in terms of the implementation of the intrastate restrictions, whilst ultimately the legislation does leave it to the police commissioner.

The Hon. T.A. FRANKS: Can the government please provide the list of organisations, agencies and individuals that the Transition Committee has consulted with?

The Hon. R.I. Lucas: About what?

The Hon. T.A. FRANKS: About the pandemic and the management of this pandemic.

The Hon. R.I. LUCAS: I cannot give a list. Given that the pandemic has now been more than 12 months the list of organisations, individuals, departments, agencies that would have had contact with the Department for Health, the public health division, the police commissioner and his senior officers, the department for industry—no, investment and trade, whatever they call them, investment and trade—the Department of the Premier and Cabinet and other members would be too numerous to mention.

I think it is fair to say that anyone who wants to put a point of view has put a point of view to members of the Transition Committee, either individually or publicly. There is no shortage of advice from stakeholder groups and individuals in relation to the members of the Transition Committee and indeed the Premier and the Minister for Health, who are the two ministers with the most direct line of contact with the Transition Committee.

I am not in a position to give a comprehensive list of all those individuals and organisations that at some stage have provided advice to members of the Transition Committee or indeed to the Premier and the Minister for Health, who are the two ministers who consult most with the Transition Committee.

The Hon. T.A. FRANKS: Minister, why does the Transition Committee not make its affairs publicly known and publish its minutes and determinations?

The Hon. R.I. LUCAS: I thought I had seen released publicly in the media minutes of the Transition Committee. So I assume some parliamentary committee at some stage must have required them or requested them. I think the honourable member might be on a committee, but I am not sure. Certainly, I have read in the media in South Australia—

The Hon. T.A. Franks: Via FOIs and leaks is how you have read it in the media.

The Hon. R.I. LUCAS: Is it? Okay, so they have not been released to a parliamentary committee?

The Hon. T.A. Franks: Some have, but they—

The Hon. R.I. LUCAS: Yes, I understood they had been released to a parliamentary committee. Whether they were leaked from the parliamentary committee or not, I am not sure. My very strong view in relation to these issues is that the police commissioner, the Chief Public Health Officer (Professor Spurrier), the Minister for Health and the Premier on almost a daily basis have been answering for any decisions the Transition Committee and the police commissioner ultimately

have taken. So there is no shortage of transparency and accountability in terms of defending the decisions that have been taken.

I think these sorts of critical decisions that need to be taken are probably best conducted confidentially to allow people to have a full and frank exchange of views, and then ultimately there is a final decision, which the police commissioner is responsible for, and ultimately the police commissioner, the Chief Public Health Officer and others have to defend it. Whilst I understand the honourable member's interest in having comprehensive minutes taken and then being publicly released on a regular basis, it is not a view that I share. So we will have to respectfully agree to disagree in relation to the usefulness of that in terms of trying to manage COVID-19.

There will always be, in terms of these difficult decisions, differing views being expressed. Ultimately, decisions have to be taken, and ultimately, those who take them have to defend the decisions. There has been no shortage of people being prepared, from the police commissioner onwards, to defend whatever decisions they have taken and to receive the criticisms they have received for some of the decisions they have taken.

The Hon. T.A. FRANKS: I will reiterate my question and ask that it be taken on notice that the Transition Committee's consultations—organisations, agencies, lobby groups, individuals—be made available. I would ask that that be taken on notice and provided by the government. I think it is only fair that those groups that have had access to the Transition Committee should be known by the South Australian community.

While the minister answered my question by disagreeing with me that the Transition Committee minutes should not be publicly known, I will note a few things and just place them on the record. I am part of the COVID committee and the COVID committee regularly asks the Transition Committee for their minutes. Regularly, they are incredibly lax in providing those minutes and they ask us to keep them from any public record.

The stories that you have seen in the media are from leaks and FOIs that were done well before the receipt of those minutes by the COVID committee. Indeed, an FOI or a leak is the way to get the information currently about what happens in the Transition Committee. My question was not whether the Treasurer agreed with me but to explain why the Transition Committee has been conducting its business in secret.

The Hon. R.I. LUCAS: I answered the question and I have nothing further to add to the answer I gave. In relation to the honourable member's further request for me to take on notice a comprehensive list of everyone who has been consulted, I have provided an answer and I will not be taking on notice to provide a list of all the people who have been consulted over the last 13 months or so in relation to anyone who has expressed a view to members of the Transition Committee in relation to the issues that they have to make decisions on.

The Hon. T.A. FRANKS: I only have a few more questions, so the minister can breathe a sigh of relief, no doubt. In terms of advice to the Transition Committee by the Chief Public Health Officer, how many times was her advice overruled in the Transition Committee, on what occasions and for what purposes?

The Hon. R.I. LUCAS: Just at the outset, I welcome the questions from the Hon. Ms Franks and encourage her to ask as many as she wishes. I do not have any information along those lines and, even if I did, I would not be sharing it publicly. As I said, for us to manage, in my view, the COVID-19 pandemic as well as we have, the Transition Committee should be an occasion where they can exchange in a free and frank way their views as to how restrictions should either be eased or imposed. Then, ultimately, as the legislation outlines, the police commissioner has to make his determination and be answerable for it.

I think there has been some public acknowledgement by the police commissioner. I know of at least one occasion where there was a differing view, but I think on most other occasions where there has been public acknowledgement Professor Spurrier and the police commissioner have been as one in terms of their views and/or advice in terms of how we should best manage the COVID pandemic.

Given that sort of balance over a 13-month period, there has been one particular time—maybe there was another or a very small number; I cannot remember—where there has been public acknowledgement that there are differing views being expressed. For the rest of the time, there has been unanimous agreement. I think that is an impressive effort and one that should be lauded and supported and I do so.

As I said, I do not have the knowledge and I am certainly not going to place on the public record or add to it the information in relation to whether or not or how many times there have been differences of opinion between the police commissioner and the Chief Public Health Officer or, indeed, perhaps others on the Transition Committee in relation to the particular nature of a restriction.

What I would say is that sometimes it is not just as black and white as that. Some of these areas are extraordinarily complex. If you look at how a particular restriction might be imposed or what the issues might be, there are various options that might be canvassed. Ultimately, compromises might be entered into that might not be the preferred position of either side but, ultimately, they come to a mutual position that is acceptable to both but that was not necessarily their original position.

Good governance sometimes requires compromise amongst all parties to come to sensible decisions. I invite not only the honourable member but others to judge by what has occurred and what has happened and what I believe is the relative success in terms of how COVID-19 has been managed by the Transition Committee and the key players in South Australia over a 13-month period or so.

The Hon. T.A. FRANKS: How then can the South Australian public accept that the Premier is telling the truth when he says that the Marshall government has taken health advice to manage the pandemic when they will not disclose when health advice has been ignored?

The Hon. R.I. LUCAS: I think I have been asked a similar question before in relation to this. I think the South Australian public can always be confident that the Premier tells the truth.

The Hon. T.A. FRANKS: Did the pizza worker lie to a contact tracer that led to the situation that plunged the state into a lockdown?

The Hon. R.I. LUCAS: I do not have knowledge in relation to the pizza worker.

The Hon. T.A. FRANKS: Has the pizza worker now been afforded his contact tracer interview details and his health records that he sought to prove that he was misrepresented and indeed defamed by the Premier when the Premier said he lied to the contact tracer?

The Hon. R.I. LUCAS: I do not have any information about the pizza worker.

The Hon. T.A. FRANKS: Neither does the state, so we are all in the same boat there. I have a question in particular about the amendments in terms of pharmacy services. Can the minister outline the extension of this provision in terms of protecting those pharmacy workers and who exactly that is working in a pharmacy is protected by these protections?

The Hon. R.I. LUCAS: My very quick advice is that it is pharmacists and pharmacy assistants. I am not sure whether the honourable member had any other potential workers in mind in relation to these protections or not, but that is my advice.

The Hon. T.A. FRANKS: My understanding is that pharmacists, and certainly more broadly those who work in retail, have been subject to increased levels of violence and attacks and abuse because of the pandemic, particularly when we see a lack of forward planning about throwing the state into a circuit-breaker short lockdown with no pre-planning and levels and awareness of who should be at work or who should not be at work; who is an essential worker; who faces a fine for leaving the house; and whether or not their employer, if they demand that they leave the house, faces that same fine. There is a lack of clarity. In terms of pharmacy assistants and pharmacists, do these protections cover a simple retail worker who works in a pharmacy or not?

The Hon. R.I. LUCAS: We might need to take advice. In the pharmacies that I attend, I see pharmacists and pharmacy assistants. I am not sure what the member refers to as a 'retail worker' in a pharmacy. When I go to a pharmacy, there is the pharmacist and there is somebody at the front counter who takes my money and assists me if I need to find where the Panadol is on the shelves or

whatever it is. They are not trained as pharmacists. I would call them pharmacy assistants. The member may well be referring to them as retail workers, but I am not sure. It is the general nature of the pharmacies I attend that that is the nature of the worker and, if that is the case, my advice is that they are covered by the legislation.

The Hon. T.A. FRANKS: Can the minister clarify, for somebody who is not the pharmacist, who is not called in their job title a 'pharmacy assistant' and is indeed working on the counter at the till or in any other capacity in a pharmacy, where we know there has been increased violence, abuse and these protections were put in place, are there different levels of protections for workers in a pharmacy currently? Is that what we are perpetuating here?

The Hon. R.I. LUCAS: I just remind members that this provision has not changed for all the period. The legislation says 'a person (whether a pharmacist, pharmacy assistant or otherwise) performing duties in a pharmacy', so the answer to the question would be yes.

The Hon. T.A. FRANKS: Why have other retail workers not been afforded similar protections, given the level and increase in violence and abuse that they have been subjected to and will continue to should we be in further stages of lockdown?

The Hon. R.I. LUCAS: Again, this has not changed since the legislation was first introduced. Healthcare workers were the ones who were incorporated into the legislation. I would have to say that the sorts of issues that the honourable member is canvassing were certainly commonly referred to at the height of the pandemic through last year.

As someone who is a regular attender of retail outlets, I know there is certainly none of the chaos that we were seeing at varying stages in the early stages of the pandemic, where people were fighting amongst themselves for toilet rolls or packets of mince or spaghetti or whatever it might happen to be. Thankfully, because of the way South Australia has managed the pandemic, we have been not confronted with those sorts of situations.

That is not to say that there are not occasional outbursts, I am sure, of abuse of retail workers in other outlets, but that occurs outside of COVID-19 as an occasional issue for retail workers generally. You only have to talk to my very good friends in the shoppies union to know that COVID-19 in and of itself will not either stop or start the occasional outburst of abuse against retail workers.

That is the simple answer to the question. It was essentially protections directed towards health workers, and health workers eventually got extended to include pharmacy and pharmacy assistants and people who work in pharmacies.

The Hon. R.A. SIMMS: In her remarks earlier, the Hon. Connie Bonaros referenced a commitment that had been provided by the Attorney-General regarding the extension of the provisions protecting renters from eviction and rent increases. It was indicated that this would be extended until September. Could the minister give a commitment on behalf of the government that this is in fact the case?

The Hon. R.I. LUCAS: Whilst I do not have any direct knowledge of the undertaking, I am advised the Attorney-General did give an undertaking along the lines that have been evidently outlined by the Hon. Ms Bonaros.

The Hon. R.A. SIMMS: To be clear, renters can be assured that their protections will be extended until September?

The Hon. R.I. LUCAS: I am advised that is the undertaking the Attorney-General has given.

The Hon. C. BONAROS: Can the Treasurer advise when we can expect to see the permanent measures relating specifically to directions? I refer not to the permanent measures we have in the permanent measures bill already before us but the ones relating specifically to directions and the commissioner's powers—when can we expect to see those? Can he also confirm which department is actually working on those—is it the Minister for Police, the Attorney-General, the Minister for Health and Wellbeing, or all three? Who is going to be responsible for those, and when can we expect to see them?

The Hon. R.I. LUCAS: This extends the discussion the Leader of the Opposition raised. The answer is that a number of agencies are actively engaged in this: the Attorney-General's Department, the police commissioner and his officers, clearly the health department, Premier and Cabinet and, I suspect also, Investment and Trade, maybe at a peripheral level. I think the Investment and Trade chief executive officer is a member of the Transition Committee, but I suspect is not leading any discussion.

The key movers in relation to any alternative possible governance model would obviously be Attorney-General's, police, Health and Premier and Cabinet would be the key. The Under Treasurer is also on the Transition Committee, but again in terms of alternative governance models I suspect the other agencies, in particular Attorney-General's, Health and police, would be the three keys in terms of potential alternative models.

The Hon. C. BONAROS: In reference to the second part of my question, a number of measures have expired and a number are due to expire. We have an extension until September. I think members want some certainty that we are going to have something to look at and consider well in advance of that date so that we can get our heads around those permanent measures. Is there a time frame in place and when can we expect to see a bill to that effect?

The Hon. R.I. LUCAS: An extension of what I said earlier is that it is an option that the government, having concluded this time that for the next three months the best option of all the alternative governance models is the current one, we cannot rule out the fact that in three months' time we will come back and say, 'We've looked at all these alternative models and they are all clunky, and the current clunky model we've got is as good as we're going to get and we recommend that we continue it.' The parliament will have to decide whether they want to or not.

I do not think we can assume that this is the last possible extension of this—it might be, because work is being done to look at whether there is a better model. It may well be that there is a better model that the parliament is asked to consider, and if that is the case it should be, as the member has indicated, well prior to the expiration of this one. It is entirely possible that, as clunky as it might be as some might see it, this is the best model in terms of managing COVID-19, and there is a further extension for another three-month period.

The Hon. C. BONAROS: I am not sure whether the Treasurer is in a position to answer this question, but given that we are canvassing the issue of directions and the commissioner's powers, can he confirm whether he knows there are penalties for not using QR codes but no penalties for entering fake details, because they are dealt with by directions, as I understand it—I might be wrong. If they are dealt with by directions, we have to check-in using the QR codes, because that is the direction of the State Coordinator.

They have announced today that they have started to issue fines for not checking in. As I understand it, there is no penalty for entering fake details, so I can say that I am Bonnie Smith and that is not an offence, but not checking in is an offence, potentially.

The Hon. R.I. LUCAS: My advice is that it is an offence, in relation to the QR code, for both the individual and the business. I think the police commissioner has been entirely reasonable in relation to this thus far, and I think it is only for those—and these are not his words; they are my words—who are blatantly in your face about not complying, if a police officer asks you to comply or to do something, where there might have been penalties imposed.

At this stage, they have preferred to use education and encouragement, and generally most South Australians and businesses comply. My understanding is that if someone, just having been advised to do something, in an impolite way told a police officer to go away, they may well attract the full extent of what the penalty might be in relation to that.

The quick advice we have in relation to the drafting is that it would probably cover the person who signs the write-in register as Jesus Christ of mount whatever it is as their name and their residential address. The quick advice seems to be that the current drafting would probably cover that set of circumstances.

I am not aware of whether or not anyone has been caught and charged in that particular way, but the quick advice, subject to further clarification, is that the current drafting is probably broad

enough to canvass the sort of circumstance the honourable member has outlined, should someone be caught. You would obviously have to have evidence as to who it was who signed their name as Jesus Christ with a false residential address and, I suppose, ultimately be able to prove in a court that that was the person rather than the unfortunate person walking in afterwards.

The Hon. E.S. BOURKE: Are retail workers essential?

The Hon. R.I. LUCAS: Whilst I think they are essential in layperson's terms, my advice is that they probably do not comply with the definitions under the act. They are essentially directed towards categories of workers, obviously including health workers and others, that have been designated by the legislation as essential.

The Hon. E.S. BOURKE: Have retail workers played an essential role during the emergency declaration?

The Hon. R.I. LUCAS: Yes, and whenever I meet my friends and colleagues in the shoppies union I am obviously constantly thanking them for the work of their members and employees. I think all members, particularly through the worst of the pandemic last year, would acknowledge the fact that for a number of retail workers and a number of retail establishments, when they were being almost submerged by customers throwing toilet rolls at each other and fighting each other, it was a very difficult set of circumstances.

Without wanting to be inflammatory, that of course is one of the reasons why it was sensible to extend the shop trading hours to try to spread the number of customers over a longer period of time. I think everyone supports the hard work done by retail workers and indeed many other workers, who might not be designated as essential within the terms of the legislation but nevertheless have undertaken important work in terms of managing COVID-19.

The Hon. T.A. FRANKS: I think the answer to that was that retail workers are not necessarily essential. Was that the case of the minister's answer?

The Hon. R.I. LUCAS: No. What I said was, I think they are essential, but I am a layperson. Under the terms of the act, they are not designated as essential.

The Hon. T.A. FRANKS: Are supermarket workers, under the terms of the act, essential and are they not retail workers?

The Hon. R.I. LUCAS: When we were discussing with the Hon. Ms Bourke retail workers, I was referring to supermarket workers as well.

The Hon. T.A. FRANKS: Could the minister clarify whether under the operations of the act to date supermarket workers have been considered essential?

The Hon. R.I. LUCAS: I just answered that question.

The Hon. T.A. FRANKS: If a supermarket worker was called in to work under a lockdown, as they have been in the past, because the supermarkets remained open, would they face the penalty of quite a substantial amount for leaving their homes if they were deemed by the police not to be essential?

The Hon. R.I. LUCAS: I do not know that I can add anything further to it. I am not aware of any evidence in South Australia of the police taking action against a retail worker in the sort of circumstances that the honourable member has canvassed. If she has evidence of that, I would invite her to place it on the public record.

The Hon. T.A. FRANKS: I will ignore the debate and argument in that particular answer, because it is not what I said. What I asked is, how does a worker know if they are essential? Should we go into another lockdown, where is that criterion? I will give you an example. If a worker is called into work at OTR—an On the Run—and we are in a stage of lockdown again, are they essential or are they not essential?

The Hon. R.I. LUCAS: The best I can offer the honourable member is that the way it is operated is if a business is allowed to open and operate then the business is entitled to have, or allowed to have, workers who work within it. My recollection—it is a long time ago that we had the lockdowns and the sort of circumstances the honourable member is talking about—is that service

stations were allowed to operate and therefore workers would have been allowed to work within them.

I think there was an argument at one stage during part of the lockdown. The member has referred to a particular commercial outlet, but let's say a 24-hour service station that had other aspects where they were providing, perhaps, the equivalent to cafe services as opposed to petrol. I think there might have been a brief period where the police may well have determined that the people who were working in the cafe—if the cafes, for example, had been required to close down.

I am going on memory now. I have some experience with friends and colleagues and others who work in the cafe industry. For the bulk of the time, if not all of it, they were able to operate, albeit with a takeaway service. Whilst they were not allowed to have people come in and sit down, they were able to have people come and get their coffee to take away and also any takeaway foods that there were. In those circumstances, workers who were required to do that would have been entitled to do that.

The Hon. T.A. FRANKS: Say the worker was working in the cafe—and the minister does remember correctly that there was confusion around this—and not in the provision of the essential services. Indeed, cafes were closed down, were told that they needed to get rid of their stock, do whatever needed to be done, be out of there by midnight that night and not come back for another three days—or six days it was cast as at first. Should that worker be found not to be essential, who is liable for the fine? Is it the employer for calling them in or the employee for doing what their employer told them to do?

The Hon. R.I. LUCAS: In the circumstances I understand the honourable member is hypothetically trying to outline—that is, there is a police commissioner direction that the cafe is not allowed to open and the business owner opens it—it would be the business owner who should be the person responsible.

The Hon. T.A. FRANKS: I will go back to my original example: the On the Run. It provides the services of a service station. These have been deemed essential. However, it also has a cafe. The workers in that cafe are called in to work. Under the pandemic provisions of a lockdown and indeed the penalties that apply should you breach the various directions, who pays the fine, if there is a fine? Is it the employer for unlawfully directing the workers to come in contrary to the provisions of this act, or is it the employee, who is simply doing what the employer told them to do?

The Hon. R.I. LUCAS: It would be my view that if the employer was the one who ultimately directed someone to do something they should not, it would be the employer who would be responsible. Whilst I enjoy the hypothetical situations the honourable member is seeking to construct in this debate and am happy to continue to engage, the way the police commissioner and his officers have generally handled the situation, as I said in relation to the earlier questions in relation to the QR code, has I think on virtually all occasions been entirely reasonable.

During that particular period there were questions not just about cafes but also, at one stage, I am not sure whether they were wineries or distilleries in the Adelaide Hills, for example, but there were questions as to whether they were entitled to have takeaway food or not.

The Hon. C. Bonaros: Prancing Pony.

The Hon. R.I. LUCAS: Yes, Prancing Pony and things like that. By and large, the police handled it pretty reasonably, I think, in terms of providing guidance and advice. My recollection was, and I stand to be corrected, they did not march in there and smash fines down on the counter and say, 'We are charging you and penalising you in relation to this.' They sought to clarify where there was confusion. They provided advice and guidance and, by and large, the businesses complied with ultimately the directions of the police. As I said, I enjoy the engagement with the hypothetical situations the member is raising and am happy to continue, but I think the police have generally handled the situation pretty well in South Australia in relation to these sorts of circumstances.

The Hon. T.A. FRANKS: I advise that these are not actually hypotheticals; these were real-life situations that happened due to a lack of clarity given by the government and a lack of due diligence in consulting with people before we actually had to undertake restrictive pandemic provisions. That is something that should have been done by now. In terms of the Prancing Pony,

what charges does the minister think they would have been subjected to? He just noted that they may have been subjected to charges.

The Hon. R.I. LUCAS: I never said that.

The Hon. C. BONAROS: I do not expect the Treasurer to provide this now, but perhaps some time before this bill comes into effect at least, could he just confirm that quick advice that he provided in relation to providing the fake details? I only ask that because I have read through some of the online forums that tell people how to use QR codes, and I have come across some that specifically say that entering fake details is not an offence but, if you do not enter your details, that is an offence. So I think, even from an educational perspective, it is important that we alert South Australians to the fact that if I go and sign up as Bonnie Smith, that may potentially get me into a bit of hot water.

The Hon. R.I. LUCAS: I am happy to ask the Attorney-General whether it is her or the police commissioner. I am sure there are more useful forums such as 'Frequently answered questions' or something on the COVID-19 website as opposed to online forums to provide advice.

The Hon. T.A. Franks interjecting:

The Hon. R.I. LUCAS: Yes, but what I think the honourable member is asking is: what is the official advice from the police or the Attorney-General's Department? I am happy to seek further clarity and see whether the COVID-19 government website or the police commissioner's website, or whatever it is, provides clarity in relation to the question that the honourable member has raised.

The CHAIR: Are there any other contributions at clause 1?

The Hon. T.A. FRANKS: A final note, because of some of the things that the minister has provided in his responses. In particular, I am just going to note that the Prancing Pony Brewery was operating as a takeaway, compliant with the pandemic restrictions, but then it was closed down because it was treated as a cellar door or a tourist destination with people supposedly travelling to the Hills to visit the premises. It sought legal action after SAPOL closed it down and it certainly was treated very differently to other businesses in the same category.

There was a great deal of confusion because of the lack of clarity and detail. While the minister has assured us that it all gets sorted out, in fact it took an extraordinary media campaign and the threat of legal action to have that particular business treated as it should have been right from the start and to get natural justice. I do not sympathise with the minister's belief that it will all be okay on the day. I do not believe we are actually providing SAPOL with the very tools that they need to do the job properly should we be plugged into another lockdown.

Clause passed.

Clause 2 passed.

Clause 3.

The Hon. R.A. SIMMS: I move:

Amendment No 1 [Simms-1]—

Clause 3, page 2, after line 11—Insert:

- (1) Section 6(1)(a)(i)—after 'Part 2' insert:
(other than sections 8 to 10 (inclusive))
- (2) Section 6(1)(b)(i)—delete 'section 7' and substitute:
sections 8 to 10 (inclusive)
- (3) Section 6(1)(c)—after 'expire' insert:
(which may not be earlier than the day on which sections 8 to 10 (inclusive) will expire under subsection (2a))

I do not intend to talk for an extended period about this amendment that the Greens are proposing. The issues have been well ventilated in this chamber over the last few weeks. I do want to put on the record that we appreciate the commitment the Hon. Rob Lucas has made on behalf of the

government that the provisions relating to protections for renters from eviction and rent increases will be extended until September. We welcome that, but the reality is that we will be back here again in four months' time having the same conversation if the Greens' amendment is not carried.

What we are seeking to do with this amendment is to provide certainty to renters, those who are in fear of eviction and those who are experiencing financial hardship, for a year so that we can wait until the effects of this economic crisis have subsided. So I intend to press ahead with the amendment.

The Hon. R.I. LUCAS: For obvious reasons, given the commitment the Attorney-General has given and that I passed on to this chamber on her behalf, as to this issue the government is opposing the amendment. The only other point I would wish to add to this particular debate is that this is an extraordinarily complex area. We had to resolve issues in relation to commercial tenancies and residential tenancies, and the government provided a lot of assistance. To be fair, financial institutions provided some level of assistance in that they deferred repayments in terms of loans and/or mortgages in certain circumstances for a period of time.

I think the issue here is that there are a number of examples. I think the Hon. Mr Pangallo hinted at this in his contribution, and I have had a couple of examples where a pensioner couple have two modestly priced residential properties that comprise a significant part of their ongoing income in terms of how they survive.

In this one case they borrowed to invest in these two residential properties. For the period of time at the height of the pandemic, the banks actually deferred repayments. Governments provided some either land tax benefits to them or payments to them to assist them through that first period—I think it was for a period of around six months, from March through to close to the end of the year.

The banks have now well and truly withdrawn. In that couple's case their ongoing repayments to the bank are required to be paid. What they have said to me and to others within government is, 'It was fine for that initial period where we didn't have to make repayments to the banks, and we were getting a little bit of assistance from the state government by way of financial assistance, but the banks are now requiring us to resume our repayments, because all they did was defer them, and there is no ongoing assistance from the state.' Then, if they are in the circumstance where somebody is not paying rent, they say, 'Well, we understand potentially the issue, but what are you saying to us?'

I guess the challenge in relation to the amendment the honourable member seeks support from the parliament on is that that couple and others in those circumstances may well be in a position, for a period of up to another 12 months, where they cannot increase the rent payment or, if the rents are not being paid, they are not in a position to evict an individual or family or whatever it might be.

So as a parliament we transfer the responsibility onto the pensioner couple with the couple of residential properties, which is the source of their income. That is convenient for the parliament to do—to say, 'Okay, that's your responsibility'—but I think there is this view that all landlords are big, fat, greedy and wealthy. Whilst that might be the view of some, I am sure the Hon. Mr Simms and everybody else realise that that is not the case in terms of the typical landlord who might be investing in residential properties.

I accept the complexity of this. I think as the Hon. Ms Bonaros adequately outlined—and I will not repeat what she said, because it is on the public record—there are hardship provisions that exist within the SACAT legislation at the moment. In the end, thankfully, I think, because of the way COVID-19 has been managed, we are seeing fewer and fewer cases that need to be considered in this particular area.

As I said, I will not repeat the arguments the Hon. Ms Bonaros put on the public record, but I did just want to put on the record the fact that there are a group of people in this who are forgotten. The banks are getting their money, and state and federal governments have gone about their way, although to respond to the Hon. Mr Pangallo, if any landlord as a result of our aggregation changes is paying increased land tax this year, 100 per cent of their increase of between \$2,500 and \$102,500 is rebated to them.

They should have no fear in relation to that set of circumstances, but they are a group who are going to potentially be left in a situation where they cannot evict. They may well have a view that someone is claiming to be COVID-impacted but they are not—they have another job or they have a second source of income and are just choosing to claim to be COVID-impacted.

SACAT does not always resolve issues overnight. It does take some time at SACAT in terms of resolving issues. Landlords may well be left in a situation through no fault of their own where they have no income at all, they can take no action and they are the ones who are left carrying the can for the scheme that we put in place for them. For those reasons, the government opposes the honourable member's amendment.

The Hon. C. BONAROS: I am happy to very briefly outline again for the record that we will not be supporting the amendment and also the reasons why we are not supporting the amendment, which I think I have already outlined substantially. I note for the record also that we have a great deal of sympathy for the issues that the Treasurer has just outlined. This is a dilemma for all parties involved and particularly for those landlords who the Treasurer has outlined.

We acknowledge the position in relation to the banks—they want their money, everyone wants their money. There might be a group of residents who simply cannot afford to pay. There is no win in this for anybody, so I am pleased that the government has seen fit to at least reach a compromise that tries to balance as best as possible those competing interests between landlords and tenants. I think, in what is otherwise a very difficult and impossible situation, that is something and will provide some security to all those people involved.

I will also note for the record that if, as we are being told, these provisions are being under-utilised or if indeed the hardship provisions are being more utilised than the COVID provisions, this should not have much of an impact in terms of the slight extension in the date. For those reasons, I indicate again our position that we accept the government's undertaking and, on that basis, will not support the amendments by the Hon. Robert Simms.

The Hon. K.J. MAHER: I will indicate—not that it probably matters, given where the numbers seem to be—that we will not be supporting the amendments on this occasion. As the Hon. Connie Bonaros said, we, too, have sympathy with some of the thought behind the amendment being put forward. We do note the government's assurance today that this will not be gazetted away at the end of this financial year but will remain so we can consider it again when the provisions this bill seeks to extend are extended again in September.

Reflecting on some of the points that the mover of the amendment has made, there is a great deal that we agree with that probably cannot be even close to addressed in an amendment to this bill but speaks to a much greater structural problem with the rental market, affordability and equity in housing. Again, there is much that we agree with but cannot be fixed by any amendment to this bill.

The Hon. R.A. SIMMS: I note the comments made and it is clear that this amendment is not going to be supported. That is regrettable from our perspective because it means there will be more uncertainty that renters will face in the months ahead. I put members of this chamber on notice that the Greens will continue to pursue this and other protections for people who are experiencing financial hardship and are struggling to find secure accommodation.

Amendment negated.

The Hon. R.A. SIMMS: I move:

Amendment No 2 [Simms-1]—

Page 2, after line 13—Insert:

(5) Section 6—after subsection (2) insert:

(2a) Sections 8 to 10 (inclusive) will expire on 1 May 2022.

I will move this because it relates to the fundamental question about 1 May. I do not propose to rehash the arguments I have already made, but I do put members on notice that if this amendment is not successful I will call a division so that the views of elected members here are recorded appropriately in the *Hansard*.

The committee divided on the amendment:

Ayes 2
 Noes 19
 Majority 17

AYES

Franks, T.A.

Simms, R.A. (teller)

NOES

Bonaros, C.

Bourke, E.S.

Centofanti, N.J.

Darley, J.A.

Hanson, J.E.

Hood, D.G.E.

Hunter, I.K.

Lee, J.S.

Lensink, J.M.A.

Lucas, R.I. (teller)

Maher, K.J.

Ngo, T.T.

Pangallo, F.

Pnevmatikos, I.

Ridgway, D.W.

Scriven, C.M.

Stephens, T.J.

Wade, S.G.

Wortley, R.P.

Amendment thus negatived; clause passed.

Title passed.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (16:49): I move:

That this bill be now read a third time.

Bill read a third time and passed.

LAND TAX (DISCRETIONARY TRUSTS) AMENDMENT BILL

Introduction and First Reading

The Hon. R.I. LUCAS (Treasurer) (16:49): Obtained leave and introduced a bill for an act to amend the Land Tax Act 1936 and to make a related amendment to the Valuation of Land Act 1971. Read a first time.

Second Reading

The Hon. R.I. LUCAS (Treasurer) (16:50): I move:

That this bill be now read a second time.

The Land Tax (Discretionary Trusts) Amendment Bill 2021 (the bill) contains two amendments to, firstly, amend the Land Tax Act 1936 and, secondly, amend the Valuation of Land Act 1971 in order to address issues caused by delays in taxpayers receiving their 2020-21 land tax assessments.

The land tax reform package approved by parliament in 2019 made significant changes to the collection of land tax in South Australia from the 2020-21 financial year. This included large reductions in tax rates and changes to tax thresholds, delivering significant relief to taxpayers, along with changes to how land is aggregated together for the purposes of calculating land tax and higher rates of tax on land held in certain trusts. This required major changes to how land tax is assessed and calculated by RevenueSA.

RevenueSA has been issuing land tax assessments for the 2020-21 financial year under the new arrangements since October 2020. For a range of reasons, including system complexity and complex land holding ownership structures needing to be reviewed, there are still a number of taxpayers yet to be billed.

Under the reforms to the Land Tax Act, a transitional provision was introduced allowing for the nomination of a designated beneficiary for pre-existing trust land; that is, land subject to a discretionary trust as at midnight on 16 October 2019. Where a nomination is made, the trustee is

assessed at the lower general rates of land tax rather than the higher trust rates of land tax. The deadline for nominating a designated beneficiary for pre-existing trust land is 30 June 2021. If a designated beneficiary notice is lodged after 30 June 2021, the late notice cannot be accepted and the trustee is to be assessed at the higher trust rates of land tax. There are no legislative means to extend the deadline.

The first amendment amends the Land Tax Act to extend the deadline for nominating a designated beneficiary for pre-existing trust land to 30 June 2022 (being a further year from the current 30 June 2021) and allow for the giving of a notice of a designated beneficiary to take effect for the financial year prior to the one in which the notice is lodged.

Under the Valuation of Land Act, a landowner can object to a valuation, but must do so within 60 days of receipt of the first notice of the valuation and only while the valuation is in force. Valuations only remain in force for the duration of a financial year, after which they are superseded. There are no provisions which allow for the consideration of an objection or which extend the period in which to object where a valuation is no longer in force. In most cases, a land tax assessment will be the first and only such valuation notice that makes the site value, as opposed to the capital value, apparent to the landowner.

The second amendment amends the Valuation of Land Act to extend the time in which an objection to the 2020-21 land site value can occur, by allowing an objection to the 2020-21 site value to occur within 60 days after the service of the 2020-21 land tax assessment, even if that assessment is issued in the 2021-22 financial year and the site values it relates to are no longer in force.

The government is committed to ensuring that no unnecessary burden is imposed on South Australian taxpayers. In line with this commitment, these measures will ensure that trustees of discretionary trusts are able to receive their 2020-21 land tax assessments before deciding whether to nominate a designated beneficiary. The measures also preserve landowners' objection rights on the site value of a property, and ensure that they are not disadvantaged by any delay in receiving their 2020-21 land tax assessments. I commend this bill to the house and seek leave to incorporate in *Hansard* without my reading it the detailed explanation of the clauses.

Leave granted.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Land Tax Act 1936*

3—Amendment of section 13A—Land tax for discretionary trust if beneficiary notified to Commissioner

This clause amends section 13A of the *Land Tax Act 1936* so as to extend to 30 June 2022 the date by which a trustee of a discretionary trust to which land is subject may lodge with the Commissioner a notice specifying a beneficiary of the trust who is to be taken to be the designated beneficiary of the trust for the purposes of the section. The section as amended will provide that the notice may, at the option of the trustee, take effect for the previous tax year.

Schedule 1—Related amendment of *Valuation of Land Act 1971*

1—Amendment of section 24—Objection to valuation

This clause amends section 24 of the *Valuation of Land Act 1971* in order to permit an owner or occupier of land who has received notice of a valuation of the site value of the land under the *Land Tax Act 1936* in the 2020/2021 or 2021/2022 financial year to object to the valuation even if it is no longer in force. The objection must be made within 60 days of the date of service of the notice.

Debate adjourned on motion of Hon. I.K. Hunter.

RETAIL TRADING BILL*Introduction and First Reading*

The Hon. R.I. LUCAS (Treasurer) (16:55): Obtained leave and introduced a bill for an act to provide for the closing of retail shops in the metropolitan area of Adelaide on certain days, to repeal the Shop Trading Hours Act 1977, and for other purposes. Read a first time.

Second Reading

The Hon. R.I. LUCAS (Treasurer) (16:56): I move:

That this bill be now read a second time.

Today, I am very pleased to introduce the Retail Trading Bill, which will be followed by the introduction of the Referendum (Retail Trading) Bill 2021. There is one central belief at the heart of the government's reforms to shop trading in our great state, and that is freedom of choice: freedom of choice for shoppers, freedom of choice for business and freedom of choice for all South Australians. Whether we live in the city, the suburbs or the country, South Australians deserve to have modern shop trading laws that reflect the reality of modern life.

Whether you want to shop before you take the kids to school or after you finish work, the government should not stand in the way of that. Whether you want to shop after five on a Saturday night or before 11 on a Sunday morning, the government should not stand in the way of that. Whether you want to shop on Boxing Day or on Black Friday evening, the government should not stand in the way of that. Whether you want to shop in the suburbs or in the CBD, the government should not stand in the way of that. Whether you want to open up your business for longer hours or expand the floor size of your store, the government should not stand in the way of that.

On 19 March 2022, South Australians should be given the chance to decide for themselves to support greater freedom of choice in shop trading hours. To all South Australians, the Marshall Liberal government's message is clear: we are open for business. This reform will provide greater and fairer competition between retailers and will attract new investment and jobs with better opportunities for young people in particular.

The embarrassment of turning up to the shops in the morning, in the late afternoon or on a public holiday, only to find them closed for no good reason, has become an unwelcome pastime for the vast majority of South Australians. But it is not shoppers' fault: the true embarrassment is our ridiculous shop trading laws, which are an impossibly confusing mess for all South Australians, shoppers and business owners alike, not to mention the bewildered tourists from interstate and overseas who, under the former Labor government, often found themselves in the middle of Rundle Mall but with nowhere to spend their money on their holiday.

Between factoring in the day of the week; the time of day; public holidays; the size of the shop's trading space; whether the store is a supermarket, a hardware store, a car or boat dealership or otherwise; the aggregate price and type of goods sold in the last seven days; whether the shop is in the city, suburbs or country; whether the shop is located in a proclaimed shopping district; and whether an exemption has been granted, it is no wonder the majority of South Australians want to get rid of these ridiculous laws.

The government hears you clearly: shoppers want to shop and traders want to trade. Just because some shops do not want to open does not mean the whole state should be a 'closed shop'. By the same token, under our reforms no shops will be forced to open when they do not want to.

On the issue of shop trading hours, history shows that reform is inevitable. The same interests that opposed Friday night and Thursday night trading also opposed Saturday trading, then Sunday trading and also CBD trading on public holidays. History shows they eventually lost all these battles. These same interests now continue to oppose the current reforms.

The elevation of this matter to the first state referendum in over 30 years is not a decision that has been taken lightly. Governments have accepted it is the role of parliament to resolve issues; however, the Marshall Liberal government made a strong commitment before the last election to deliver shop trading reform. It sought a mandate for reform and received that mandate. So the

government returns this bill to the parliament, galvanised by the support of the majority of South Australians who share our belief in the fundamental principle of freedom of choice.

I do not propose to now revisit in any detail the numerous reports and surveys from the Australian Competition and Consumer Commission, the Productivity Commission, Business SA, UniSA and others extolling the many virtues and overwhelming popularity of shop trading reform in our state. I have every confidence that most South Australians agree with those experts and will not be influenced by the shoppies union and the unrepresentative lobbyists who saw this bill defeated two years ago. Of course, those lobbyists would have you believe that the current laws are perfectly fine, that there is something to be gained from keeping all our shops closed and that the insurance company Budget Direct is the official statistician for working out the average South Aussie grocery bill.

Make no mistake, the anti shop traders are the flat-earthers of the economic world. They are trying to convince us that Adelaide is about to be inundated by a massive tsunami of 24-hour trade that would put independent retailers out of business. Just do not tell them that shop trading hours are already completely deregulated across regional South Australia, from Mount Barker to the borders, with the exception of Millicent.

It is fitting that the hawkers of fake news, who seek to corrupt our democracy with nonsense arguments like, 'Shops won't open longer, even if it is profitable to do so,' should be comprehensively denounced by a popular vote. Indeed, it is fitting also to mention the illusory tsunami that was predicted to flood Adelaide in 1976 for another reason, namely, because it was none other than then Premier Don Dunstan of the Labor Party who first took the issue of shop trading to a referendum, over 50 years ago. In 1970, the Dunstan Labor government proposed changes to trading hours under the Early Closing Act, which had been determined during the early part of the Second World War under the emergency conditions prevailing at the time. In addition, the legislation only related to trade in the metropolitan area.

The then government contended that there were two main deficiencies in that act. Firstly, there was considerable inconvenience to the public and traders exempted by the act, who had to lock away many goods, particularly foodstuffs, for which there was considerable demand at night and on weekends. Secondly, the unrestricted trading hours of the large area immediately surrounding the metropolitan shopping district had resulted in shops in those areas being able to trade at night and during the weekend when the metropolitan shops were required to close.

Although the then government acknowledged the need to consider a complete overhaul of the old legislation, ultimately the referendum of 1970 only sought consensus on keeping metropolitan shops open on Friday nights until 9pm. Despite a very close ballot, the people of South Australia were not ready for late night shopping on Friday until it was eventually introduced seven years later in 1977 with the enactment of the current Shop Trading Hours Act. Crucially, the two main deficiencies in the legislation highlighted by the then government—restrictions on trading at night and on weekends, and inequality in trading hours based on location—were never fully addressed by the 1977 act.

Fast-forward to 2021 and we now live in the age of online shopping and ubiquitous petrol station convenience stores, which openly advertise themselves as supermarkets and trade without restriction. Now more than ever, the ridiculous regulations on trading that have applied to all other bricks and mortar stores since 1977 are completely out of step with community expectations and grossly inconsistent with what is best for our economy.

Decades have passed, yet these absurd inequities continue to arise. The local IGA at Moana cannot open to serve the many beachgoers on summer nights after 5pm, so they go to the servo instead. A CBD clothing store can open on a public holiday, while the same brand store in Westfield Marion has to stay shut. Shops and shoppers in Stirling are subject to onerous regulations, but shops and shoppers down the freeway in Mount Barker are free to trade whenever they like.

If you are a speciality store thinking of opening up in Harbour Town or expanding your store, watch out, because if your shop is over 200 square metres in floor size you will become subject to our ridiculous laws for no good reason. Similarly, if you are an independent supermarket over

400 square metres, you might find yourself closing a third of your shop from time to time in order to trade extended hours on public holidays.

It would be a fraud on the South Australian people for the opponents of the bill to pretend the current legislation is not a confusing mess. The current act is completely and utterly broken. That is why the Marshall Liberal government's reform is about far more than Sunday morning trading. We will let the people of South Australia decide whether to support the bill, not the union bosses.

The key features of the Retail Trading Bill include freedom of choice for non-exempt shops to trade every day of the year except Christmas Day, Good Friday and before 12 noon on ANZAC Day. The definition of an exempt shop uses a staffing model, not floor area. An exempt shop must have no more than 20 persons employed and working in a shop, and the total number of persons employed and working in the same shopkeeper's shops in South Australia cannot exceed 100. The staffing model option is used in all other states.

There is only one shopping district covering the metropolitan area. Regional South Australia will continue to be fully deregulated, with the three remaining country proclaimed shopping districts being abolished. There is a streamlined list of exempt shops that now only include shops that could exceed staffing levels and, based on current practices, are likely to trade on the days that remain restricted. The exemption power will remain, which can be invoked either on the minister's own initiative or upon application by a shop and which can be issued for the whole or part of the metropolitan area, a specified class of shops and individual shops.

Existing employee protections on Sunday remain, and an emphasis on the current protections already afforded to public holidays by the National Employment Standards under the commonwealth Fair Work Act 2009 is included as a note within the bill. Existing protections for tenants, being that a landlord cannot include a lease term requiring a shop to be open on a Sunday, remain for the metropolitan area.

Opponents of these reforms continue to argue that independent retailers will be wiped out if they are enacted. These claims were made for decades as each extension of trading hours was introduced, yet independent retailers continue to flourish because they continue to provide a niche market for themselves that is supported by many South Australian households. The reality is that for the last three years ministerial exemptions have been issued to allow trading in the suburbs on public holidays, and the sky has not fallen in and independent retailers continue to thrive.

Ultimately, we strongly believe that the government has no place dictating when shops can and cannot open on each day of the year. If the Retail Trading Bill is enacted, the decision of when to open will be left with shops, and the decision of when to shop will be left with shoppers, as it should be. The Marshall Liberal government will stand together with the majority of South Australians on election day for more jobs, for a stronger economy and for freedom of choice. I seek leave to have the detailed explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

Commencement of the measure is dependent on approval of the voters at a referendum to be held in accordance with the *Referendum (Retail Trading) Bill 2021*.

3—Interpretation

This clause defines terms used in the measure. The restrictions in the Act apply to shops in the metropolitan area which is defined by reference to the list of council areas set out in Schedule 1 of the measure. The provision also defines the concept of an 'exempt shop', which includes premises licensed under the *Liquor Licensing Act 1997*, certain smaller shops (identified by reference to the number of employees working in the shop), chemists, petrol stations, cafes, restaurants and take away food outlets, hire shops and shops of a class prescribed by regulation. Under clause 7 of the measure, it is a defence to an offence to prove that the shop was an 'exempt shop' at the relevant time (or that a Ministerial exemption under clause 11 applied).

Part 2—Shop trading hours

4—Hours during which shops must be closed

This provision requires shops situated in the metropolitan area to be closed on Good Friday, 25 December and until 12 noon on 25 April.

5—Lease or agreement terms relating to Sunday trading

This clause replicates section 13A(1), (2) and (4) from the current *Shop Trading Hours Act 1977* in respect of shops in the metropolitan area.

6—Staffing on Sundays

This clause is similar to section 13A(3) of the current *Shop Trading Hours Act 1977* but applies in respect of shops in the metropolitan area and uses language similar to that used in the *NSW Retail Trading Act 2008*.

Part 3—Offences

7—Offences

This clause sets out offences for the purposes of enforcing the restrictions in the Act.

8—Advertising

This clause sets out an offence that is the same as the offence under section 14A of the current *Shop Trading Hours Act 1977*.

Part 4—Inspectors

9—Inspectors

Persons appointed by the Minister responsible for the administration of the *Fair Work Act 1994* as inspectors under that Act are inspectors for the purposes of this measure and the Minister may appoint other inspectors.

10—Powers of inspectors

This clause sets out powers of inspectors in the same terms as section 8 of the current *Shop Trading Hours Act 1977*.

Part 5—Miscellaneous

11—Exemptions

This clause allows the Minister to grant exemptions from the Act or provisions of the Act.

12—Power of delegation

The Minister may delegate functions or powers under the measure.

13—Regulations

This clause allows for the making of regulations for the purposes of the measure.

Schedule 1—Metropolitan area

This schedule lists the council areas that comprise the *metropolitan area* for the purposes of the measure.

Schedule 2—Repeal and transitional provision

1—Repeal

The *Shop Trading Hours Act 1977* is to be repealed.

2—Inspectors

People currently appointed as Inspectors under the *Shop Trading Hours Act 1977* will be taken to have been appointed as inspectors under this measure.

Debate adjourned on motion of Hon. I.K. Hunter.

REFERENDUM (RETAIL TRADING) BILL

Introduction and First Reading

The Hon. R.I. LUCAS (Treasurer) (17:10): Obtained leave and introduced a bill for an act to provide for the submission of the Retail Trading Bill 2021 to a referendum. Read a first time.

Second Reading

The Hon. R.I. LUCAS (Treasurer) (17:11): I move:

That this bill be now read a second time.

I am pleased to introduce the Referendum (Retail Trading) Bill 2021. The Retail Trading Bill 2021, to which I have just spoken, sets out the changes the government wishes to make to the shop trading laws in this state in relation to freedom of choice for shoppers and non-exempt shops to trade every day of the year except Christmas Day, Good Friday and ANZAC Day morning.

The referendum bill, on the other hand, is a vehicle which facilitates the holding of the referendum. It identifies the form of the question to be put to electors at the referendum, who will conduct the referendum, the date of the referendum, who is entitled to vote at the referendum and the process for the enactment of the Retail Trading Bill 2021 should an affirmative result be returned. I will deal with each of those matters in turn.

The question to be put to electors at the referendum is simply: 'Do you approve the Retail Trading Bill 2021?' The referendum will be held on the date of the next state election, which will be 19 March 2022. It will be conducted by the Electoral Commissioner and all electors for the House of Assembly will be eligible to vote.

The basic process is as follows: first, the referendum bill and the Retail Trading Bill are laid before, and discussed by, both houses of parliament. After both bills pass through parliament and the Governor assents to the referendum bill only, the electorate will vote on the question of the referendum.

Finally, if the majority of voters at the referendum approve of the Retail Trading Bill, that bill must be sent to the Governor for assent and will become law. However, if the majority of voters at the referendum disapprove of the bill containing the proposed changes, it will not receive the Governor's assent and will lapse. I seek leave to have the detailed explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

1—Short title

This clause is formal.

2—The referendum

This clause provides for submission of the *Retail Trading Bill 2021* to a referendum on the day of a general election of members of the House of Assembly (and that Bill will only be assented to if a majority of electors voting at the referendum approve the *Retail Trading Bill 2021*).

3—Conduct of referendum

This clause sets out provisions about the manner in which the referendum is to be conducted.

4—Regulations

This clause is a regulation making power.

Debate adjourned on motion of Hon. I.K. Hunter.

CHILDREN AND YOUNG PEOPLE (SAFETY) (MISCELLANEOUS) AMENDMENT BILL*Second Reading*

The Hon. J.M.A. LENSINK (Minister for Human Services) (17:14): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation and explanation of clauses inserted in *Hansard* without my reading them.

Leave granted.

The *Children and Young People (Safety)(Miscellaneous) Amendment Bill 2020* makes a number of important amendments to the *Children and Young People (Safety) Act 2017*.

The bill was developed following extensive consultation with a range of stakeholders and fulfils the commitment of this government to make a number of critical amendments to child protection legislation originally assented to on 18 July 2017.

The government commenced its consultation on the 12-month anniversary of the full commencement of the Act at which time stakeholders were invited to comment on:

- whether the Act's guiding principles were being met
- whether the Act supported the delivery of the best possible care for children and young people at risk of, and experiencing, child abuse and neglect.

Respondents included a number of government agencies, peak bodies, Aboriginal organisations and representative groups, as well as relevant advocacy and oversight bodies.

Importantly, this amendment process was targeted to progress amendments that were considered:

- critical to the effective and efficient operation of the Act, and/or;
- had the overwhelming support of the breadth of stakeholders, noting that a full review is prescribed under the Act for 2022.

As the government has made clear, we appreciate the advocacy of stakeholders for the bill to encompass certain further amendments which have not been included at this time.

The government has determined some of these proposals would be more appropriate to consider as part of the full review, particularly where:

- there was limited stakeholder support for a particular proposal; and/or
- there would be reasonable community expectation that further consultation is required to provide the government with a mandate for change.

The government is very grateful for the contribution of the stakeholders and of the Department for Child Protection in providing advice on proposed amendments.

These contributions have helped make sure that the final bill is both workable and effective in achieving our shared goal of the best possible outcomes for children and young people.

While I will not speak to the detail of the bill, I will take this opportunity to briefly highlight key amendments.

Firstly, you will see that the bill incorporates amendments that will make sure the principles already enshrined in the Act are visible in our child protection practice.

These include the principles of timely decision-making and process, of enabling greater participation in decision-making by relevant parties, and of course, ensuring all children and young people who have been taken into care are placed in a safe, nurturing, stable and secure environment.

The bill also inserts a subsection to ensure those involved in the administration, operation and enforcement of this Act, act in the best interests of children and young people.

The re-insertion of best interests has been the subject of consistent advocacy by the Minister for Child Protection, and many stakeholders.

These stakeholders share the government's view that all children and young people in care should expect that those responsible for their care have a focus on the child or young person's best interests, while maintaining safety as the paramount consideration.

The bill includes important amendments that will strengthen existing provisions relating to the Aboriginal and Torres Strait Islander Child Placement Principle.

These changes had the strong support of both Aboriginal and non-Aboriginal stakeholders and as a government we are very proud to be responsible for their inclusion.

Specifically, the bill outlines the commitment to:

- fully describe each of the five elements of the Aboriginal and Torres Strait Islander Child Placement Principle;
- embed the commitment that any person or body performing functions under the Act which involve or are related to the placement of Aboriginal children and young people will take active and timely steps to give effect to the Principle; and,

- confirm that, without displacing the primary focus on safety, the Principle is to be the paramount consideration in the administration, operation and enforcement of the Act as it relates to Aboriginal children and young people.

These provisions are intended to ensure that those responsible for the administration, operation and enforcement of the Act as it relates to Aboriginal children and young people more fully understand:

- the Principle as a framework to guide their actions;
- that it is the Government's commitment to continue to work with its Aboriginal partners towards more full implementation of the Principle over time.

Each of these amendments are an important step and we are committed to test further amendments to strengthen the Principle as part of the full review.

Indeed, while we appreciate the advocacy of those seeking further changes to strengthen the Principle at this time, the government's view is that any further changes must be the subject of broad consultation with the Aboriginal community as part of the full review. We believe this view is consistent with the spirit of the Principle itself.

Indeed, it would seem at odds with this government's commitment to respect the cultural authority of Aboriginal people and to embed Aboriginal cultural governance across decision making which affects Aboriginal people, to proceed to make significant changes to this Principle without proper consultation.

This does not mean we are not committed to further strengthening this section, but rather that we must honour the Principle by making sure any changes are community led and community supported.

This bill also honours the government's commitment to ensure all children and young people in care can enjoy permanency and stability by providing a pathway for adoption from care.

Importantly, these provisions have been shaped in consultation with a range of stakeholders, commencing in September 2019, and will only be pursued when it is in the best interests of the child or young person.

We are confident that the provisions strike the right balance to provide a specific pathway for children in care, recognising the unique circumstances of children under the guardianship, while ensuring appropriate safeguards are maintained.

As has been made clear, and following consultation with Aboriginal leaders and advocates, adoption for Aboriginal children is not being considered. The Aboriginal and Torres Strait Islander Child Placement Principle will continue to provide the framework for permanency planning for Aboriginal children and young people.

The bill also amends section 59 of the principal Act to limit the orders under which the onus of proof is reversed. This amendment responds to many stakeholders who were concerned at the burden of the current provisions on those seeking to object to an order.

These include the re-introduction of short-term Investigation and Assessment orders, consistent with those previously provided for under the now repealed *Children's Protection Act 1993*.

Several minor amendments in the bill have been incorporated to support greater clarity in the administration of the Act, to support more effective and timely decision-making that will best serve children and young people in care, and to remedy some minor technical issues identified following the current Act's commencement.

The government thanks the many stakeholders who have contributed their time and their much valued advice to this amendment process.

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

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of Children and Young People (Safety) Act 2017

4—Amendment of section 8—Other needs of children and young people

This clause inserts a new subsection (4) into section 8 of the principal Act, requiring involved in the administration, operation and enforcement of this Act must, when performing a function or exercising a power in relation to a child or young person, act in the best interests of that child or young person.

5—Amendment of section 11—Placement principles

This clause repeals section 11(4) of the principal Act.

6—Substitution of section 12

This clause inserts a new Part 3A into the principal Act, and makes provision relating to the placement of Aboriginal and Torres Strait Islander children and young people.

7—Insertion of section 15A—Minister may require report from Chief Executive

This clause inserts new section 15A into the principal Act, allowing the Minister to require the Chief Executive to provide specified reports.

8—Amendment of section 34—Chief Executive may investigate circumstances of a child or young person

This clause makes a consequential amendment following the insertion of section 53(1)(ba) into the principal Act.

9—Insertion of section 34A

This clause inserts new section 34A into the principal Act, conferring on the Chief Executive or a child protection officer the specified powers in relation to the investigation of the circumstances of a child or young person under section 34, and creating an offence for a person who refuses or fails to comply with a direction under the new section.

10—Amendment of section 35—Chief Executive may direct that child or young person be examined and assessed

This clause amends section 35 of the principal Act, conferring on the Chief Executive the specified powers in relation to the examination and assessment of children or young people, and creating an offence for a person who refuses or fails to comply with a direction under the new section.

11—Amendment of section 36—Chief Executive may direct person to undergo certain assessments

This clause amends section 36 of the principal Act, conferring on the Chief Executive a power to require certain parents, guardians or other people to undergo a mental health assessment in the circumstances specified.

12—Amendment of section 37—Random drug and alcohol testing

This clause amends section 37 of the principal Act to allow the broadening of categories of forensic material that may be taken or tested in the course of random drug testing.

13—Amendment of section 51—Parties to proceedings

This clause amends section 51(1) of the principal Act to include persons under whose guardianship a child or young person is to be placed, and the Chief Executive, to be parties to certain applications under section 53 of the principal Act.

14—Amendment of section 53—Orders that may be made by Court

This clause inserts new section 53(1)(ba) into the principal Act, allowing the Court to make an order granting custody of the child or young person to the Chief Executive for a specified period not exceeding 8 weeks while an investigation of the circumstances of the child or young person is carried out.

15—Insertion of section 53A

This clause inserts new section 53A into the principal Act, with the new section making special provisions applying to orders made under new section 53(1)(ba).

16—Amendment of section 54—Consent orders

This clause amends section 54 of the principal Act to clarify that it is a party who participates in the relevant proceedings whose consent is required.

17—Amendment of section 56—Adjournments

This clause inserts new s56(1a) into the principal Act, and provides that the Court cannot exercise its general power of adjournment in relation to a contested application such that the period between the lodging of the application and the commencement of the hearing to determine a contested application exceeds 10 weeks.

18—Insertion of section 56A

This clause inserts a new section 56A into the principal Act, limiting the Court's ability to make certain orders relating to contact and placement arrangement for a child or young person.

19—Amendment of section 59—Onus on objector to prove certain orders should not be made

This clause amends section 59 of the principal Act to limit the orders under which the onus of proof is reversed.

20—Amendment of section 77—Temporary placement of child or young person where approved carer not available

This clause inserts new section 77(1a) into the principal Act to allow the Chief Executive to place a child or young person with a person under that section despite it being reasonably practicable to place the child or young person in the care of a particular approved carer if the Chief Executive is satisfied that to do so is preferable to placing the child or young person with the approved carer.

21—Amendment of section 85—Review of circumstances of child or young person under long-term guardianship of Chief Executive

This clause corrects an error in section 85(1)(a) of the principal Act by changing the reference to the 'Minister' to the 'Chief Executive'.

22—Amendment of section 86—Direction not to communicate with etc child or young person

This clause amends section 86 of the principal Act to allow the Chief Executive to direct a person not to be in the company of, or otherwise associate with, a specified child or young person who is in the custody, or under the guardianship, of the Chief Executive.

23—Insertion of Chapter 7A

This clause inserts new Chapter 7A into the principal Act as follows:

Chapter 7A—Adoption of children and young people from care

Part 1—Preliminary

113A—Interpretation

This section defines terms and phrases used in the new Chapter.

113B—Application of Chapter

This section sets out how the new Chapter applies, including by providing that it does not apply to Aboriginal or Torres Strait Islander children and young people.

113C—Modification of *Adoption Act 1988*

This section sets out a series of modifications to the Adoption Act in relation to adoptions to which the new Chapter applies. In effect, that Act applies as so modified when dealing with an adoption contemplated by the new Chapter.

Part 2—Eligible carers

113D—Eligible carers

This section sets out who is an eligible carer for the purposes of the Chapter.

113E—Assessment of suitability of prospective adoptive parents

This section requires the Court to be provided with the results of an assessment of the suitability of prospective adoptive parents conducted in accordance with any requirements set out in the regulations.

113F—Eligible carer need not be in relationship

This section clarifies that an eligible carer may be a single person, that is they do not need to be in a relationship of a particular kind or at all.

Part 3—Orders under *Adoption Act 1988*

113G—Applications for adoption

This section sets out who can apply for an adoption order under the Chapter.

113H—Copy of application to be served on birth parents

This section requires copies of an application to be served on the birth parents of a child or young person, and makes provision for where such service is not reasonably practicable.

113I—Consent of certain children and young people required

This section requires, other than where subsection (3) applies, that a child or young person who is older than 12 to consent before an order contemplated by the Chapter can be made.

113J—Consent of birth parent not required

This section clarifies that consent of the birth parents is not required in order to make an order contemplated by the Chapter.

113K—Views of child or young person to be heard

This section requires the Court to give a child or young person to whom an application relates a reasonable opportunity to personally present to the Court their views related to the proposed adoption.

113L—Right of birth parents etc to be heard

This section requires the Court to give the birth parents and siblings of a child or young person to whom an application relates a reasonable opportunity to personally present to the Court their views related to the proposed adoption.

113M—Court to have regard to additional matters

This section sets out additional matters to which the Court must have regard before making an adoption order contemplated by the Chapter.

113N—Child or young person to have legal representation in proceedings

This section requires a child or young person to which an application relates to be legally represented in the proceedings, unless the Court is satisfied that the child or young person has made an informed and independent decision not to be so represented.

113O—Court not bound by rules of evidence

This section provides that, in proceedings under the Chapter, the Court is not bound by the rules of evidence.

Part 4—Miscellaneous

113P—Additional annual reporting obligations

This section imposes annual reporting obligations on the Chief Executive in relation to the operation of the Chapter.

113Q—Minister to review operation of Chapter

This section requires the Minister to review the operation of the Chapter before the fifth anniversary of commencement and to report to Parliament on the review.

24—Amendment of section 152—Sharing of information between certain persons and bodies

This clause amends section 152 of the principal Act to correct an error in the title of the Committee.

25—Amendment of section 158—Review of decisions by South Australian Civil and Administrative Tribunal

This clause amends section 158 of the principal Act to remove specified decisions under the Act from those that can be reviewed under the section, and also prevents the SACAT from being able to require parties to an application from taking part in a compulsory conference under the SACAT Act, and requires the Minister to undertake specified consultation before making regulations under section 158(2)(e) of the principal Act.

26—Insertion of section 161A

This clause inserts new section 161A into the principal Act, restricting the publication of names and identifying information in relation to certain children and young people.

27—Amendment of section 164—Confidentiality

This clause amends section 164 of the principal Act to include amongst the permissible disclosure of information a disclosure is reasonably required to lessen or prevent a serious threat to the life, health or safety of a person or persons.

28—Amendment of section 167—Evidentiary provision

This clause makes a consequential amendment to the evidentiary provision in section 167 of the principal Act.

29—Amendment of section 168—Service

This clause amends section 168 of the principal Act to allow a notice etc to be served on a child or young person to be left with a parent or guardian etc of the child or young person.

30—Amendment of section 170—Regulations

This amends section 170 of the principal Act to allow transitional or savings regulations to be made.

Schedule 1—Related amendments and transitional provisions

Part 1—Amendment of Births, Deaths and Marriages Registration Act 1996

1—Amendment of section 38A—Notification by court appointed guardians

This clause amends section 38A(4) of the *Births, Deaths and Marriages Registration Act 1996* to clarify the definition of 'court appointed guardian'.

Part 2—Transitional and savings etc provisions

2—Application of certain provisions to existing applications etc

This clause clarifies the effect of this measure on existing and future applications.

Debate adjourned on motion of Hon. I.K. Hunter.

At 17:15 the council adjourned until Tuesday 25 May 2021 at 14:15.