HOUSE OF ASSEMBLY

Tuesday 13 November 1984

The SPEAKER (Hon. T.M. McRae) took the Chair at 2 p.m. and read prayers.

ASSENT TO BILLS

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

Appropriation (No. 2),
Country Fires Act Amendment (No. 2),
Housing Agreement,
Planning Act Amendment (No. 5),
Racing Act Amendment (No. 2).

AUSTRALIAN FORMULA ONE GRAND PRIX BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

CARRICK HILL TRUST BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

PETITION: COORONG BEACH

A petition signed by 2 600 residents of South Australia praying that the House urge the Government to ensure that the entire Coorong beach remain open to vehicles and the public and that all tracks are maintained in good order was presented by the Hon. H. Allison.

Petition received.

PETITION: X RATED VIDEO TAPES

A petition signed by 30 residents of South Australia praying that the House ban X rated video tapes in South Australia was presented by the Hon. B.C. Eastick.

Petition received.

PETITION: ANTI DISCRIMINATION BILL

A petition signed by 52 residents of South Australia praying that the House delete the words 'sexuality, marital status and pregnancy' from the Anti Discrimination Bill, 1984, and provide for the recognition of the primacy of marriage and parenthood was presented by Mr Olsen.

Petition received.

PETITION: WEST BEACH GOLF COURSE

A petition signed by 110 residents of South Australia praying that the House urge the Government to oppose the closure of the existing Marineland Par 3 Golf Course, West Beach, until a new course is completed was presented by Mr Becker.

Petition received.

PETITION: WEST BEACH KINDERGARTEN

A petition signed by 56 parents of the West Beach Kindergarten praying that the House urge the reinstatement of the teacher aide at West Beach Kindergarten was presented by Mr Becker.

Petition received.

QUESTIONS

The SPEAKER: I direct that the following written answers to questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 137 to 139, 141 to 143, 145, 152 to 155, 157 to 159, 163, 164, 166, 167, 172, 173, 176, 181 to 183, 185, 187 to 189, 191, 192, 194, 200 to 205, 212, 213, 219, 223 to 228, 233, 234 and 239; and I direct that the following written answers to questions without notice and a question asked during Estimates Committee A be distributed and printed in *Hansard*.

LINCOLN HIGHWAY

In reply to **Mr BLACKER** (1 November).

The Hon. R.K. ABBOTT: It is understood that the coming harvest will commence towards the end of November. The first 7 km of the Lincoln Highway project, between Boston House and North Shields, will be sealed prior to the harvest. The remaining 6 km between North Shields and Poonindie is expected to be sealed prior to Christmas.

UNDERGROUND POWER CONNECTIONS

In reply to **Hon. E.R. GOLDSWORTHY** (18 October).

The Hon. R.G. PAYNE: Most new houses are now being built in land divisions reticulated by underground electricity mains. In such areas, supply is available only from an underground service pit near the front boundary of each property; consequently, builders should allow for the cost of the underground cables installed by their electrical contractors between service pits and houses.

In areas reticulated by overhead mains, the Electricity Trust uses a number of different service arrangements to supply houses. The most common arrangements are as follows:

1. The Trust provides an overhead service line between the street mains and the house.

2. The Trust provides a service on a street pole and the builder's electrical contractor connects the house by underground cables.

3. The Trust provides an underground service pit near the front boundary of the house property and the builder's electrical contractor connects the house by underground cables.

Usually there is no charge for either of the first two arrangements: the normal charge for the third arrangement is $200 which can be shared by two adjoining home owners. In many cases, the Trust is able to offer a builder the choice of all three arrangements but in some cases an overhead service line is not practical; for example, the necessary safe clearance between the line and ground cannot be obtained if the house is situated too far back from the street. Con-

sequently, builders of houses in areas with overhead street mains should always discuss the service arrangements with the Trust before establishing the prices of their houses.

Following release of the Scott Report and, in accordance with one of its recommendations, the Trust has not offered overhead service lines to houses in bushfire areas. However, as underground services are not yet compulsory, the Trust will still provide an overhead service line, provided reasonable justification for this type of supply can be made. This new policy appears to have been well accepted as the overwhelming majority of people acknowledge the advantages of underground services.

Unfortunately the builder, to whom I understand the Deputy Leader referred, established selling prices for his houses before ascertaining from the Trust what service arrangement would apply for each of the 19 houses in question. However, following representations from the builder, Trust officers considered the service arrangements for each of the houses involved. It has been established that it will not be practicable to provide overhead services to two of these houses because they are located too far back from their front boundaries. The Trust has strongly recommended to the builder that an overhead service line not be used for another house because it is in an area of high bushfire risk. However, an agreement has been reached whereby overhead service lines will be provided for the remaining 16 houses.

ESTATE AGENTS

In reply to **Mr MAYES** (28 August).

The Hon. G.J. CRAFTER: I am informed by my colleague the Minister of Consumer Affairs that the Land and Business Agents Board is the body responsible for licensing real estate agents and for ensuring that they maintain appropriate standards of conduct. The Board has noted with concern the honourable member's allegations that agents are attempting to pressure home owners in the Unley area into selling their homes. The Land and Business Agents Board is prepared to investigate any specific complaints of misconduct. Accordingly, the honourable member's constitutents should be encouraged to lodge a formal complaint with the Board.

COMPUTER POWER

In reply to **Mr FERGUSON** (7 August).

The Hon. G.J. CRAFTER: My colleague the Attorney-General informs me that the South Australian Government has no contract with the firm Computer Power. There are current negotiations for a computerised legal information retrieval system for South Australia with CLIRS (Australia) Pty Limited and Computer Power. If an agreement is entered into, Computer Power will provide services to the South Australian Government, local firms and legal practitioners from data extracted from Crown copyright materials. If an agreement is entered into, the South Australian Government will receive royalties. Although the agreement has not yet been finalised, it will probably follow the general principles established in the other States.

SECURITY ARRANGEMENTS—STATE SUPPLY (Estimates Committee A)

In reply to **Mr BAKER** (27 September).

The Hon. D.J. HOPGOOD: City-based Car Pool: The South Australian Police were asked to investigate an officer of the Department after losses were suspected. Charges have been laid and investigations are continuing. The Public Buildings Department is now maintaining security at the Gawler Place premises.

State Supply Division: Security is provided by the Public Buildings Department and action is being taken to upgrade these arrangements, including the provision of guard dogs at the salvage depot. Details of major damage incurred are:

1. Whyalla—
   November 1980—$933 fire damage—recovered from insurers.
   September 1984—damage of $300 to a rear door and internal door locks.
2. Salvage Depot, Seaton—
   July 1983—$1 050 damage to vehicle—recovered from insurers.
   December 1983—Approximately $9 000 of goods held for sale on behalf of the Police Department were stolen. Funds recovered from S.G.I.C.

All illegal entries have been reported to the South Australian Police for investigation; however no information is available as yet on the outcome.

PAPERS TABLED

The following papers were laid on the table:

By the Minister of Emergency Services (Hon. J.D. Wright)—

Pursuant to Statute—

Second-hand Dealers Act, 1919—Regulations—Used Tyre Dealers.

By the Minister for Environment and Planning (Hon. D.J. Hopgood)—

Pursuant to Statute—

Planning Act, 1982—
Crown Development Reports by South Australian Planning Commission on proposed—
Land Division, Booleroo Centre.
Borrow Pit, Nundroo-Fowlers Bay Road (3).
Roofing of Wattle Park Reservoir.
Classroom, Hahndorf Primary School.
Development by Woods and Forests Department at Murray Bridge.
Borrow Pit, Hundred of Tatiara.
Realignment of a Transmission Line at Sheidow Park.
Borrow Pits, Lincoln Highway.
Quarry Operation, Lincoln Highway.
Quarry Operation, Hundred of Booyoolie.
Classroom, Augusta Park High School.
Radio Tower on Mount Horrocks.
Regulations—Vegetation Clearance (Amendment).

By the Minister of Marine (Hon. R.K. Abbott)—

Pursuant to Statute—

Boating Act, 1974—Regulations—Tumby Bay Zoning.

By the Minister of Education (Hon. Lynn Arnold)—

Pursuant to Statute—

Poultry Farmer Licensing Committee—Report, 1983-84.
Fisheries Act, 1982—Regulations—Devices and Closed Waters.
Metropolitan Milk Supply Act, 1946—Regulations—Wholesale Deliveries.
South Australian Meat Corporation—Report 1983-84.

By the Minister of Tourism (Hon. G.F. Keneally)—

Pursuant to Statute—

Food and Drugs Act, 1908—Regulations—
Fruit Flavour Standards;
Marzipan Standards.
Prisons Act, 1936—Regulations—Prisoner Wage Rates and Conditions.
Radiation Protection and Control Act, 1982—Regulations—Activity Limit and After Hours Telephone Number.

By the Minister of Local Government (Hon. G.F. Keneally)—

Pursuant to Statute—

South Australian Waste Management Commission—Report, 1983-84.

District Council of Franklin Harbour—By-law No. 32—Keeping of Animals within Townships.

By the Minister of Mines and Energy (Hon. R.G. Payne)—

Pursuant to Statute—

Fees Regulation Act, 1927—Regulations—Water and Sewerage Planning Estimates Fees.

By the Minister of Community Welfare (Hon. G.J. Crafter)—

Pursuant to Statute—

Trade Standards Act, 1979—Regulations—Children's Folding Chairs.

Statute Revision, Commissioner of—Schedule of Alterations—

Education Act;

Stamp Duties Act.

PUBLIC WORKS COMMITTEE REPORT

The SPEAKER laid on the table the following report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Flinders Medical Centre—Computed Tomographic Scanner Replacement.

Ordered that report be printed.

PUBLIC ACCOUNTS COMMITTEE REPORT

Mr KLUNDER laid on the table the 36th report of the Public Accounts Committee on the purchase and disposal of light motor vehicles.

Ordered that report be printed.

QUESTION TIME

The SPEAKER: Before calling for questions, I indicate that the Deputy Premier will take questions that would have been directed to the Premier, and the Minister of Mines and Energy will take questions that would have been directed to the Minister of Water Resources.

POLICE COMPLAINTS LEGISLATION

Mr OLSEN: Will the Minister of Emergency Services confirm that the Commissioner of Police has expressed serious concern to the Government about the major provisions of the police complaints legislation, and will he release the detailed paper submitted by the Commissioner to his office? I understand that the Commissioner of Police has expressed concern to the Government about 10 clauses in this legislation. His concerns relate to the constitution of the Police Internal Investigations Branch and how this branch will investigate complaints against the police; arrangements for people detained in custody to make complaints; how a determination is made that a complaint should be investigated by the authority; the method by which the authority will investigate complaints; the powers the authority has to assess and make recommendations on consequent action relating to investigations by the Internal Investigations Branch; recommendations of the authority and consequential action by the Commissioner; and offences in relation to complaints. The concerns of the Commissioner confirm that in its present form the Bill will present serious difficulties to the Police Force, infringe upon the rights of police officers and their families, friends and relatives, and hinder the police in carrying out their other duties.

The Hon. J.D. WRIGHT: I think that the first point I will make is that there is no need to release the document. It is quite clear that—

Mr Olsen: You're not going to release it?

The Hon. J.D. WRIGHT: There is no need to. It is quite clear that the Leader has somehow or other in his possession that document, so why would he want me to release it? It seems rather a sort of—

Mr Olsen: Release it to the public.

The Hon. J.D. WRIGHT: You release it; you have got it.

Mr Olsen: You refuse to release it?

The Hon. J.D. WRIGHT: You release it. I have not refused to do anything.

Mr Olsen: You refuse to release it?

The Hon. J.D. WRIGHT: I am not refusing to do anything at all. I am telling the Leader to release it.

Members interjecting:

The Hon. J.D. WRIGHT: The Leader obviously has the document—that is the interesting part about this question. The Leader gets up and demands that I release some document that he already has. The Leader did exactly the same last week in regard to the Costigan Report. Obviously, he had that report before it was tabled in this House; he was able to ask questions about it. The one very evident thing about this Leader is that he is a great receiver of leaks—wherever he gets them from, I do not know. Of course, one can add a little more to that: he could also be the receiver of stolen property; that question comes into this as well.

This document does exist; I make no denial of that. There is a document that exists between myself and the Commissioner of Police on which he and I have already had some discussion and on which there will be continuing discussions. I do not deny that there is a document and I have no intention of doing so. There is some dissatisfaction from the Commissioner of Police to the commissioned officers which I have told the Commissioner I will discuss with him and certainly determine where it is possible to do so.

To be completely honest with the Deputy Leader, I do not think I have a right to release the document. It is the property of the Police Commissioner and the Government at this stage and I have no intention of releasing it to the public at this moment.

ORIANA VISIT

Ms LENEHAN: Can the Minister of Tourism outline to the House what arrangements were made by the Department of Tourism in respect of the recent visit of the *Oriana* to the Outer Harbor terminal? I have seen recently reports which were very critical of the facilities and arrangements provided for the transit passengers from the *Oriana*, and I would ask the Minister what facilities were made available for their visit.

The Hon. G.F. KENEALLY: I thank the honourable member for her question because I, too, have seen the reports. I was on the *Oriana* on Saturday, and there was certainly considerable interest, with great numbers of people down there.

The Hon. Jennifer Adamson interjecting:

The G.F. KENEALLY: I point out to the House and the honourable member who interjects that last November and this November this Government was and is at least faced with the *Oriana* visiting a South Australian port. I think all

of us would agree that that did not happen during the term of office of the previous Government.

Members interjecting:

The SPEAKER: Order!

The Hon. G.F. KENEALLY: Whilst members opposite can be on the sidelines criticising, they were never faced with the reality of trying to provide for a passenger vessel coming into South Australia. In November last year, when we knew that the *Oriana* was coming, we contacted the agents for P&O and asked whether they might like us to make the land arrangements for the passengers. They said 'Yes', and we did so. Anyone who attended last year would realise that it was a gala occasion: the police band was there and it had a tremendous reception. We arranged the tour buses and the on land details for the passengers.

This year, when the *Oriana* was coming back, the Department again contacted the agents for P&O who said they did not want us to do anything as they would be able to make all the arrangements themselves. So, for the benefit of the honourable member opposite, we as a Government Department thought that it was most appropriate not to be trying to do the work of private enterprise. The honourable member opposite goes to great lengths to point out to us that these things can be better done by private enterprise. However, when, according to the shadow Minister of Tourism, they mess it up—because that is what she says they have done—all of a sudden it is my responsibility as Minister and that of the Department because the arrangements are somewhat short of what is expected and of what was provided last year when the Department made them.

We are very concerned about ensuring that people coming to Adelaide either as transit passengers or as visitors to the city are provided with the very best image of our city and of what we can provide. We are absolutely determined that when the *QE II* arrives here in February next year (a problem, of course, with which the honourable member was never faced but which, nevertheless, we are happy to pick up) we will ensure that there is no short-fall in the services that are provided.

Members interjecting:

The SPEAKER: Order!

The Hon. G.F. KENEALLY: This was the arrangement made—

Members interjecting:

The SPEAKER: Order! I ask the honourable Minister to resume his seat. At the moment the honourable Minister is attempting to answer a question put to him, and he is being blockaded by a series of interjections, shouting and laughter, and I ask that they cease.

The Hon. G.F. KENEALLY: The member for Torrens says 'two red hens'. The agents for P&O in South Australia, people who are experienced in the provision of tourist facilities, made the arrangements with the providers of services in South Australia in relation to what was needed at Outer Harbor. They made those arrangements with South Australian Government services and with the private tourist industry here in South Australia. If members opposite criticise what was done, they are criticising the industry; they are not criticising the Government or Government services. I have already indicated that we are very anxious to investigate (and we are doing so) the matter concerning what happened and why the industry itself was unable to co-ordinate matters sufficiently well to provide the level of services which the State Government provided last year and which we expected the industry to provide this year. We will not allow a similar situation to occur in regard to the *QE II.*

Members interjecting:

The SPEAKER: Order!

The Hon. G.F. KENEALLY: So, in relation to the matters that the honourable member has brought to the attention of the South Australian public (and by so doing, blaming the State Government, although I think she really knew where the blame lay), she places the responsibility somewhere else—where she always believes it ought to be, that is, within the industry. In future, the Government and the relevant department will ensure that there will no longer be any short-fall in services provided to visitors at our major sea gateway.

The Hon. Jennifer Adamson: Private enterprise cannot do that; it cannot just add a taxi stand—you have to do that.

The SPEAKER: Order! Under Standing Orders, members cannot have a private debate.

The Hon. G.F. KENEALLY: I think the honourable member has just displayed to the House how much she knows about taxi services in South Australia. We will not tell the taxi services that they have to be there. The taxi industry is run by a group of very active, keen and hard working private enterprise people. If they feel that it is in their interests to be at Outer Harbor, and, if the P&O agents let them know that thousands of tourists will be arriving at Outer Harbor on the *Oriana,* it is up to the taxi operators themselves and the tourist industry to ensure that the services are provided there. The honourable member can be sure that what happened in the past will not happen again, because the Government and the Department will ensure that the industry is provided with the professional back-up that it so obviously needs.

POLICE COMPLAINTS LEGISLATION

The Hon. E.R. GOLDSWORTHY: Can the Deputy Premier say whether the Government will immediately withdraw the police complaints legislation? When the Minister announced—

An honourable member interjecting:

The Hon. E.R. GOLDSWORTHY: The first question was allowed.

The SPEAKER: Order!

The Hon. E.R. GOLDSWORTHY: Mr Speaker, someone is suggesting that he knows your job better than you do.

The SPEAKER: Order!

The Hon E.R. GOLDSWORTHY: When the Minister announced in March the Government's intention to introduce this legislation, he said that the Government had accepted, virtually in its entirety, the Grieve Report. However, the Police Force now believes that it has been double-crossed and that the left wing of the Labor Party, the police bashers, have got to this Bill and insisted on changes so that in some important respects it goes well beyond the recommendations of the Grieve Committee. For example, it allows anonymous complaints, when the Grieve Committee said that it was at a loss to see how such complaints could be investigated.

It would also deny to police officers, their families, friends and relatives rights which are available to the rest of the public when they are the subject of investigation. Many members of the Police Force are also concerned that, while the Government is prepared to steam-roll this legislation through Parliament, it has not been prepared to introduce legislation to increase police powers in a number of significant areas—legislation promised more than a year ago.

I understand that the Police Association has told the Government that it wants a commitment to some major changes to the Bill before 20 November, or there is likely to be industrial action. A confrontation between the Government and the Police Force will be in no-one's interests—

least of all the community—and I therefore ask the Government to immediately withdraw the Bill with a view to allowing further consultation with the Police Force and the re-introduction of more appropriate legislation in the parliamentary sittings next year.

The Hon. J.D. WRIGHT: In reply to the final comment made by the honourable member, there is no need to withdraw the Bill so that negotiations may proceed. The Bill is in the House and it will stay in the House. I do not intend to withdraw it. After three very late discussions with the Police Association on some of these questions on which there is argument and debate, I have given an assurance that such questions will be considered. That is a simple answer, but it is not as simple as that. Two or three weeks ago the Police Association (and there is no denial from the Association on this: in fact, it was admitted at a meeting yesterday morning) came to me with two complaints about the Bill. I considered those complaints and agreed to make amendments. The Association, through the Secretary, agreed to those amendments. Although I have not heard from the President, the Secretary said that he had had discussions with his President and that the President was agreeable to the inclusion of the two amendments. Further, I understand from the Secretary that agreement was also reached with the Association at that stage that, if there were any other matters (and that covers a lot of ground) that arose after the Bill was laid on the table, further negotiations and discussions could take place. There is no denying that. Indeed, it was freely admitted yesterday morning in front of about 20 people.

The Hon. E.R. Goldsworthy interjecting:

The SPEAKER: Order!

The Hon. J.D. WRIGHT: On the basis of that understanding and agreement (I do not break agreements—

The Hon. E.R. Goldsworthy: What?

The Hon. J.D. WRIGHT: The Deputy Leader of the Opposition may interject as much as he likes. No-one takes much notice of him, anyway.

The SPEAKER: Order! The honourable member may not interject as much as he likes.

The Hon. J.D. WRIGHT: That is something over which you, Mr Speaker, have control, whereas I have none. However, I have control over whether or not I break agreements. I do not break agreements. I was surprised (and I told the Secretary of the Police Association) that after the Bill had been introduced the media was informed of further discoveries, but not I. I was not told of further dissension about matters that had been discovered, but all of a sudden we have a media war on this legislation. I do not believe that that is fair or that it is playing the game.

Members interjecting:

The Hon. J.D. WRIGHT: That fact is that the Police Association did not honour its agreement with me. If one cannot honour an agreement on industrial relations or on any other matter, the game is not worth playing. I have told the Police Association that it has the responsibility to come back to me to give me a chance to discuss and debate this matter and settle any outstanding questions. I am not going behind the Association's back in that regard.

The Hon. Ted Chapman interjecting:

The Hon. J.D. WRIGHT: Yes. I have already told the House. The member for Alexandra must have been asleep again or thinking about the races or some such thing, because I have already made that point. There were two matters in respect of which there was some dissatisfaction with the Bill. The Association had the Bill and discussions have gone on and on since March, so no-one can allege that no discussions have been held.

The Hon. D.C. Wotton: What consultation did you have with the Police Commissioner?

The Hon. J.D. WRIGHT: If you want to come back with that question you can do so, but I am now answering the question from the Deputy Leader. One other matter needs to be answered, and that is the allegation by the Deputy Leader about the left wing getting hold of this document. If the Deputy Leader wants to establish me as being a left winger, that is up to him: he can categorise me any way he likes. The only people who have seen this Bill are members of my committee and myself, my officers and my staff. If the Deputy Leader wants to categorise my officers and staff as being mad left wingers, he may do so, but let me make it very clear—

The Hon. E.R. Goldsworthy interjecting:

The Hon. J.D. WRIGHT: Have you quite finished?

The SPEAKER: Order! I ask the Deputy Leader to come to order.

The Hon. J.D. WRIGHT: Let me make quite clear to the Deputy Leader that no-one has had control of that Bill other than myself, and I accept full responsibility for the drafting of it. He should not try to duck shove it off to some outside body, because that is not the case. I accept responsibility for that legislation. Had the consultations proposed in the first instance been carried on, there would have been no public debate about this matter, because I believe that in most instances where the police have problems with this legislation they can be overcome one way or another. I told the Police Association this morning, I told it yesterday morning, and I told it three weeks ago that that was the situation. I said that, provided we could sit down, talk this thing out and determine where the difference lay, I was quite sure—

Mr Olsen interjecting:

The Hon. J.D. WRIGHT: That is another question. The Leader interjects and says that the Police Commissioner had to telex all his police officers. That is the very point I am making: that the agreement being broken and not telling the Minister they were dissatisfied caused that to occur.

Members interjecting:

The Hon. J.D. WRIGHT: You are not going to ask me 100 questions while I am on my feet. The simple answer to this question is that I am not withdrawing the legislation and that, provided discussion can take place in a reasonable atmosphere rather than a heated one, I am quite confident that the Government can come to terms with this very responsible Police Force. Indeed, during the time I have had to deal with them I have found members of the Police Force to be very responsible people, and I believe that, with a responsible Minister and responsible people involved, we can reach responsible decisions.

CHILD PARENT CENTRES

Mrs APPLEBY: Can the Minister of Education give an assurance that child parent centres will not be severed from the junior primary and primary schools of which they are now an integral part? There is much fear and anxiety in the school community that there will be conflicts between junior primary schools, primary schools and their child parent centres if their management is separated.

The Hon. LYNN ARNOLD: Yes, I can give an assurance on this matter. Indeed, it is a matter on which assurances seem to have been required over a considerable time. I want to make this point again and repeat what has been said by both the Premier and me on other occasions, namely, that basically the management structures that will apply with respect to individual pre-school facilities will remain the same after the establishment of the new CSO as it is now. What that means is that the individual child parent centres in South Australia will be attached as they are at present

either to the junior primary schools or, in the case of R-7 schools, to primary schools and will maintain that management linkage that exists in the present situation. Similarly, individual kindergartens will retain, to all intents and purposes, the basic management relationship they have with their present management committees which applies at this stage.

So, no change is being proposed in substantial part for either child parent centres or individual kindergartens that are presently associated or affiliated with the Kindergarten Union. Where the differences take place, of course, is with regard to the central structures that apply in both cases. Members will be aware that the Kindergarten Union is to have its central structure become an integral part of the new CSO, while the Premier and I are to investigate further what will happen to the central support structures for child parent centres before the end of 1985. However, that is the support that exists within the central department or in area offices; it is not the individual child parent centres.

I cannot reiterate too strongly that there is no proposal before the Government—there is no intention on the part of the Government—to sever child parent centres from junior primaries or R-7 primary schools and break that relationship with their school councils or with the school principals. That is absolutely unequivocal. What may happen by the end of next year is that, in connection with the support structure within the Education Department at officer level, not at school facility level, recommendations may be made for the transfer of some or all of those support positions across to the CSO. We really have to await further investigations, but it does not affect the point I have just made about individual pre-school facilities. Notwithstanding that, whatever may happen with regard to the support services within the Education Department, those support services will be required to liaise closely with the new CSO so that, in the planning of new facilities and in the allocation of resources between existing facilities, it will be necessary to liaise with that office to ensure that resources are being used to best effect.

For some years I know that child parent centres have gone through great anxiety as to what will happen to them. I take this opportunity once again to repeat that this Government will not disestablish child parent centres, and we will not break the nexus between child care centres and their junior primary or R-7 schools: we will maintain that strong bond that has proven so successful in past years.

BEVAN SPENCER VON EINEM

The Hon. MICHAEL WILSON: Has the Government asked the Crown Prosecutor for a report on the non-parole period given in the Kelvin murder case, and is it the intention of the Government to appeal against the sentence of the court? In the *Sunday Mail* at the weekend the Premier was quoted as saying that the Government would support an appeal against a non-parole period of 16 years given in this case if Crown prosecutors recommended it. However, the newspaper article did not go on to say whether the Government had specifically requested a report from the Crown Prosecutor on the sentence.

It has been the practice of the Attorney-General to reveal publicly when he has requested advice from the Crown Prosecutor on court sentences. In view of the widespread community concern which this case has caused and in view of the comment by the sentencing judge—

The horrendous nature of this crime has added a new dimension to murder committed in this State—

the public deserves to know whether the Crown will seek to have the non-parole period which Bevan Spencer von Einem must serve extended beyond 16 years.

The Hon. J.D. WRIGHT: I am not aware whether the Government has or has not sought such a report, but I will certainly ask the Attorney-General whether or not he has done so and bring down a report for the honourable member.

The Hon. Michael Wilson: As soon as possible?

The Hon. J.D. WRIGHT: Yes; if I was in a position to tell the honourable member, I would. However, as I am not in a position to do so, I will let him know as soon as possible.

QUARRY ROAD CONNECTOR

Mr KLUNDER: Will the Minister of Transport give the House any new information regarding the proposed Quarry Road connector and, in particular, can he inform the House whether the member for Davenport's proposals for that road have been costed by the Highways Department? My question arises out of letters to the Editor and other publicity engendered by the Crestview Estate Action Group after the Minister of Transport indicated that he could not countenance spending over $500 000 extra to move the proposed highway further from their homes. The member for Davenport has put a scheme to the Highways Department. Can the Minister indicate what that scheme will cost?

The Hon. R.K. ABBOTT: I thank the honourable member for his question of which he gave me some notice. I do have some additional information for him. The proposed Quarry Road connector currently is 73 metres away from the back fences of the homes in question. As the member for Newland indicated, the cost will be $500 000-plus to move the proposed highway 140 metres away, which is what the residents have been seeking. As the Minister responsible, I indicated when I met these people that I could not agree to such an amount of taxpayers' dollars being spent. It would mean that a number of other works such as school crossings and other important work could not be commenced in this financial year and, as a result of the—

The Hon. D.C. Brown interjecting:

The SPEAKER: Order! I ask the member for Davenport to come to order. I am interested in this answer, too.

The Hon. R.K. ABBOTT: As a result of the member for Newland's interest, a lot of the options were checked—

The Hon. D.C. Brown interjecting:

The SPEAKER: Order!

The Hon. R.K. ABBOTT: —but none was found to produce the right cost effectiveness. I understand that there are only 20 allotments facing the proposed highway, and the taxpayers of South Australia would not be too happy with a Government that paid $500 000-plus to help 20 households when thousands of others have to live with highways only a few metres from their front door. As to the contribution from the member for Davenport, his intention was to move the proposed highway to the top of the hill and to dig it in. The cost of this has been checked by the computer projections available to Highways Department officers and it has been found to be not $500 000-plus in excess of what the Crest View group's proposal would cost: it has been costed instead at over $1 million; so, it is obviously not a goer, and I think that all the member for Davenport has been doing in his usual form is to falsify the position and raise the hopes of those residents living in that area, and to carry on with his normal grandstanding.

PAROLE LEGISLATION

The Hon. D.C. WOTTON: In view of increasing concern within the Police Force about the operation of the current parole legislation, will the Minister of Emergency Services ask Cabinet to review that legislation? Police concern about the operation of this legislation has been heightened by the early release of a man convicted in 1977 of the attempted murder of two police officers. The man was released from Yatala on 10 August this year, after serving seven years of a 16-year sentence.

The Opposition has been advised that this person has since been arrested again for drug offences. He was one of 188 prisoners given early release between June and early October. I understand that the Police Association has expressed concern to the Commissioner of Police and the Attorney-General about the fact that the public is being placed in jeopardy because of this legislation and that police officers are being exposed to unnecessary risk by having to deal with violent criminals who have been given early release. In view of these concerns and the increasing evidence that serious criminals are reoffending within a short time of obtaining early release, I ask the Minister, as the Minister responsible for the police, whether he is prepared to support the concerns of the Force and seek a review of the current parole legislation.

The Hon. J.D. WRIGHT: First, one would have thought that the Police Association would discuss this matter with me, but it has not done so.

The Hon. D.C. Wotton: It's had discussions with the Government.

The Hon. J.D. WRIGHT: It may have had discussions with the Government, but not with me.

The Hon. D.C. Brown: Don't you know what is happening?

The Hon. J.D. WRIGHT: I am available all the time. I even talk to the member for Davenport, and that is saying something. Even he can get my ear: he knows that. As I say, the Police Association has not raised this matter with me. It may have taken it up with the Minister of Correctional Services. That I do not know, either, but I will refer the honourable member's question to the Minister of Correctional Services and bring down a report for him.

MEDIA COVERAGE OF CRIMINAL MATTERS

Mr TRAINER: Will the Deputy Premier, on behalf of the Premier, indicate whether the Government will consider approaching the electronic media with a request to exercise caution in future in its coverage of criminal matters such as the arrest that took place in Rundle Mall last week, on the basis that a continuation of that practice could eventually lead to a serious miscarriage of justice in the future?

Without in any way commenting on the actual case itself, which is of a most serious nature, I would like to point out that some public disquiet has been expressed regarding the television coverage given to the arrest of someone at their place of work in the Rundle Mall. The later editions of the afternoon tabloid of last Thursday gave a front page headline coverage of the arrest of that person. The main body of that newspaper coverage is probably acceptable, by contemporary standards, as a legitimate handling of a matter of public interest. However, it was accompanied with the following eye catching item, boldly headlined 'Exclusive', referring to a television crew having been present at the arrest. It stated:

> Exclusive film of the arrest in Rundle Mall today will be shown on channel 10's Eyewitness News at 6 o'clock tonight.

Notwithstanding the attitude that most members of the community may have towards this case, concern has been expressed that that sort of televised media coverage given to last Thursday's arrest is not appropriate and, if repeated on a future occasion, could possibly lead to a serious miscarriage of justice.

The Hon. J.D. WRIGHT: I was not in Adelaide last Thursday so I did not see the event to which the honourable member refers. However, it was brought to my attention only late last night that members of the media were present during the period when this person had been arrested. I find that rather intriguing, to say the least. I find it quite astonishing that any television or radio station or paper, for that matter, could be at the place of arrest to actually film the person being arrested. I do not think it is justice, in the first place; nor do I think it is reasonable in the second place that a person (and I am trying deliberately not to mention names) should be arrested in such a way or for the spouse of that person to be advised in such a way as that spouse was advised. I do not know what television station was there, but I am having my officers check that out for me today.

Since the matter was raised with me late last night, I have had a further telephone call today which indicates—and I place it no higher than that for the House and the public—that there was a discussion on one of the radio stations this morning, and it is reasonably indicative that the information may have leaked from Victoria.

The Hon. B.C. Eastick: It was on the Satchell show.

The Hon. J.D. WRIGHT: On the Satchell show? Someone rang and informed me of that. It is indicative, anyway, that there was no responsibility in South Australia for that matter. I will obviously be in touch with the Police Commissioner to see what he can determine about this matter. If there is any truth in this morning's radio broadcast, it may be that the information was relayed to the television station responsible for doing it.

The real question from the honourable member, however, is whether or not the Government will take up this matter with the media so that in future those circumstances do not arise again. I think that is a reasonable request of the media because, as the honourable member pointed out, very extenuating circumstances regarding this matter could have occurred. I will certainly refer the matter to the Premier, who will take it up on behalf of the Parliament, I would think. I do not think anyone in the Parliament would like to see that kind of event occur again.

UNEMPLOYMENT BENEFITS

Mr GUNN: Will the Deputy Premier, in the absence of the Premier, ask the Federal Government to take action to ensure that people cannot receive unemployment benefits if they participate for long periods in demonstrations such as the Roxby Downs blockade? I understand that most of the riff-raff evicted from Andamooka on Sunday were unemployed people who had been in the area for up to two or three months participating in the Roxby Downs blockade. Public statements that these people have made during the last two days suggest that most of them have been in receipt of unemployment benefits throughout the time that they have been involved in this demonstration, thus adding to the cost that taxpayers are having to meet for their misbehaviour. Quite clearly, during their participation in the demonstration, these people have not been looking for employment and have therefore failed to meet the guidelines for payment of unemployment benefits.

As these demonstrators have threatened to return to the area, every possible action needs to be taken to discourage them. I therefore ask the Deputy Premier, in the absence of the Premier, to take up with the Commonwealth, as a

matter of urgency, the need to ensure that participants in such demonstrations do not have their activities subsidised by taxpayers through the payment of unemployment benefits.

The Hon. J.D. WRIGHT: The simple answer to the question is 'No'. This is entirely the responsibility of the Federal Government, and I am sure that it is able to look after the matter.

SECURITIES INDUSTRIES

Mr FERGUSON: I direct my question to the Minister of Community Welfare, representing the Minister of Corporate Affairs. Can the Minister advise the House whether the Department is aware of any proposed new legislation arising out of a recent conference between the Corporate Affairs Commission and the National Companies and Securities Commission in relation to the securities industries?

I received correspondence from the Premier in May of this year following a question that I raised in the House about the licensing of investment advisers. The correspondence informed me that proposals to reform the securities industries legislation would be considered in due course following consultation between the Corporate Affairs Commission and the National Companies and Securities Commission. Comments made by the Deputy Chairman of the National Companies and Securities Commission, Mr John Coleman, were reported in the *Advertiser* on Tuesday 6 November, as follows:

> Separate legislation existed at Federal and State levels specifically governing banks, building societies, stockbrokers and other security industry operations, even though their products were essentially interchangeable. The problem was the laws were concerned with the structures of the industry rather than their functions and substances. The links now being formed between banks, building societies and other institutions made it difficult to know which law to use in these instances. I suggest that the regulation of all financial institutions should be reasonably uniform for particular types of functions. It should also be comprehensible to those in the industry and their customers and promote confidence in the services. The legislation which was in force when the 1978 agreement between Canberra and State Governments gave the NCSC the basis for its activities was now redundant.

The Securities Institute of Australia in its journal of 1984 stated that the licensing system for investment advice should no longer exclude bank officers, solicitors, accountants and insurance personnel.

The Hon. G.J. CRAFTER: I thank the honourable member for his question. Obviously, the licensing and regulation of investment advisers is a matter of some moment in the community, particularly with respect to the aged. This matter was referred to during the debate on the Commissioner for the Ageing Bill which was recently before the Parliament. I shall most certainly seek from the Minister of Corporate Affairs the information that the honourable member wants.

THIRD PARTY INSURANCE PREMIUMS

The Hon. D.C. BROWN: I ask the Minister of Transport whether the Bannon Government has decided to defer until after the Federal election the announcement of a very large increase in compulsory third party insurance premiums for motor vehicle owners. Mr Speaker, with your concurrence and that of the House I shall explain my question. Last week the Government's Third Party Premiums Committee met and made a recommendation to the Government for an increase in third party premiums.

An honourable member: Did you seek leave?

The Hon. D.C. BROWN: I certainly seek leave now—I thought I did.

The SPEAKER: Order!

The Hon. D.C. BROWN: I sought leave. Last week the Government's Third Party Premiums Committee met and made a recommendation to the Government. I understand that the recommendation is that all premiums should be increased by 15 per cent from 1 January. Perhaps the Minister might like to confirm that recommendation. As the recommendation went before Cabinet yesterday, it would appear that the Bannon Government is either incapable of making a decision on this matter or has deliberately decided to defer any decision on a very explosive issue until after the Federal election.

The Hon. R.K. ABBOTT: The answer to the honourable member's question is, 'No, the Government is not deferring its decision on the question of third party premium increases until after the Federal election.' That is the least of the Government's intentions. I have received a proposal by the Third Party Premiums Committee, and that proposal is currently under consideration by the Government. It was discussed at yesterday's Cabinet meeting, but we have not yet made a decision.

Members interjecting:

The SPEAKER: Order!

The Hon. R.K. ABBOTT: Settle down, ladies and gentlemen. We might be able to make a decision next week, but we are looking for further information on the matter. When we have dealt with that, we will make a decision regardless of the Federal election.

SOIL TESTS

Mr MAYES: Has the Minister of Local Government initiated discussions with the Housing Industry Association and the Australian Professional Engineers Association to establish the need for soil testing fees to be increased by 430 per cent? The following article, headed 'Soil test will boost house costs by $1 000', appeared in the *News* of 30 October:

> The price of new houses in South Australia will rise by almost $1 000 in December because of massive increases in the cost of engineer soil tests. The chief executive of the Housing Industry Association, Mr Don Cummings, said yesterday the cost of soil tests would rise from around $300 to just under $1 300 . . . Mr Cummings said the increase was necessary because of recent court cases in which engineers who carried out soil tests had been joined in actions involving local councils and builders. These actions have forced the eight or nine engineers who carry out soil testing in Adelaide to increase their insurance premiums for professional indemnity from around $8 000 a year to more than $40 000 a year.

The Hon. G.F. KENEALLY: When it became obvious to the Department of Local Government that the premiums payable by soil engineers were to be increased as a result of the court's decision to join the engineers with local government in any action as a result of cracks or any other damage to buildings resulting from advice that had been given by engineers in local government, the Chairman of the Building Advisory Committee (Mr Bob Lewis, Deputy Director of the Department) immediately established an inter departmental committee to consider this matter and present a report to me as Minister so that I could take it to Cabinet for a policy decision. I am not sure whether that committee includes representatives of the Housing Industry Association and the Australian Professional Engineers Association. I will take up the matter with Mr Lewis to determine what discussion is taking place with those bodies or whether they are represented on the committee, so that I can decide whether the honourable member's suggestion is appropriate and whether, if the committee does not already include representatives from those groups, it might do so. I will bring down a report for the honourable member.

WATER TREATMENT

The Hon. P.B. ARNOLD: Can the Acting Minister of Water Resources say whether the Government has specific proof that the ammonia and chlorine or the chlorination process being used in the water supplies to Mid-Northern towns, Yorke Peninsula and the Keith pipeline will have no long-term carcinogenic effects on the population? If such scientific proof exists, is it accepted by the World Health Organisation? The comparatively new treatment of water supplies to South Australian country regions is being used in an effort to control *naegleria fowleri* and amoebic meningitis. However, the Minister would be aware of the concern that has been expressed over the years in respect of the organic compounds that are being created by the interaction of chlorine and the organic material, especially in River Murray water because of its high turbidity, and the uncertainty of the long term effects of the tri-halo-methanes.

It has been put to me that there has been insufficient study into the longterm effects of this new treatment and that in fact nowhere in the world has this new treatment been proved to be totally safe. That means that we could on the one hand be substituting one menace, *naegleria fowleri*, for what could be an even greater menace, and that is the long term cancerous effects of this new process.

The Hon. R.G. PAYNE: I appreciate the honourable member's concern. I can recall (although it was a fair while ago, when I was Minister of Water Resources in 1979) some of the information to which the member has referred about this matter, particularly in relation to tri-halo-methanes. I think it would be in everyone's interests, since I am representing the Minister, if I obtained as accurate a reply as I can. I undertake to do that and bring it down as soon as possible.

WIND ENERGY MONITORING PROGRAMME

Mr GREGORY: Will the Minister of Mines and Energy indicate whether any sites have yet been selected for the wind energy monitoring programme he announced in mid year?

The Hon. R.G. PAYNE: Yes: I am happy to announce that the first five wind monitoring sites have been selected and that the monitoring equipment is now being calibrated in readiness for placement on the sites in the next few weeks. The sites are all south of Adelaide, in an area on and around Fleurieu Peninsula: one is in the Myponga area; another is between Cape Jervis and Rapid Bay; one is close to Parsons Beach, and the remaining two are adjacent to Milang. I think that honourable members will understand why I do not propose to be any more specific in relation to the actual locations of those sites. For the purposes of the wider monitoring survey, the State has been divided into 20 zones, of which the Fleurieu Peninsula is the first.

The Hon. Ted Chapman: It is a pretty important district.

The Hon. R.G. PAYNE: I am pleased to note that the member for Alexandra is happy that the choice of the first zone is in the area for which he is responsible. I trust he is not suggesting that he will in any way contribute to the wind that might be measured in those particular locations. Generally speaking, these first five sites have been selected to provide a variety of terrain types to enable the survey team to gain the necessary experience for the wider survey.

Officers of the joint Government-ETSA Programme Committee have reported that they and the field team have had excellent co-operation from local landowners during the site selection process, and I am pleased to report that. The committee says that planning has already begun for the second stage of the programme, during which at least another 23 sites will be selected throughout the State. As soon as this planning has been completed, teams will go into the field to make the final selections.

During this second stage, work will also begin on the planned review of existing wind generator design and performance, using data produced by demonstration projects in Australia and overseas. Economic and costing studies will be carried out at the same time. This technology review is an important element of the overall programme, designed as it is to ensure that, when we move to a demonstration stage, we will do so on the basis of proven technology.

I informed the House previously that, although problems were associated with the designs of wind generators, recently considerable improvements have taken place so that, together with the wind monitoring programme (about which I gave information earlier), the evaluation stage should lead to South Australia's being in the happy position of being able to select technology of the right type, having already preselected, as it were, with the aid of the wind monitoring programme, the correct sites for the installation of wind generators of this type.

SCHOOL RAFFLES

Mr ASHENDEN: Will the Acting Minister of Recreation and Sport advise whether the Government is prepared to place schools in the same category as registered charities in relation to the tax that is collected from the sale of raffle tickets? As the Acting Minister would know, charities are exempt from any tax on the sale of raffle tickets. Recently a school in my district conducted a raffle: the profit was $4 000 but the tax imposed was over $1 000, or 25 per cent. Parents and school councillors cannot understand why a school raffle is taxed at all and the following points have been put to me: first, the funds raised are used to obtain essential equipment for the school; secondly, fund raising in fact saves the Government expenditure by reducing the necessary financial input of the Government to schools; and thirdly, the Government has profited from funds raised to support one of its own institutions.

Parents believe that the present situation is unjust: they believe that education is of prime importance in the community and should not be penalised. Parents also see a real distinction between funds raised for a school and those raised for sporting clubs and so on. They see schools as being just as important to society as charitable organisations. Therefore, will the Government remove the necessity for schools to pay a tax on funds that are raised through raffles for educational purposes?

The Hon. D.J. HOPGOOD: The House will be pleased to know that my colleague whom I am representing at this stage is getting along extremely well and is bursting to get back to work. I will refer the honourable member's question and concern to the Minister, who will no doubt bring back his usual incisive and well considered answer.

ARTIFICIAL TANNING AIDS

Mr HAMILTON: Will the Minister of Local Government, representing the Minister of Health in another place, investigate the statement attributed to senior CSIRO scientist, Mr Frank Wilkinson, as recorded in the media on 22 October 1984, that domestic sun lamps are dangerous and should be withdrawn from the market? Mr Wilkinson is reported as saying that after extensive research into artificial tanning it was found that all brands could lead to bad burning, eye damage or skin cancer. Sun lamp manufacturers have dis-

puted that finding and have said that the lamps are not harmful if instructions are followed.

The Hon. G.F. KENEALLY: I will take this matter up with the Minister of Health in another place and bring down a report as soon as I am able to do so.

STATISTICAL TABLES

Mr LEWIS: My question is to you, Mr Speaker. Will you call a meeting of the Standing Orders Committee to consider matters related to your ruling delivered on 25 October and printed at page 1509 of *Hansard* about the length of statistical tables which can be incorporated in *Hansard?*

There are three reasons for my asking this question. The first is that the abbreviated table of the Bannon Government's increases in taxes and charges takes up just over both sides of one page of the *Hansard* weekly volume at the present time. Even so, I had agreed to delete about half or less than half of the original table. The second reason, Mr Speaker, is that in explanation of your ruling, you said:

> One such table inserted by the member for Mallee last Thursday was 40 pages in length, which at best the Government Printer could reduce to 15 *Hansard* pages, but only at a cost in excess of $3 000.

In fact the full unabridged table of the Government's taxes and charges could have been incorporated in *Hansard* in little over three pages, certainly less than five. The third reason for my asking the question is that Alec Mathieson of the *Advertiser* took up your remarks, Mr Speaker, and in his *TWO A.M.* column wrote the following:

> It's comforting to know someone is keeping an eye on MP's verbosity. House of Assembly Speaker, Terry McRae, last week put the brakes on Liberal back-bencher, Peter Lewis, after he got a bit carried away with statistics.
>
> During a debate, Peter sought, and was given, permission to include in *Hansard* 40 pages of statistics. The Government Printer later informed Terry that this could be reduced to 15 *Hansard* pages but would still cost $3 000. 'Woah!' said the Speaker, and Peter agreed to shorten his stats substantially. The whole episode prompted the Speaker to ask members in future to try to limit statistics to one page.

That maligned me, Mr Speaker. It was not my fault that the list of 149 specific ways in which the Bannon Government has broken its clear election promises is so long. This quotation of your remarks has caused me considerable embarrassment in that many of my constituents have taken up the unjust implied criticism of me. After I have explained the situation to them, if your ruling stands, Sir, they say that much of the information of a statistical nature which needs to be cited as supporting evidence of a point which an honourable member makes in argument will be excluded. They have said that they regret that fact.

The SPEAKER: Yes.

SCHOOL FIRES

Mr BLACKER: Will the Minister of Education explain the Government's attitude towards the redevelopment of schools which have been destroyed by fire? On Monday the Minister was to open a redevelopment of the Cummins Area School which was destroyed by fire over two years ago, but owing to ill health the Minister was unable to do that. However, the Director did make comments at that time of Government proposed action to try to speed up the process of reconstruction and redevelopment of schools so damaged.

The Hon. LYNN ARNOLD: I thank the honourable member for his question, which involves a very important matter that was first drawn to my attention by what happened at Cummins. I can recall being in this place when I was in Opposition and hearing the member for Flinders ask my predecessor about what was going to happen with the redevelopment of the Cummins school after the fire that had taken place there. So, that indicates just how long ago the fire actually happened.

The opening ceremony at which I was supposed to officiate took place last Monday. Unfortunately, a viral flu laid me low and I was unable to be there, which I very much regret. However, I much appreciated seeing the portrait drawn by one of the classes in the school. What came to mind some months ago when I was aware of just how long it was taking for replacement of Cummins and of other schools in a similar situation, such as the Northfield High School library replacement, the Salisbury North Primary School four-teacher unit replacement and a number of others, is that there does seem to be well and truly a need to overhaul procedures by which we replace major burn-outs in schools.

I was going to announce at Cummins (because I believe that as a community they have suffered greatly and they ought to know what happened as a result of decision making) that I have appointed a working party to advise the Government on how we can speed up procedures. That working party is to be under the chairpersonship of Dr Peter Tillett (Assistant Director-General of Education Resources in the Education Department) and will include representation of Public Buildings Department, Treasury and the Government Insurance Office.

That committee is to advise me and the Government on how we can accordion down the various procedures that need to be gone through when a school fire takes place. I highlight some of the issues that need to be considered when a major school fire happens: first, there is the assessment of damage, including an assessment of what should be replaced and by what forms of funding or support; secondly, public works approval is necessary if the replacement cost of the building is more than $500 000; and, thirdly, Cabinet approvals need to be considered at various stages. So a number of procedures need to be followed.

Nevertheless, I am certain that we can do a better job than has been done in the past and that we can reduce that time. Indeed, we need to reduce it, because it is really not fair on communities such as Cummins, Northfield, Salisbury North or any of the others that have suffered in this way that they should then have to suffer the distress caused by the fire itself and then suffer an inordinately long time before they can see those facilities replaced. The sooner this committee can report and advise on improved procedures, the better.

PUBLIC WORKS COMMITTEE

The Hon. J.D. WRIGHT (Deputy Premier): I move:

> That, pursuant to section 18 of the Public Works Standing Committee Act, 1927, the members of this House appointed under that Act to the Parliamentary Standing Committee on Public Works have leave to sit on that committee during the sittings of the House this week.

Motion carried.

The SPEAKER: Call on the business of the day.

NATIONAL CRIME AUTHORITY (STATE PROVISIONS) BILL

Adjourned debate on second reading.

(Continued from 31 October. Page 1687.)

The Hon. H. ALLISON (Mount Gambier): The Opposition supports this legislation. The Federal National Crime Authority, which is the subject of the Bill before us, is in fact a revised version of the former Federal Liberal Government's National Crimes Commission. The legislation is necessary because it will allow South Australia's Minister (the Attorney-General) to take part in deliberations of the intergovernmental committee which has been established by the Federal legislation and which comprises State and Federal Government Ministers who will meet to form the committee to confer on the very important and grave issue of national crime.

All members will realise the seriousness of this legislation, since national crime across State boundaries has been the subject of a whole number of Royal Commissions dating back to the middle 1960s: the Williams Royal Commission, the Moffitt Royal Commission, the Stewart Royal Commission, the Woodward Royal Commission and, of course, the subject of very recent releases, the Costigan Royal Commission. All have very clearly supported the need for a National Crime Authority to be created.

My only fear, on perusal of the State and Federal legislation, and, I believe supported in some national quarters by students of national and international crime, is that the legislation which has been enacted in Canberra and which is currently before us may still produce an authority lacking sufficient teeth to enable it to counter effectively modern criminals and to bring them to justice.

Frank Costigan identified the problems in leaving organised crime and investigation of it simply to the established law enforcement agencies in each State. I would like to quote from the Royal Commission precis of the report, which relates to the activities of the Federated Ship Painters and Dockers Union, to the Right Honourable Malcolm Fraser, dated 6 September 1982. Clause 10.24 on page 39 of that report states:

> There are difficulties in the path of law enforcement agencies in the suppression of organised crime. I will not attempt to detail all of them. A few will be sufficient . . .
>
> *(a)* They do not have sufficient personnel of the appropriate intellectual capability and training to undertake that difficult analysis of facts which is necessary to identify major criminal organisations. In part, I believe this is attributable to a reluctance by Police Forces to recruit graduates from universities directly into their criminal investigation branches. The reluctance springs out of fierce opposition to recruitment at officer level. The opposition is difficult to justify, particularly when one takes into account that it has been the practice in the military forces for a very long time. The opposition will have to be defeated if Police Forces are to have available to them in sufficient numbers men of the appropriate intellectual calibre to match those who are in the criminal organisation. Criminal organisations do not suffer from the same disadvantage.

In quoting that 1982 extract I point out that we in the Opposition believe that the South Australian Police Force has in fact gone quite a long way down the track towards remedying a criticism such as that.

In fact, we are very proud of the calibre of our South Australian Police Force and the nature of the academic groups who have been admitted. The second issue that Frank Costigan raises is *(b)*. The report continues:

> . . . is more easily rectified, though it may be expensive. The Police Forces are not properly equipped. Indeed, the standards of administrative support in the criminal investigation branches is disgraceful. It still reflects nineteenth century attitudes. The detectives are not adequately supported by secretaries. They are not supplied with stenorettes. They are required to type their own reports. They do not have the clerks necessary to handle the mass of data that has to be examined in order to identify the activities of organised crime. Their offices are bereft of word processors. More recently computers have made their appearance, but in grossly inadequate quantities and with lamentably inadequate programmes (at least in the area of investigating corporate fraud and organised crime). Some steps are being taken in some Forces to correct these matters but not enough.
>
> *(c)* The third defect springs out of a lack of power. The investigation into organised crime cannot be by traditional methods. No person is likely to come forward and confess, or to inform, and so expose the organisation. It may happen but it will be rare. The only way that it can be detected is by the seizure of records, including bank accounts, and by compulsory powers to search and to demand answers to questions. The Police Forces are denied these powers and without them investigations will be prolonged and unlikely to succeed.

I believe that in South Australia as long ago as May 1983, the *News*, in an article by Geoff de Luca, focused attention on the same sort of criticism. It stated:

> The tentacles of organised crime have gradually, but firmly, taken hold in South Australia. Its infiltration appears to have outstripped the ability of police to keep any marked check on its penetration. Some of the organised crime has links with interstate syndicates, and some thrives alone in Adelaide. But, whether it is multi-State or localised, one thing is certain—millions of dollars are being made every year by highly organised groups.

On that occasion, the Assistant Commissioner of Police (Crime), Mr Kevin Harvey, is reported to have said:

> From my point of view, I would like to see the exercise of such powers available to police under strict judicial oversight . . .

And he referred particularly to two areas:

> The legal constraint of the availability of access to financial records in financial institutions or trust accounts of people and businesses which are reasonably suspected of either conducting or being associated with organised crime.
>
> The legal constraint of being unable to undertake telephone interception.

Therefore, in regard to those problems, although we may have tended to view the establishment of a National Crime Authority as something remote from South Australia, those issues have in fact been identified in South Australia. Again, I refer to the Costigan Report, from which I quoted a few moments ago, at page 28, clause 10.02, where Mr Costigan states:

> At this stage of the investigation, I am satisfied that the union—

that is, the Federated Ship Painters and Dockers Union—

> at least in Victoria, Newcastle, Queensland and South Australia if not in Sydney as well, is an organised criminal group following criminal pursuits.

Therefore, it has been established quite clearly in that Royal Commission and subsequent evidence that South Australia is well and truly part and parcel of the organised crime scene. In clause 10.03, Mr Costigan states:

> There is before me evidence of wide scale racketeering, loan sharking and active participation in organised prostitution. I doubt whether there are any forms of criminal activity in which there is not some active participation.

In clause 10.14, he states:

> I am satisfied that the criminal organisation which is described in this report is flourishing in Australia. Some of the component parts are constantly at work. It does have the appearance of being an organisation which finds its roots in Sydney and one may easily conclude that geographically it is centred in that city. However, it is plain that it regards the whole of Australia as its playground, and does not regard it as necessary to confine any part of its activities to the State of New South Wales. It would, I believe, be a mistake to regard Sydney as being a greater den of iniquity than other places in Australia. There is a large population in Sydney and it certainly has its fair share of villains. However, whilst it has spawned such villains, so too have other cities in Australia, and all such villains regard themselves as free to execute their criminal designs in all parts of Australia, and do so.

In clause 10.15, he states:

> The organisation I have identified is large, and certainly includes most of those who have been identified as major criminals in Australia. It includes people with criminal associations in Sydney, Melbourne and Queensland. I could mention others in Tasmania,

South Australia and Western Australia, all of whom can be shown at some time to have participated in the organisation or to have derived profit from it.

In clause 10.18, he goes on to state:

Organised criminal activity of the kind I have described can not be tolerated in a civilised community. It is unnecessary to do more than to say that the unchecked operation of large scale criminal activity of a kind described in this report can lead only to a breakdown in law and order and the eventual destruction of the society in which we live. If an example is required of the consequences likely to ensue, it may be found in the taxation fraud. It has resulted in vast losses to the revenue and consequent restriction on the services that may be supplied by Government to the community. Even more importantly, open disobedience of one set of laws leads inevitably to disobedience of others.

Mr Costigan is pointing out quite clearly that the tens or hundreds of millions of dollars made through organised crime across the lengths and breadths of Australia clearly will not be disclosed to taxation authorities and, therefore, the illegitimate revenue that brings massive profits to possibly a large minority of people in Australia is completely lost to the community and, were the efforts of these people channelled into more legitimate operations, obviously the revenue would be subject to taxation. Suffice to say, at clause 10.20 Mr Costigan states:

The ultimate objectives must be to suppress organised crime. It would be better to state that it be destroyed. However, from what I have observed in Australia, and from what I have read of similar problems in other countries, it appears that its destruction is an unattainable goal. Accordingly, I am compelled to speak of its suppression. A question then arises as to what steps are necessary in order to achieve this.

Therefore, Mr Costigan, in the precis of his report, quite clearly fears that no matter what is done in Australia at best one can only suppress the massive organised crime that is part and parcel of our every day life.

He goes no further than that. That statement, among a number of others, led me to say a little earlier that I still fear that this legislation at State and Federal levels will not be sufficient for the people operating within its ambit to work effectively even to suppress national and international crime syndicates. They are going to have a very difficult and long haul ahead of them. The job should have been tackled in many ways: for example, the prevention of drug trafficking 10 or 15 years ago when our first fears were beginning to be realised and shipments of a variety of soft and hard drugs were known to be coming into Australia and were being detected. We have been very slow in tackling that problem, and already to the nation's detriment. So, as I said when I commenced the response to this second reading, the Opposition supports the legislation and fervently hopes that the establishment of the National Crime Authority will at least go a long way down the track towards suppressing the organised crime syndicates in Australia.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I thank the member for Mount Gambier for his indication of the support of the Opposition for this legislation. As he has outlined to the House in some detail, this is an important measure in that it brings together the forces of the Australian States and the Commonwealth Government to fight crime, particularly organised crime, in this nation. The honourable member indicated that he had some fears that the legislation was lacking in teeth, and I suppose that is always a likelihood when one tries to achieve legislation suitable to all the Australian States. I guess that the comments that the honourable member made latterly in his speech about the delays in this legislation arriving result in many ways from many of the States, particularly those with very conservative Administrations, being very reluctant to enter into a co-operative arrangement of this nature. That thankfully has now been resolved and at least we have this co-operative arrangement which must be a vast improvement on individual States and the Commonwealth alone trying to investigate crime which spreads well and truly across State borders.

However, the Attorney-General in another place has said that the Government is firmly of the opinion that the National Crime Authority is an appropriate and effective body to tackle organised crime and that the Government will most certainly be prepared to co-operate if it appears that its structure and powers need alteration at any time in the future. The ability to tackle the very complex and intricate nature of this form of crime has been revealed in the Costigan Royal Commission Reports and it is very clear that obviously a Royal Commission is not the appropriate ongoing vehicle to deal with this concern of the Australian community. It must be done by a properly constituted and empowered authority. The Government is pleased that the Authority will consist of three very competent and experienced persons who will bring a breadth of experience and competence to this investigative work: Mr Justice Stewart, the Chairman, has been appointed for five years; the Hon. Max Bingham (who was a Liberal Attorney-General in Tasmania for a number of years) has been appointed for four years; and Mr Dwyer has been appointed for two years. Those three persons will constitute this Authority which does have, as I have said, the support of all the Australian States which, if they have not already done so, are passing similar legislation. So, it can only be hoped that, given this structure, further progress can be made in eradicating this evil from Australian society.

Bill read a second time.

In Committee.

Clauses 1 to 11 passed.

Clause 12—'Search warrants.'

The Hon. H. ALLISON: Subclause (11) provides:

A reference in this section to a Judge of a prescribed court shall be construed as a reference to—

(a) a Judge of the Federal Court;
or
(b) a Judge of a court of the State.

I believe there was extensive questioning in another place by one or two of the members regarding the scope of that judgment and highlighting the possible problem if 'court of the State' includes the Industrial Court where the issue of warrants in criminal cases would be a particularly unusual action. I believe some undertaking was given by the Minister in charge of the Bill there that he would investigate to see whether that was the intention of the Federal Minister when the Federal legislation was drawn up and whether it would include members of the Industrial Court. The fact that the Industrial Court's presiding officer is a President, with Deputy Presidents beneath him, is not really relevant; the title 'judge' would still apply and, therefore, we might anticipate that the Industrial Court could be seen as one of the courts from which warrants could be issued. It is not an issue on which I will hold up the Committee but I wonder if we can have a response.

The Hon. G.J. CRAFTER: This matter was debated at some length in the other place but I do not have any further information from the Attorney-General with respect to it. I will pursue it with the Attorney and obtain whatever information he has to try to clarify this matter.

Clause passed.

Remaining clauses (13 to 35) and title passed.

Bill read a third time and passed.

EVIDENCE ACT AMENDMENT BILL (No. 3)

Adjourned debate on second reading.

(Continued from 31 October. Page 1684.)

The Hon. H. ALLISON (Mount Gambier): The Opposition supports this legislation, too. The Bill before us aims to do three things. First, it provides that in cases relating to sexual offences the judge is no longer required to give a jury a warning. It is no longer mandatory to give a warning that it is unsafe to convict the accused simply on the uncorroborated evidence of the victim. We have no real problem with that provision since the judges now have a discretion to give the warning, and I think it would be common knowledge that in most cases there would already be corroborative evidence, such as the results of an assault to be witnessed, and obviously no warning as to corroboration is needed in such cases.

In most cases it will be quite obvious whether the judge needs to give cautionary advice. The clause raises one question, because we believe that there is a tendency to suggest that judges cannot make rules as to the guidelines for corroboration. We believe that they should be able to make guidelines for corroboration. I wonder whether the Minister can make a comment on that in his response.

In regard to the amendment of section 34i, a number of different points of view have been put forward about this amendment. The opinion of quite a large section of the legal profession is that the existing section 34i has been operating quite satisfactorily for a long while and that there is really very little need to amend it. After research into those many different points of view, we have found that a variety of papers and comments have been published and made on the appropriateness of the mandatory requirement that a judge should give warning that it is unwise for a jury to rely on the uncorroborated evidence of an alleged victim in sexual cases. Before referring to the amendment to section 34i, I want to quote comments made by former Justice Mr W.A.N. Wells. In paragraph 260 he states:

> As far as the complainant in a sexual case is concerned, it has for long been obvious to trial judges that, while there are cases where some such warning as at present given would be given by a trial judge without much hesitation, there are other sorts of cases where simply to give it is a mockery, and may cause miscarriage of justice. Anyone who has had little more than a passing acquaintance with the criminal court knows that, while there are some cases where it is at least reasonably possible that the complainant has a motive for concealing or misrepresenting the truth (and where, left to himself or herself, the trial judge would, in any event, administer an appropriate caution to the jury), there are others where it would be plainly unjust to view the complainant with judicially implanted doubt or misgiving.
>
> Cases where the protagonists are well known to one another, with a history of sexual relationships between them, sometimes—by no means always—provide instances of the first kind. In cases where the complainant and the accused have never met, where the girl was set upon by an assailant while she was walking home, and sustained serious injuries, including injuries consistent with forcible rape, and where the real issue is identity, it is really monstrous for the trial judge to have to perform the solemn farce of warning the jury against accepting the uncorroborated word of the complainant. In virtually every such case, a trial judge is able to discern, as is the jury, whether the complainant's testimony should be approached with special care, and support for his or her account should be sought elsewhere in the evidence, or whether the case should take its place with every other criminal trial in which the jury is regulated by the ordinary directions about the onus and standard of proof, leaving it to the good sense of the trial judge to make such comments on the testimony as he thinks fit.

Mr Wells then states:

> I therefore strongly recommend to Your Excellency—

that is, the Governor of South Australia—

> and honourable members that the present law be changed by amending the Evidence Act.

He then submits some drafting for proposed changes which is largely consistent with the Bill before us. The Opposition agrees with the reasoning of former Justice Wells, and supports this part of the legislation.

With regard to the second section amending section 34i to allow the alleged victim to give evidence of her complaint, that is how soon after the alleged sexual offence, and in what circumstances, a complaint was made, and what complaint was made, we again find that there is no difficulty with that matter. The 1976 amendment, which enacted section 34i originally, had the effect of precluding evidence from the complainant as to when she reported the offence. That simply should not have been the effect of the legislation, and it was an oversight that it was not corrected, and therefore this Bill remedies that anomaly. We support the clause.

The third matter that causes a little concern is the provision that introduces further restrictions on the right of an accused person, and it introduces concepts which have not been the subject of judicial interpretation. There are concepts such as 'substantial probative value', and 'likely materially to impair confidence in the reliability of the evidence of the alleged victim'. Those concepts are new. As I have said, quite a number of lawyers regard section 34i as having worked quite satisfactorily for many years. It is a concern of those lawyers (generally, defence lawyers, but they have acted for both the Crown and the defence on occasions) that it may affect that very delicate balance between improving rape trials and the trauma for the alleged victims associated with them while at the same time protecting the rights of the accused, because, after all, it is still a principle of Australian justice that a person is innocent until proven guilty. The new concepts involving being satisfied that evidence 'is of substantial probative value' and whether it is likely 'materially to impair confidence' is possibly another burden placed upon an accused in sexual cases, where already we have quite substantial departures from the normal judicial processes where generally the onus of proof rests generally on the Crown and not on the accused.

While the Opposition has continually evidenced its concern for victims of sexual offences, we still believe that this provision may slightly upset the delicate balance between the alleged accused and the alleged victim. I believe that the Attorney-General has introduced this legislation in another place partly to offset his inability to bring before the Parliament a Bill to completely abolish the use of the unsworn statement. I do not believe that the Opposition needs to state any more clearly how much it has been on the side of alleged victims in rape cases. Members of the House would realise that for the past four or five consecutive years, while either in or out of Government, the Liberal Party has attempted to put through the two Houses of Parliament legislation for the abolition of the unsworn statement, but without success. The Attorney-General has once again introduced an Evidence Act Amendment Bill which takes us a little further along the road to making life somewhat easier for the alleged victims of sexual crime.

The Hon. Ted Chapman: Painfully slow in their approach to the subject.

The Hon. H. ALLISON: They are painfully slow, but it is the constant drip that wears away the stone. I refer again to the comment that I made about evidence being 'of substantial probative value' or being 'likely materially to impair confidence in the reliability of the evidence of the alleged victim'. The 1978 Victorian Evidence Act refers to 'substantial relevance', whereas our provision refers to 'substantial probative value'. In his response to the second reading debate I wonder whether the Minister will say whether he believes that 'substantial relevance' and 'substantial probative value' are in fact one and the same thing, or whether in fact he believes that the Victorian legislation is a little more moderate and possibly preserves that delicate balance between the accused and the victim and their respective cases and defences.

As I said earlier, the Opposition supports this legislation, which takes us a little farther down the track to protect the alleged victims of sexual crimes. We look forward to the day when the Minister will see fit to introduce a Bill to abolish completely also the use of the unsworn statement in such cases.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I thank the Opposition for its support of this measure, which provides additional reforms in this important area of the law and in the administration of criminal justice. It is a matter of undoubted concern in the community that the law in respect of sexual offences be effective law. The honourable member has raised certain issues, and each of those issues was raised in another place and answered in some detail there. I shall refer briefly to them.

Regarding the prevention of appeal courts from establishing guidelines, the amendment will leave it to the discretion of the judge to comment, when appropriate, upon the weight to be given to the evidence of the various witnesses. The judge has a duty to sum up fairly to a jury on the evidence, so as not to produce a miscarriage of justice. Generally the judge is left to himself to provide a fair resumé of important evidentiary points for the jury to consider, and it is left to the common sense of the jury to determine questions of witnesses' credibility. This general rule will now apply in relation to corroboration in sexual assault trials, as in almost all other matters.

Concerning the new provision as to substantial relevance, this provision is akin to the Victorian and Queensland provisions which prohibit the admission of evidence and the cross-examination of the alleged victim as to her sexual activities with persons other than the complainant unless the proposed evidence or question has substantial relevance to facts in issue.

The Crown did seek a report on the effectiveness of the present section 34i, and that report showed that that section had not been effective in the past. While various interpretations have been advanced, it appears that once the evidence proposed to be introduced is shown to have some 'relevance' it is ruled inadmissible. The slightest probative effect will result in evidence being regarded as 'directly relevant' to a 'live issue' and therefore admissible. Prior sexual experience evidence is often admitted as being relevant to the issue of consent where its probative value must be very slight. In one of the cases studied, defence counsel successfully sought leave to cross-examine the complainant with respect to two previous incidents. The first incident related to alleged intercourse with a person she had met the same evening at a party; the second incident related to her allegedly having intercourse with a boy under bushes in the parklands.

There is no doubt that where the act of consensual intercourse with another man or other men is so closely connected with the alleged rape, either in time or place, or by other circumstances, that evidence of that other act may be probative of the fact that the complainant was consenting and should be admitted. This provision will allow such evidence to be admitted. Evidence of the type sought to be adduced in *Gregory v. R* (1983) 57 ALJ 629 will now be admissible. In that case the accused sought to adduce evidence that the complainant had had consensual sexual intercourse on the occasion in question, not only with each of them but also with a number of other young men who had been present. The alleged acts of intercourse with the other men took place in one house, during one afternoon, on an occasion on which the accused were present and when, according to the case for the accused, the various men took it in turns to go into the bedroom with the complainant. It was held that the trial judge was wrong in refusing to admit the evidence. While this New South Wales case was decided before any statutory tampering with admissibility started, there is no doubt that such evidence would be admissible under new section 34i. It is a classic example of the type of evidence that should be admitted.

Regarding the honourable member's question about the words 'materially to impair confidence in the reliability of the evidence of the alleged victim', one would hope that the day is long gone when it can be suggested that because an alleged victim has engaged in sexual intercourse in the past she is somehow untrustworthy and her evidence should not be believed. The present section 34i draws no explicit distinction between cross-examination on an issue and cross-examination to credit. It has been acccepted, though, that the Act does restrict the latitude of cross-examination to credit and, while it precludes the use of sexual behaviour as a basis of the inference of unreliability (*R v. Gunn ex parte Stephenson* 17 SASR 165) Bray CJ in Gunn (at page 170) suggested it might have been enough simply to forbid any questioning of a witness about the alleged victim's previous sexual experiences which is only directed to credit and is not relevant to any of the factual issues in the case.

In Tasmania this has been done—cross-examination of the complainant as to her credit, based on prior sexual behaviour with persons other than the defendant, is precluded altogether. However, there may be instances where evidence of prior sexual behaviour with persons other than the defendant should be admitted. There may be an allegation that the alleged victim has previously made a false report that she was raped. Knowledge that such a false report occurred would be most material in assessing the alleged victim's credit as a witness and therefore in deciding as to the guilt or innocence of the accused. It may, however, be impossible to establish that the report was false without eliciting that the alleged victim engaged in sexual intercourse willingly. This is the type of case that section 34i (2) *(b)* is intended to cover. Those further comments may help answer the questions raised by the honourable member.

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

WHEAT MARKETING BILL

Adjourned debate on second reading.

(Continued from 31 October. Page 1692.)

The Hon. TED CHAPMAN (Alexandra): The Opposition supports the Government in its action to pass through this Parliament a new Wheat Marketing Act that is complementary to the Commonwealth Wheat Marketing Act 1984. The Bill serves various purposes: first, it repeals the present Wheat Marketing Act; secondly, it identifies the functions under the new Act of the Australian Wheat Board; thirdly, it cites South Australian Co-operative Bulk Handling Ltd as the receiving agent for the Australian Wheat Board; fourthly, it reincorporates the basic elements of marketing Australian standard white wheat as applied under the repealed Act; fifthly, it introduces new procedures and formulae for fixing prices and seasonal stage payments to wheat growers; and sixthly, it enables stockfeed wheat to be traded between growers and end users by means of a permit scheme. The Bill also has several other procedural purposes.

The background to this legislation is quite complex. Indeed, for many years we have had an orderly marketing system for the purpose of collecting, storing and distributing Australia's wheat harvest in order to provide that grain to our local home consumption market and for export. This Bill is complementary to the Commonwealth Wheat Marketing Act and, accordingly, it is essential that South Australia, as a prominent and important wheat growing State of the

nation, and indeed all States co-operate with the Commonwealth and the industry to arrive at a system of handling a product of this kind that is complementary to each and all of the States under the canopy of the Commonwealth.

A few weeks ago as an interim complementary measure, the Wheat Marketing Act, 1980, the Act which is now subject to repeal, was amended to provide for a new price fixing formula for home consumption wheat and gave some extended commercial flexibility to the Board. I explained at the time the reason for our support for that specific move—to contain within reach of the export price the home consumption price for standard white wheat. I am pleased to note that the new Bill proposes to adopt those specific measures and also to identify a number of industry accepted procedures for the Commonwealth Government's continued underwriting of 95 per cent of the net wheat returns effected through a guaranteed minimum price paid for all export and domestic Australian standard white wheat. However, the method of calculating the guaranteed minimum price has been changed, in that the highest price year has now been removed from the averaging formula, and the basis will now be the estimated returns from the subject season and the lowest two of the previous three seasons.

I believe from my contact with the industry and from my own observations that this will prove to be a more rational procedure for the purpose of fixing prices for wheat in this country and that hopefully some of the difficulties that have arisen out of trying to arrive at a realistic price for wheat prior to its sale in the past will now be overcome. The powers of the Board, and the procedures and objectives proposed in the Bill are, as indicated, the result of recommendations coming from an IAC report several years ago and those recommendations being discussed at considerable length between the cited consultants, not the least of which has been the Australian Agricultural Council, at which all State agricultural Ministers have been present. Of course, it has not occurred without extensive consultation with the respective industry representatives.

The South Australian wheat industry representatives have been consulted since the tabling of this Bill and are satisfied that it should be supported without further amendment. In the light of that overall discussion extending over a period of years, it is with pleasure that the Opposition recognises the importance of having this legislation in place in readiness for the forthcoming 1984-85 harvest period so that the respective payments to growers can be made without delay. In that context, the Opposition is pleased to support the Bill.

The Hon. LYNN ARNOLD (Minister of Education): I thank the member for Alexandra, the shadow Minister of Agriculture, for indicating the Opposition's support for this matter. Certainly it has the support of the Government in trying to fulfil as rapidly as possible this piece of complementary legislation. As has already been explained, it is a money Bill and that is why it is coming into this House first rather than to the other place. It is an important piece of legislation that is designed to help an important sector of our primary industry, which provides significant income not only to many individuals but also to the State and to the nation. I am pleased to see that it has received the bipartisan support that it has received and hope that its carriage is as speedy through the other place as it seems it will be through this House.

Bill read a second time.

In Committee.

Clauses 1 to 7 passed.

Clause 8—'Delivery of wheat.'

The Hon. TED CHAPMAN: The Bill enables stockfeed wheat to be traded between growers and the end user via a permit scheme, therefore not requiring it to be delivered into the silo structure as all the other wheat quality grains are so delivered. Can the Minister indicate the basis on which the permit charges will be made under this scheme? For example, will it be on a per permit basis for unlimited quantities or delivery over unlimited distances, or will it be on a tonne/kilometre rate basis, or whatever?

The Hon. LYNN ARNOLD: I am unable to give a specific answer at this stage but I will ensure that the Minister in the other place hears the question and provides an answer when the Bill passes through that Chamber. The advice I can give is as follows: the Bill enables domestic stockfeed wheat to be traded directly between growers and end users under permits issued by the Australian Wheat Board. Permit sales will be outside the normal pooling arrangements. This system will operate under Ministerial guidelines. It is intended that the permit system be introduced in all participating States on 3 December 1984. I am sorry that I am not able to give more specific information as to what those guidelines will be, but I undertake to get them as soon as possible for the member.

The Hon. TED CHAPMAN: Although the application will be lodged with the Board or its respective State agent and the Board or its agent will be issuing the permit, as explained, the Minister will be involved in directing whether or not a permit will be issued, and presumably the Minister will determine the fee. It is the formula for deriving that fee in which I am particularly interested, as indeed are wheatgrowing constituents of mine in South Australia.

Clause passed.

Remaining clauses (9 to 31) and title passed.

The Hon. LYNN ARNOLD (Minister of Education): I move:

That this Bill be now read a third time.

Mr GUNN (Eyre): I strongly support the measure, as this Bill is necessary for a number of reasons. As one of the few wheatgrowers left in this Parliament, I want to take the opportunity to make one or two very brief comments. This is an industry about which I have some considerable knowledge, and is one of the most significant to the economy of South Australia; it employs many people directly and indirectly and, of course, it is one of the great export earners of this country. People should clearly understand and appreciate the industry's value to the economy of South Australia and Australia—particularly the contribution made from Eyre Peninsula and the northern parts of the State.

I understand that there has been some concern recently about the composition of the Board. One of the matters which I hope the current Minister for Primary Industry does not overlook is the contribution which grower members have made to the operation and efficiency of the Australian Wheat Board. It goes without saying that the overwhelming majority of wheatgrowers in this country support the orderly system of marketing wheat and the statutory nature of the authority. Those few people who criticise the current arrangements are a very small minority. I do not believe that the industry or Governments should pay a great deal of attention to them.

From my experience as a wheatgrower and from what I have had explained to me by people involved in the industry prior to the establishment of the Australian Wheat Board, I understand that anyone who remembers that time does not wish to be involved in the previous merchant arrangements. I want to put on record my support for the measure. However, I do not want to delay the House. Of course, this Bill will go through the Parliament quickly, but people should not in any way forget that this industry is one of the most important in the nation.

I am pleased to see that the Government has brought this measure forward to make sure that the appropriate arrangements are in place so that the growers concerned will be paid for the crop which is about to be placed in the system. That is an important consideration. Basically, the Wheat Board has operated efficiently, but in South Australia we have been fortunate that we have had a well organised and well run co-operative bulk handling organisation which has efficiently and effectively handled grain.

When one sees on television the problems that people are having in places like Ethiopia, one of the things that people should understand is that if donations of grain are to be made to those people an adequate system is required to receive and handle it and to keep out insects and other pests. I hope that any action our Government may take to donate large quantities of wheat to those unfortunate people will ensure that consideration is given to the transport and storage of that grain. I support the third reading.

Bill read a third time and passed.

CANNED FRUITS MARKETING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 31 October. Page 1694.)

The Hon. TED CHAPMAN (Alexandra): Again, I indicate the Opposition's support for this measure. The purpose of the Bill is to extend the operation of the Canned Fruits Marketing Act, 1980, which is due to expire on 31 December 1984, for a further period of three years ending 31 December 1987 and to complement measures considered by the Commonwealth Government to be appropriate for flexibility of operation by the Australian Canned Fruits Corporation.

The principles behind this complementary Commonwealth/States scheme are of particular relevance to the social and economic structure of the Riverland of South Australia, the Goulburn Valley in Victoria and the Murrumbidgee irrigation area of New South Wales. It provides for the expansion of powers and functions of the Australian Canned Fruits Corporation. The principal role of the Corporation is to aid industry in adjusting to changing market circumstances, developing a corporate plan setting out its objectives, including marketing strategy, etc. The Commonwealth legislation, for example, provides for expanded powers to the Corporation, enabling it to raise finance by more contemporary methods, all of which will be subject to approval by the Commonwealth Minister. The State Bill provides for substantially increased penalties for contravention of the Act, for example $200 to $500, $1 000 to $2 000 and $2 000 to $10 000.

Whilst those increases are indeed substantial and in the minds of some possibly outrageous, I believe that they are appropriate to ensure that the Corporation's activities are appropriately policeable and that infringements and efforts to by-pass a statutory operation, or an orderly marketing system of primary products in particular, just cannot be tolerated. It must be recognised that such schemes can be effective only while those involved in the industry are loyal to its concept and its rules.

So, whilst I am sometimes a little cautious about extending penalties by legislation to this extent, in this instance I believe that it is appropriate. The legislation has no financial implications for the States. The Corporation's marketing and related costs are met from the proceeds of the sale of canned fruit, while its administration and promotional costs are met by a levy on canned fruit production.

As indicated during the last debate by the member for Eyre, it is yet another example of an orderly marketing system which has worked and one which generates its own funding. It is able to pay the administrative charges of operation from the industry itself, without having to call on the Government for subsidy or financial assistance. What we are doing in this place is simply setting up a legislative structure at the request of the industry. As a result of consultation with the industry in the three particular canned fruit producing areas of Australia, the Commonwealth has agreed to extend the period of operation by the Canned Fruits Corporation for another three years and, as far as South Australia is concerned, that has Opposition support. In the Liberal Party we have a representative from the Riverland region—the only region in South Australia where fruits are produced for canning purposes—and the member for Chaffey, as is well known, fully understands the delicacy of that particular section of primary industry. On his behalf, and indeed on behalf of the Party and the industry itself, I am pleased to support the swift passage of the Bill without amendment.

The Hon. LYNN ARNOLD (Minister of Education): Once again, I thank the Opposition for its concurrence with this legislation and I note the strong interest in the area expressed by the honourable member. Certainly, that strong interest is shared by the Government in this important area, and I hope, as I have said before, that it receives the same speedy passage in another place as it is having in this House.

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

EQUAL OPPORTUNITY BILL

Received from the Legislative Council and read a first time.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill is the first major review of anti discrimination legislation in this State. It was in 1975 that the Sex Discrimination Act was enacted. That Act provided that certain acts and behaviour were unlawful in that they constituted discrimination on the ground of sex or marital status, and remedies were available to persons suffering such discrimination. Since then successive Governments have received many submissions and reports on the operation of that Act and also on the Handicapped Persons Equal Opportunity Act, which was enacted in 1981. The Racial Discrimination Act, which was passed in 1976, approached the issue of discrimination from a different point of view—penalties were provided in respect of acts and behaviour rendered unlawful under that Act on the ground of discrimination. Remedies were not made available to the person suffering the discrimination. A rationalisation of the area of anti discrimination law was obviously required.

The Government has undertaken a major review of all legislation relating to equal opportunity and anti discrimination and has considered expansion of the operation of that legislation into new areas where discrimination is occurring in the community.

When this Government took office, a working party on anti discrimination legislation in this State was established. It reported in December 1983 and that report was made available for public comment. The principal recommendation was that there should be one Act, one agency (to administer

the legislation) and one tribunal (to deal with disputed complaints in all areas). The report of that working party, reports by successive Commissioners for Equal Opportunity and the Government's policy in this area have been closely examined.

The Bill that now comes before the Parliament will provide South Australians with the most comprehensive legislation in this field. It provides that certain kinds of discrimination and certain behaviour are unlawful and makes effective remedies available to those wishing to enforce their rights. Many of the problems addressed by this Bill are also addressed by the Commonwealth in its Sex Discrimination Act and Racial Discrimination Act. The Commonwealth has, however, acknowledged that the States may wish to regulate the field of anti discrimination in their own ways and the Commonwealth legislation is drafted in such a manner as to enable the passage of non-conflicting State laws in this field.

It provides that it is unlawful to discriminate against another person on the basis of sex, marital status, pregnancy, sexuality, physical impairment or race. Broadly speaking it provides common remedies for persons suffering discrimination on any of these bases. It addresses other issues which have been the subject of concern in reports of successive Commissioners for Equal Opportunity. Two such issues are sexual harassment and discrimination by clubs offering membership and services to both men and women on a different basis.

Since complaints of sexual harassment constitute a significant proportion of the total number of complaints made to the Commissioner for Equal Opportunity, the Government considered that SACCASH—the South Australian Consultative Committee against Sexual Harassment—should be consulted in relation to the provisions dealing with sexual harassment. That body advised the Commissioner for Equal Opportunity on matters relating to sexual harassment. The relevant provision of the Bill defines sexual harassment in the same terms as the Commonwealth Sex Discrimination Act, i.e., the victim's response to the offending behaviour must disadvantage him in some way in connection with his employment or studies, or he has reasonable grounds for believing that his response will so disadvantage him. This definition is much narrower than the original provision in the Bill as introduced by the Government in another place.

The Bill provides that it is unlawful for an employer to subject an employee or voluntary worker to sexual harassment, or for a fellow employee or voluntary worker to subject an employee or worker to such harassment, for an employee of an educational institution to subject a student to such harassment, for a principal to subject a commission agent or contract worker to such harassment, for an agent or contract worker to subject a fellow agent or contract worker to such harassment, or for any person to subject another to such harassment in the course of offering or supplying goods or certain services or accommodation to that other person. This provision is necessary because of the number of complaints of sexual harassment in the areas referred to above. The Government considers that persons should be free to enjoy these areas of their lives without enduring sexual harassment and that this can only be achieved successfully by legislative intervention.

During the course of the last year, the Commissioner for Equal Opportunity has been consulting with clubs offering membership to both men and women to develop legislation to ensure equality of opportunity in membership and the provision of benefits and services to those members. The resultant provision provides fair parameters within which clubs of this nature will be able to operate to the mutual benefit of both men and women.

The Bill applies to small employers—an exemption previously regarded as justifiable in 1975 when the Sex Discrimination Act was passed but no longer so regarded. The Bill maintains the exemption for employment in private households. The Bill makes specific reference to pregnancy. There have been suggestions that the Sex Discrimination Act does not clearly cover discrimination on the ground of pregnancy despite determinations to the contrary by the Sex Discrimination Board. There will be no room for any such arguments under this Bill.

It has been recommended that discrimination on the ground of sexual preference (sexuality) should be made unlawful. There have been requests by individuals and organisations for such an amendment also, and the Bill accordingly includes a person's sexuality as one of the grounds of unlawful discrimination. The Bill has made substantial changes in matters relating to procedure. It seeks to implement the working party's recommendations relating to deficiencies in existing procedures in the areas of sex discrimination and discrimination on the basis of physical impairment.

The role of the Commissioner was closely scrutinised by the working party and it concluded that the Commissioner should be appointed by the Governor for a fixed term. Clear lines of responsibility, authority and liability are established in the Bill in relation to the exercise of the Commissioner's powers and the consequences of the exercise of those powers. The Commissioner has a clearly defined responsibility in relation to the giving of advice and information. Although the Bill does not apply to discrimination on the ground of intellectual impairment, the Commissioner is charged with the task of fostering informed and unprejudiced community attitudes to persons with such an impairment, and may be involved in research and the collection of data in relation to the problems faced by such persons.

The Bill also deals with the difficult question of discrimination in the field of superannuation. First, it is provided that it is unlawful to discriminate on the ground of sex, sexuality, marital status or pregnancy in superannuation schemes to which employers contribute. Certain exemptions are given to this general provision (for example, commutation rates may differ as women, statistically speaking, live longer than men) and further exemptions may be prescribed by regulation as there are a number of transitional matters to be provided in respect of existing schemes that are discriminatory. It should be noted that the provision does not aply to schemes where a greater number of members reside in another single State or Territory. It is also to be noted that putative spouses—that is, persons declared to be putative spouses pursuant to the Family Relationships Act, 1975—are to be treated on the same footing as legal spouses. It is intended that the abovementioned provisions will be sequentially implemented. First, on a day to be fixed by resolution of both Houses of Parliament (being not less than six months later), it will be made applicable to superannuation schemes established after that day. Then, by the same or a later resolution (setting a date not less than two years from the day of the resolution) it will be made applicable to superannuation schemes which had been established prior to that firstmentioned day.

This device will, therefore, enable new superannuation schemes to adjust to the new law virtually from the commencement of their operation: existing schemes will also have adequate time to put their houses in order so as to comply with the new law. There is also the additional advantage of enabling this State closely to monitor developments in the Commonwealth sphere in relation to superannuation matters, which are currently exempted by the Federal Sex Discrimination Act, 1984. The Commonwealth

Government has referred the whole matter of discrimination in superannuation schemes to the Human Rights Commission. The work of that Commission will be crucial to developments in South Australia and the manner of implementing the relevant provisions of this Bill should permit adjustments to be made with minimum inconvenience both to those responsible for administering superannuation schemes and to contributors to, or members of, such schemes.

All superannuation schemes other than employer subsidised schemes are dealt with in the same manner as insurance is under the Bill—it is unlawful to discriminate on the abovementioned grounds (sex, sexuality, etc.) except where the discrimination is on the basis of actuarial or statistical data and is reasonable having regard to that data.

Because of the effect this Bill will have on putative spouses *vis-a-vis* legal spouses, consequential amendments will need to be made to Acts such as the Parliamentary Superannuation Act, 1974, the Judges' Pensions Act, 1971, and the Police Pensions Act, 1971, to bring public sector superannuation schemes into compliance with the Bill. These matters are also receiving the attention of the Government. Finally, the Bill deals with discrimination on the grounds of race and physical impairment in superannuation schemes. Discrimination on the ground of race in this area will be unlawful, without exception. Discrimination on the ground of physical impairment will be unlawful, except where it is based on actuarial or statistical data, or if there is no such data, it is reasonable in all the circumstances of the case.

The insurance industry has been consulted over the superannuation provisions of the Bill, and it is pleasing to note that, while undoubtedly some schemes will be affected, there are many, particularly those established since 1975, that will not have to make any alterations to their provisions.

Finally, the Commonwealth Government has recently indicated that it will amend its discrimination legislation so that it does not apply within South Australia, if the Commonwealth is satisfied that the legislation of this State implements the objectives of their Acts. It is, of course, highly desirable to have only one Act in force in this area, and our task clearly should be to tailor the Bill before you so that it is at least as 'generous' as the Commonwealth legislation in the way in which it affords protection against discrimination. I commend this Bill to honourable members.

Clause 1 is formal. Clause 2 provides for the commencement of the Act. Section 42 (which relates to discrimination in superannuation on the ground of sex, sexuality, marital status and pregnancy) will come into operation first, upon resolution of both Houses of Parliament, in respect of employer-subsidised schemes established after a day fixed by the resolution, which must be at least six months from the time of the passing of the resolution and, secondly, will come into operation, by resolution, in respect of employer-subsidised schemes established before the said day. At least two years must separate the day of operation from the time of the passing of the resolution, so that the 'old' schemes have ample time in which to make any necessary changes.

Clause 3 provides for the repeal of the Sex Discrimination Act, 1975, the Handicapped Persons Equal Opportunity Act, 1981, and the Racial Discrimination Act, 1976. Clause 4 provides for a transitional matter. Clause 5 contains the definitions required for the purposes of the new Act. Clause 6 provides for the holders of statutory or public offices to be treated as employees for the purposes of the new Act. Holders of judicial office will not, however, be entitled to take proceedings as an 'employee'.

Clause 7 provides that the new Act is to bind the Crown. Clause 8 provides for the appointment of a Commissioner for Equal Opportunity. The Commissioner is to be appointed for a term of five years and upon conditions fixed by the Governor on the recommendation of the Public Service Board. Clause 9 provides for the appointment of officers to assist the Commissioner in the administration of the new Act. Clause 10 provides that the Commissioner is responsible to, and subject to direction by, the Minister in relation to the administration of this Act.

Clause 11 requires the Commissioner to foster amongst the general public informed and unprejudiced attitudes with a view to eliminating discrimination on the ground of sex, sexuality, marital status, pregnancy, race or physical impairment. The Commissioner is empowered to carry out or assist in research, and to provide information and advice on subjects relevant to the administation of the Act. Clause 12 empowers the Commissioner to furnish advice. If a written request for advice is made, he may give it in writing, or decline to give it. He is however, obliged to give advice and certain other assistance to handicapped persons (that is, persons who have a severe physical impairment).

Clause 13 requires the Commissioner to foster amongst the general public positive and unprejudiced attitudes towards persons who have intellectual impairments. Clause 14 provides for the Commissioner to make an annual report to the Minister. The report is to be laid before Parliament. Clause 15 provides for delegation of powers by the Commissioner with the approval of the Minister. Clause 16 exempts the Commissioner from personal liability in respect of acts and omissions occurring in the course of carrying out his functions under the Act.

Clause 17 establishes the Equal Opportunity Tribunal. Clause 18 provides for the appointment of Presiding Officers and Deputy Presiding Officers of the Tribunal. A Presiding Officer or Deputy Presiding Officer must be a District Court judge or a legal practitioner of not less than seven years standing. Clause 19 empowers the Governor to establish a panel of up to 12 persons nominated by the Minister to be available for selection to sit at hearings of the Tribunal.

Clause 20 provides for the remuneration of members of the Tribunal. Clause 21 is a saving provision and protects the members of the Tribunal from incurring personal liability in carrying out their official functions. Clause 22 provides that for the purposes of hearing and determining proceedings the Tribunal is to be constituted of the presiding officer or a deputy presiding officer and two members drawn from the panel referred to above by the Senior Judge under the Local and District Criminal Courts Act. Clause 23 deals with the determination of questions by the Tribunal. The Presiding Officer is to determine questions of law and procedure. All other questions will be determined according to a majority opinion. Tribunal proceedings will be heard in public, except where the Tribunal decides otherwise.

Clause 24 provides for the giving of notice of proceedings and deals with joinder of parties and intervention in proceedings by persons who may have a legitimate interest in the outcome of those proceedings. Clause 25 sets out the powers of the Tribunal to obtain evidence. Clause 26 establishes a limited power to award costs against a party to proceedings before the Tribunal. Clause 27 empowers the Tribunal to act as a conciliator where it appears that there is a reasonable prospect of settling proceedings before the Tribunal by conciliation. Clause 28 provides for the appointment of the Registrar of the Tribunal.

Clause 29 expounds the concept of discrimination in so far as it applies to Part III (which deals with discrimination on the ground of sex, sexuality, marital status or pregnancy). Clause 30 makes it unlawful for an employer to discriminate against an employee or prospective employee on the basis of sex, sexuality, marital status or pregnancy. Clause 31 is a similar provision dealing with the situation in which work is done by commission agents. Clause 32 is a similar provision dealing with the case where work is done for a person

under an arrangement between that person and an employment agency which employs the worker.

Clause 33 prohibits discrimination by a firm of six or more members against prospective members of the firm. A firm that has two or more members shall not discriminate against an existing member. Clause 34 provides that the above provisions do not apply in the case of employment in a private household, or employment for which it is a genuine occupational qualification that the employee be of a particular sex. An exemption is provided in respect of pregnant women where questions of health or safety are involved.

Clause 35 deals with discrimination by clubs and other associations. Where the association has both male and female members, persons of either sex must have access to all classes of membership and in general terms, the same or equivalent services must be available to members of either sex. Clause 36 prevents discrimination by authorities or bodies which are empowered to confer trade or professional qualifications. Clause 37 prevents discrimination by educational institutions. This section does not, however, apply to single sex schools, single sex boarding facilities at schools, or single sex levels of education at schools other than tertiary level institutions.

Clause 38 deals with discrimination in the disposition of interests in land. An exemption is given in respect of testamentary dispositions (for example, wills) and gifts. Clause 39 prevents discrimination in the provision of goods and services. Clause 40 deals with discrimination in relation to accommodation. An exemption is given in respect of certain accommodation with families, and in respect of hostel accommodation run by charitable or church organisations. Clauses 41 to 44 comprise a Division dealing entirely with discrimination in relation to superannuation provided by way of employer-subsidised schemes.

Clause 41 provides for the interpretation of two important terms used in the Division: '*de facto* spouse' means a person with whom a member of a superannuation scheme or provident fund is cohabiting as his husband or wife *de facto*, but does not include a putative spouse; 'employer subsidised superannuation scheme', means a superannuation scheme or provident fund to which the employer makes contributions.

Clause 42 provides in subclause (1) that, subject to the Division, it is unlawful for a person who provides an employer subsidised superannuation scheme to discriminate against a person *(a)* by providing a scheme which requires or authorises discrimination against that other person, or *(b)* in the manner in which he administers the scheme. Subclause (2) provides qualifications to the general principles set out in subclause (1): subclause (1) applies only in relation to an employer subsidised superannuation scheme under which more members (being members who are still employed by the employer) reside in this State than in any other single State or Territory. Other qualifications may be prescribed. Subclause (3) provides that the clause does not render unlawful discrimination in the rates upon which a pension may at the option of a member to whom it is payable, be converted to a lump sum or a lump sum payable to the member may at his option be converted to a pension, where the discrimination *(a)* is based on actuarial or statistical data from a reasonable source, and *(b)* is reasonable having regard to that data. Subclause (4) provides that the clause does not render unlawful discrimination in the benefits payable where *(a)* the contributions payable by the employer and employee are fixed by the scheme, and *(b)* the benefits that will accrue to the employee are reduced by any insurance premiums paid under the scheme in respect of the employee, to the extent only that the discrimination is based upon a lawful difference in those insurance premiums.

Clause 43 provides that it is unlawful for a person who provides a superannuation scheme or provident fund (not being an employer subsidised superannuation scheme) to discriminate against a person by providing a scheme that requires or authorises discrimination against that other person, or in the manner in which the fund is administered, except where the discrimination is based on actuarial data from a reasonable source and the discrimination is reasonable having regard to that data.

Clause 44 provides that a superannuation scheme or provident fund does not discriminate on the ground of marital status by reason only of the fact that it provides benefits to the surviving spouses of members or that it does not provide benefits for surviving *de facto* spouses of members, or provides less favourable benefits for surviving *de facto* spouses than it does for spouses who survive members. Clause 45 exempts charitable trusts from the operation of the foregoing provisions. Clause 46 provides that Part III does not prevent the granting to women of rights or privileges in connection with pregnancy or childbirth.

Clause 47 provides that Part III does not prevent schemes intended to ensure equal opportunities between the sexes. Clause 48 provides that discrimination on the ground of sex is permissible in competitive sports in which the strength, stamina or physique of the contestants is relevant. Clause 49 permits discrimination in the terms of annuities, life assurance and other forms of insurance. Such discrimination must, however, have an actuarial or statistical basis and be reasonable having regard to the relevant data.

Clause 50 exempts religious orders and denominations from the provisions of the Part III in so far as such an exemption is necessary to safeguard the free practice of religion. Institutions run by religious orders or bodies, or administered in accordance with the doctrines of a religion or creed, may discriminate if the discrimination is based on doctrine and is reasonable. Clause 51 explains the concept of discrimination, as it applies to discrimination on the ground of race. Clauses 52 to 56 relate to discrimination in employment, commission agency, contract work and partnerships. They are in much the same terms as the corresponding provisions of the previous Part.

Clauses 57 to 65 relate to discrimination by clubs or other associations or trade or professional associations, discrimination in education, discrimination in the disposal of land, discrimination in the provision of goods and services, discrimination in the provision of accommodation and discrimination in relation to superannuation. They are in much the same terms as the corresponding provisions of the previous Part. Of particular note is clause 63, which provides that it is unlawful for a person who provides a superannuation scheme or provident fund to discriminate against a person on the ground of his race by providing a scheme that requires or authorises discrimination, or in the manner in which the scheme or fund is administered. Clause 66 explains the concept of discrimination, as it applies to physical impairment.

Clauses 67 to 85 cover the same areas of discrimination as are dealt with by the corresponding provisions of the previous two Parts. Of particular note is clause 78 (which deals with discrimination in relation to superannuation. The clause does not apply in relation to a superannuation scheme or provident fund to which the employer makes contributions and under which a greater number of members (not being members no longer employed by the employer) reside in any one other State or Territory than reside in this State. Subject to that qualification, it is unlawful to provide a superannuation scheme or provident fund that requires or authorises discrimination against a person or that is administered in a discriminatory manner, except to the extent that the discrimination is based on actuarial data upon which it

is reasonable to rely and is reasonable having regard to the data). Also of note are: clause 82 (which allows positive discrimination in favour of the physically impaired in certain instances); clause 83 (which allows discrimination where the nature of the disability renders discrimination unavoidable); and clause 84 (which relates to access to buildings).

Clause 86 defines an act of victimisation and makes it unlawful for a person to commit such an act. Clause 87 defines sexual harassment and makes it unlawful for a person, in defined circumstances, to commit an act of sexual harassment. It is also unlawful for employers, educational authorities and providers of goods and services to fail to take reasonable steps to ensure, as far as is practicable, an environment free from sexual harassment. Clause 88 protects the right of the blind or deaf to be accompanied by a guide dog. Clause 89 provides for the giving of summaries of actuarial or statistical data on which certain discrimination is to be based (in relation to superannuation or insurance) to the person who is to be discriminated against.

Clause 90 deals with the position of a person who causes, instructs, induces or aids another to commit a breach of the new Act. Such a person incurs the same criminal and civil liabilities as the person who commits the breach. Clause 91 confirms that a principal or employer is vicariously liable for the acts of his agents and employees. The principal or employer may, however, defend himself by establishing that he could not, by the exercise of reasonable diligence, have prevented the occurrence of the circumstances out of which the liability is alleged to arise.

Clause 92 empowers the Tribunal to grant exemptions from the operation of the new Act. Such an exemption may be granted for a period of up to three years and may be subsequently renewed. Clause 93 provides for the lodging of complaints by victims of discrimination or other unlawful conduct. Clause 94 sets out the investigative powers of the Commissioner in relation to a complaint. Clause 95 deals with the conciliation of complaints. Where, however, conciliation is impossible or unsuccessful, or the complainant requires reference of the complaint to the Tribunal, the complaint is referred to the Tribunal.

Clause 96 sets out the remedies that may be granted by the Tribunal on a complaint. Damages may only be awarded up to $40 000. Clause 97 entitles a party to proceedings before the Tribunal to a written statement of the Tribunal's reasons for decision and of any findings of fact made by the Tribunal. Clause 98 provides for an appeal to the Supreme Court against decisions of the Tribunal. An appeal is to be conducted as a review of the decision or order appealed against.

Clause 99 provides that the new Act will not give rise to any civil or criminal consequences except those expressly stated. Clause 100 deals with interaction between the new Act and the Industrial Conciliation and Arbitration Act. Clause 101 provides a defence where the discrimination was based on written advice from the Commissioner, being advice that had not been retracted, and that had been furnished to the complainant.

Clause 102 makes it an offence to molest, insult, hinder or obstruct the Commissioner or an officer assisting the Commissioner, in the performance of official functions. Clause 103 makes it an offence to publish an advertisement that indicates an intention to do an act that is unlawful by virtue of the new Act. A defence is available to a person who proves that he believed, on reasonable grounds, that the publication of the advertisement would not contravene subsection (1) (which constitutes the offence).

Clause 104 provides for the summary disposal of proceedings for offences against the new Act. Clause 105 provides the Senior Judge with a rule making power. Clause 106 is a regulation making power.

The Hon. H. ALLISON secured the adjournment of the debate.

VALUATION OF LAND ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

ADJOURNMENT

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): I move:

That the House do now adjourn.

Mr FERGUSON (Henley Beach): During this adjournment debate, I wish to take up the question of donations by people who enter retirement villages and nursing homes. I use the word 'donations', but I think that the amount of money deposited by these people could really be described as key money in order to allow them to enter the establishment. I believe that there should be proper contracts between nursing homes and patients to provide for a minimum trial period of 12 months in which deposits can be returned, or partial deposits can be returned, if these people find themselves in a situation where they need to move to other accommodation for better nursing services.

I would like to see deep consideration given to the extension of the Residential Tenancies Act, 1978, to include retirement villages and nursing homes within the jurisdiction of this Act. Many people are now required to deposit amounts of up to $30 000 or more for entry into these homes, and they have very little security, guarantee of tenure or equity so far as the establishment is concerned.

I prefer to see some sort of equity by these people, but I understand that there would need to be flexibility in this area. A properly constructed contract would be beneficial to all parties concerned. To illustrate the importance of my proposals, I would like to refer to a specific case that I have recently had to take up on behalf of one of my constituents. I was contacted by Mr Frank Sawley, now residing at the Grange home of St Laurence's Church of England Retirement Centre. His problems relate to a deposit of $6 000 he had made with Cobham Retirement Homes. He had left Cobham Retirement Homes after residing there for less than 12 months and he had to move on for medical reasons. He referred the matter to the Legal Services Commission of South Australia, which in turn referred the matter back to me. The Legal Services Commission of South Australia sent correspondence to Cobham Homes along the following lines:

Dear Sir,

Re: Mr Frank Sawley

I advise that we have been consulted by the abovenamed. We are instructed by Mr Sawley that he took up occupation of one of your units on or about 16 April 1983 at which time he paid a cash contribution therein in the sum of $6 000. We are further instructed by Mr Sawley that during the period he resided at Cobham Retirement Homes he paid over each fortnight his pension cheque together with an additional amount by way of rental. Mr Sawley instructs us that on or about 31 March 1984 he was obliged to vacate his unit at your home on the advice of his doctor, as his doctor had informed him that medical facilities which he required were not available at your home.

Mr Sawley instructs us that when he vacated your home he approached you with a view to obtaining an appropriate refund of the cash contribution which he had paid over on entering your home in view of the short period he had resided at the home. Mr Sawley informs us that you undertook to consider the matter and convey your offer to him shortly after he vacated the home. Despite this he has still not received any offer from you in that regard.

Mr Sawley's son has instructed us that at the time his father took up occupation of his unit at Cobham Retirement Homes he

had discussions with your management and he was informed that, if he vacated the home because of ill health, then a refund of the cash contribution would be made to him. I also advise that we have ascertained that it is the usual practice with retirement homes that where the aged person makes a cash contribution on entering they become entitled to a refund on their departure or, alternatively, a substantial reduction in the rental which is required during the period they reside there. In Mr Sawley's case it is clear that he paid both a contribution on taking up occupancy and a substantial rental each fortnight during the period he resided at your home. And, yet, he has not to date received any sort of refund from his contribution on his leaving the home.

I would be pleased if you would advise us as a matter of urgency as to the sum which you are prepared to refund to Mr Sawley in view of his early vacation of the unit which he occupied at your home.

As soon as I received the complaint on this matter, I wrote to the establishment concerned a letter claiming all or part of the $6 000 deposit. I received a reply from the establishment stating that the management had contacted a number of hostels and retirement homes so that a general concensus of opinion could be obtained concerning Mr Sawley's refund. The correspondence claimed that the practice of other retirement homes and hostels in general was adopted and that Mr Sawley was not eligible for a refund.

I then further sent correspondence to Cobham Retirement Homes expressing the point of view that I was not satisfied with the reply and seeking them to give further consideration to the situation. I have now received a reply along the following lines:

Thank you for your letter of 24 September 1984 concerning Mr Frank Sawley. We wish to advise that we will make a refund without prejudice to F. Sawley of the amount of $644. This amount has been derived by the following computations:

> Mr Sawley occupied a double room which would ordinarily bring in $392 per fortnight. $362 x 26 fortnights for the year amounts to $10 192. Mr Sawley paid $186 per fortnight, which gives a total of $4 836 when multiplied by 26, when that is subtracted from the $10 192 it leaves a difference of $644 from the $6 000 donation that Mr Sawley made for the use of a double room for his own use and benefit.

This offer is made without prejudice and it is our only offer to Mr Sawley. The condition that Mr Sawley left his room was appalling, it cost a considerable amount of money to have the walls patched up from paintings that were put on the wall and plaster that was cracked by [the alleged] negligence of Mr Sawley.

Mr Sawley denies this. The offer has been considered by my constituent and rejected. We are still seeking a further substantial payment from this home to return the deposit that had been made. When looking at this problem, there appears to be a practice where deposits are made on the basis of verbal agreements and no proper contractual arrangements are made and in the final assessment in the case of the dispute the final arbiter appears to be the nursing home or retirement organisation involved, with the resident having very little chance of redress in what that final decision might be.

As I mentioned earlier, amounts of up to $30 000 are being asked for as deposits in certain retirement villages without any equity or, indeed, any guarantee of permanency. I believe that this situation needs to be attended to. I can see no reason at all why the Residential Tenancies Act could not be expanded so that if there is any dispute in relation to the deposits or key money in these instances it could be referred to that tribunal and the matter settled by it.

There is a need to protect the elderly people in our area, some of whom, I believe, are being exploited, and this exploitation needs to be looked at. Where older people enter a hostel in the belief that that hostel will provide for all their needs and in the course of experience they find, unfortunately, that the hostel cannot meet their needs, especially medical needs, as a result of which they must shift, I believe that a 12 month trial period is a reasonable time to establish whether or not a home or retirement village is suitable to their needs. Before the period of 12 months expires, they should be able to leave and pick up the majority of the key money or the deposit, whichever way one likes to look at it.

The DEPUTY SPEAKER: Order! The honourable member's time has expired.

Mr ASHENDEN (Todd): I wish to address four or five local issues within the electorate of Todd that have caused constituents concern to the point where they have telephoned or written to me because of the worry that situations that they have faced have caused. The first relates to a gentleman who is a small business man within the electorate of Todd and who operates a business in a fairly main shopping centre. He has contacted me because he feels that the South Australian Housing Trust may not be gaining the maximum value for the public funds which it has invested in shopping centres.

As probably all honourable members know, the South Australian Housing Trust is presently selling a number of its shopping centres and is giving to existing tenants the first option to purchase the blocks of shops. Then of course the person who buys those shops can determine what he or she wishes to do with them, whether to operate them himself or herself or to lease them to other persons. My constituent does not complain that the South Australian Housing Trust is providing the first opportunity to existing tenants to purchase those premises. However, he is concerned that some existing tenants are taking what would appear to be an unfair advantage. Evidently, negotiations are entered into between existing tenants and the Housing Trust and, if a mutually acceptable position can be achieved, the Housing Trust then sells the block of shops to an existing tenant.

However, over the past year or so in many cases very quickly after an existing tenant has purchased the Housing Trust block that person has immediately placed the shops on the open market and obtained considerably more for them than he paid the Housing Trust, even a month or perhaps two months earlier. Therefore, it would appear that the Housing Trust, in trying to be fair to its existing tenants, is placing itself in a position where unscrupulous tenants are taking advantage of that situation.

My constituent has put to me a situation where one tenant purchased a block of Housing Trust shops and then sold that block for a profit of $200 000 or almost 20 per cent of the purchase price within less than two months of the original purchase from the Housing Trust. We must remember that the funds that the Housing Trust obtains can in turn be reinvested in other shopping centre developments or, more importantly, in providing housing for people in desperate need. I am only too well aware from within my own electorate that funds are needed by the Housing Trust to provide additional housing for many people, although unfortunately I must be critical of the Housing Trust here because I believe that it is developing housing for tenants in the wrong areas. It should be concentrating on inner metropolitan areas where it is much easier for these people in greater need to move to and from work and to and from the city. However, that is a point on which I will not dwell now.

I raise with concern the points put to me by one of my constituents in relation to the way in which the system is working at the moment in that, first, the Housing Trust is not getting full market value for the existing shopping centres that it is selling and, secondly, some tenants are taking advantage of that and are profiteering—I do not think that is too strong a word—from public moneys.

I therefore urge the Housing Trust to review the system that it is presently using and, in view of the problems that have arisen, I do not think it is unfair to suggest that perhaps the Trust should now consider selling its shopping centres

either by tender or by auction on the open market. In that way, the Housing Trust will obtain maximum value for its assets and the public funds involved will be fully accounted for. Unfortunately, because the Trust has bent over backwards to do the right thing, its generosity has been abused by some unscrupulous persons. This practice must be checked and an alternative method of selling the shopping centres by the Housing Trust must be looked at and hopefully implemented.

In a second issue, recently one of my constituents was involved in a motor vehicle accident at the Victoria Park roundabout. I am sure that all members of the House would be only too well aware of the very real difficulties that exist in relation to traffic using that roundabout. Fortunately, I do not need to use the roads in that area very often. However, on the unfortunate occasions when it has been necessary for me to use the roundabout I have become aware of the chaotic situation that exists there.

One evening at about 5 p.m. I was travelling in that area and, on approaching the roundabout from Dequetteville Terrace, it was extremely difficult to make a simple left-hand turn into Kensington Road. I was astounded by the way in which motorists force both their right of way and their wrong of way at that intersection, and it is surprising that a great many more accidents do not occur there.

My constituent was upset and telephoned me about the accident that she had had at that intersection as a result of the chaotic conditions. The accident caused her considerable trauma, and unfortunately her car was so severely damaged that she required the services of a tow truck operator. Although the police arrived at the scene of the accident quite quickly my constituent had to wait for more than an hour before a tow truck arrived. This was totally unsatisfactory. I pointed out to my constituent that, although I was sympathetic about the delay that had occurred, it was by no means the longest delay that had been brought to my attention in regard to a person waiting for a tow truck after an accident. It has been brought to my attention that a motorist had to wait for more than four hours before a tow truck arrived to remove a damaged vehicle.

The reason for this problem is obvious, namely, that the legislation and regulations introduced by the present Government are totally unsatisfactory. They have removed any form of competition and the right of the individual motorist to choose a tow vehicle of his or her choice. I know a number of people involved in the car repair and crash towing business. One in particular is a close acquaintance of mine, and he has an RAA franchise. If I am involved in an accident I fail to understand why I cannot telephone that person and ask him to take my vehicle to the crash repairer of my choice.

I cannot understand why the Government so steadfastly refuses to admit that it has made a shocking mistake in regard to the regulations. After being contacted by the police, tow truck operators are then saying, 'What the heck—why should I rush to the scene, because the person involved must wait until I get there, anyway. As I am the next on the roster no-one can come and take the tow so I will go on with what I am doing and turn up to take the car away when I get around to it.' We also have ridiculous situations occurring such as that at Eagle on the Hill this week, where a tow truck at the scene of a serious accident (which was delaying motorists) was unable to remove the damaged vehicles. The constituent who contacted me was angry that she had been forced to wait for over an hour for a tow truck to come and take her vehicle away. I urge the Government to accept the fact that it has made a mistake and to disallow the present regulations, to review the situation and bring in regulations that will provide maximum service to motorists.

Mr MAYES (Unley): I want to turn my attention to a matter that is of great importance to the Australian community and a matter of great interest to me individually, namely, that of research and development undertaken by Australian industry. In recent times a number of key papers have been presented by some eminent economists which provide background material for the discussion that has been occurring in the metal industries in particular about overseas importation of technology and the lack of interest displayed by Australian industry in developing the research and development area. I want to refer to a few aspects in the limited time that I have allotted to me. It is a very complex topic and one that will continue to be debated in the community. I hope that we will see both industries and Governments placing greater emphasis on developing the research area so that we can become fairly self-sufficient in that field, although that is probably a very ambitious goal.

A number of key reports have been presented to the Australian Government dealing with research and development within Australian industry. The Vernon Report of 1964 was one of the first papers containing comprehensive recommendations regarding research and development for Australian industry. It recommended strong measures to increase Australian industrial independence. However, unfortunately, it found little favour with the then Menzies Government, and it became more of an academic treatise referred to by economic students. It was one of the backbones of the economic courses offered by Australian universities, dealing with industrial development. That report contains important recommendations which are still very relevant in 1984.

The Jackson Report was accorded similar treatment by the Fraser Government, in that it was not interested in establishing for Australian industry an independence that both the reports to which I have referred recommended. One of the keys to that matter is not only the education structure within industry but also the emphasis and activity placed on research and development by Australian companies, statutory authorities and Governments. An article written by Jane Ford in the *Australian* of 4 May 1984, headed 'World report slams our poor effort in the technology race', states:

> An international survey of chief executives has shown that Australia's top managers are complacent, are not innovative and are out of touch with the technological needs of manufacturing industry compared with their counterparts in other industrial countries.

Mr Baker interjecting:

Mr MAYES: The honourable member can worry about what he wants to, but I will concentrate on the issue that I am dealing with at the moment. The article continues:

> The survey, by PA Technology, of 500 chief executives in Australia, the United States, West Germany, Britain and Belgium showed Australian managers were the most unaware of the implications and potential opportunities to boost their international competitiveness through new technology.
>
> They were also the most complacent about the use of overseas rather than locally developed technology and the most unaware of the poor technological position of their companies and of Australia overall.

I think it is very important that we look at that aspect in relation to the people who make the decisions about research and development. If we become a net importer of technology and a market place only, our infrastructure, our skilled work force, our ability to defend outselves and our resources as a whole will deteriorate. I believe that we must redress any such imbalance. Significant information is available that suggests a very poor situation in regard to local research and development in Australian industry. The article in the *Australian* further states:

> The 87-page survey, which canvassed the opinions and attitudes of 100 executives in Australia earlier this year, revealed that 58

per cent were aware that foreign competitors were much more technologically advanced in products and process development. This compared with 11 per cent in West Germany, 21 per cent in Belgium, 28 per cent in the US and 37 per cent in Britain. However, it also showed that 62 per cent were quite satisfied with this state of affairs.

The article shows that there is a general complacence within Australian management regarding research and development concerning our needs to maintain an industrial base in this country. The article quotes the head of the survey team, Dr Jim Fox (General Manager of PA Technology) as follows:

> The survey shows that Australian managers are disturbingly relaxed about our poor position in the technological race. They are not making the necessary changes to the direction of research and development in their companies.

The article continues:

> Nevertheless, the survey also shows that Australian managers were aware of the importance of new technology, with 71 per cent—the highest percentage of any country—believing that new technology had either 'a great deal' or a 'fair amount' of impact on their companies' products over the last four to five years.

The article then goes on to highlight the puzzling findings of the survey. On the one hand, we have a low commitment to research and development, especially for local technology, while, on the other hand, people in management positions are aware that a high profile of available information is needed with high technology. The article continues with the following quotation from Dr Fox:

> These are puzzling findings because they give the impression that Australia is doing a satisfactory job in introducing technology into manufacturing industry and that there is really nothing to worry about. Yet the truth is that this year Australia was ranked twentieth in innovative technology by the European Management Forum of Switzerland.

Dr Fox said that the survey also showed Australian firms investing an extremely low level of profits in research. This is a key factor that most economists consider in respect of research and development: the return from profits that go back into research and development of future products and the competitiveness of a company to be able to survive in the market place. The article states that Australian firms invest only between 1 per cent and 2 per cent of turnover in research compared to 4 to 5 per cent of turnover in companies in overseas countries surveyed. So, we have a quarter to half at the most of all companies putting back their profits into research and development. Dr Fox continues:

> It appears to me that Australian managers are complacent, believing that Government protection will be given to prop up their industries despite the fact that they are using uncompetitive technologies.

Articles published not only by the metal trades industry but also by the AMWSU show that there is a commitment to a need to increase the level of research and development and a commitment to maintain our skilled workers and our skilled positions not only in Australia but especially in South Australia. We are aware of what has happened in the motor vehicle industry in South Australia with the closing down of the Woodville plant and the loss of skilled positions there. The article goes on to complete its summary of the survey that was conducted by PA Technology, as follows:

> Australian executives at the board level must change their attitudes to technology and realise that the introduction of new technology into products and processes was essential for international competitiveness. Governments should also play a greater role in encouraging more modernisation and increased research and development through tax and other financial incentives.

The South Australian Minister for Technology has picked that up as a key point for his Government, and the Federal Minister (Mr Barry Jones) has also picked it up and has seen the importance that Governments must place on encouraging research and development in this country if we are to maintain a competitive position, employment in the work force, and our skills. I could go on for several hours on this topic. However, I will not open up a new area but hope that at another time I shall be able to continue my remarks.

Motion carried.

STATE LOTTERIES ACT AMENDMENT BILL

Returned from the Legislative Council with an amendment.

ARTIFICIAL BREEDING ACT (REPEAL) BILL

Received from the Legislative Council and read a first time.

At 4.55 p.m. the House adjourned until Wednesday 14 November at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 13 November 1984

QUESTIONS ON NOTICE

Dr G.A. RAMSEY

137. **Mr BAKER** (on notice) asked the Minister of Education: Further to the answer to Question on Notice No. 72 concerning Dr G.A. Ramsey:

(a) did Dr Ramsey tender a letter of resignation from the staff of the SACAE and if so, to whom was it tendered, on what date and when was it communicated to the SACAE Council;

(b) was a subsequent letter written by Dr Ramsey seeking leave of absence from his duties and if so, how was this communicated to SACAE Council;

(c) who made the decision to grant Dr Ramsey leave without pay and was this decision notified to SACAE Council;

(d) what are the guidelines laid down for granting leave of absence, specifically as they relate to the period of leave allowable;

(e) how many persons have applied for but been denied leave of absence for a period of more than one year since 1981;

(f) are the conditions under which Dr Ramsey was granted leave of absence available to all members of staff;

(g) why were the normal conditions of inter-government superananuation transfer not invoked in the case of Dr Ramsey; and

(h) when Dr Ramsey retires from Commonwealth service, will there be an ongoing responsibility on behalf of the South Australian Government to provide superannuation benefits and if so, to what extent?

The Hon. LYNN ARNOLD: The replies are as follows:

(a) Dr Ramsey prepared a letter of resignation addressed to the President of the Council of the South Australian College of Advanced Education (Mr P. Bowen Pain). That letter was not tabled at a SACAE Council meeting, but, at the Council meeting held on 19 June 1984, the President gave a verbal report to Council, which passed a resolution that Dr Ramsey's resignation be accepted.

(b) Dr Ramsey wished to continue his State superannuation arrangements, and the Commonwealth Minister for Education and Youth Affairs (Senator Susan Ryan) had previously written to Mr Bowen Pain on 30 May 1984 indicating that the Commonwealth did not have any objection to this arrangement. However, when Dr Ramsey was informed that this was not possible he resigned from his position. He withdrew his resignation and substituted a letter to the President in which he sought leave of absence without pay until 30 June 1991, the date on which he would complete his term of office as Chairman of the Advanced Education Council. Dr Ramsey indicated in that letter that as of 30 June 1991 he would resign from the College unless there was an extension of his term of office in Canberra and a subsequent renegotiation of his continuing superannuation entitlement. Dr Ramsey stressed that this did not imply any obligation on the College to have him back as a staff member at some future time. The subsequent letter was not communicated to the SACAE Council until the Council meeting held on 23 October 1984.

(c) The decision to grant Dr Ramsey leave without pay was made by the President of the Council, but this decision was not notified to SACAE Council until 23 October 1984 at which meeting Council rescinded its acceptance of Dr Ramsey's resignation (since there was not then a resignation in existence) and provisionally accepted Dr Ramsey's application for leave without pay for seven years pending receipt of legal and financial advice and the full details of the State/Commonwealth arrangements.

(d) At the time of Dr Ramsey ceasing duty at the College, guidelines for granting leave of absence were not available, although a draft set of guidelines had been circulating within the College for several months. Guidelines were subsequently approved by Council on 31 July 1984. There is no limitation on the period of leave for which application is possible, although the guidelines state that 'under normal circumstances, employees will not be granted special leave without pay for periods greater than two years'.

(d) None.

(f) See answer to *(d)*.

(g) The normal conditions of inter-government superannuation transfer could not be invoked since there is is no such provision of transfer from the State to the Commonwealth, although the opposite transfer is available.

(h) Based on the present situation, where the Commonwealth funds all costs in the College, when Dr Ramsey retires from Commonwealth service there will not be an ongoing responsibility on behalf of the South Australian Government in relation to superannuation benefits because—

- Dr Ramsey has made and will continue to make his own contribution and
- College payment of such benefits will be funded by the Commonwealth, not the State.

BAROSSA VALLEY TREATMENT PLANT

138. **The Hon. JENNIFER ADAMSON** (on notice) asked the Minister of Water Resources: What are the options for alternative sites for a proposed regional treatment plant in the Barossa Valley as identified by the consulting engineers or any other authority in relation to the Barossa Valley Waste Water Study; what sites are under consideration and what sites, if any, have been rejected?

The Hon. J.W. SLATER: The proposed siting of a regional treatment plant to the west of Tanunda indicated by the consultant is a concept proposal only. No specific parcel of land has been selected for such a plant. The consultant identified the following general guidelines for site selection: central to the major waste water sources for greatest economy, topography suitable for lagoon construction, somewhat distant from town but near to the North Para River, land use, and potential reuse of effluent for irrigation.

Using these general guidelines, the consultant evaluated the Barossa Valley as a whole, before opting for the general vicinity between Nuriootpa and Tanunda, and west of the North Para River. Again using these guidelines, in looking at general areas rather than specific parcels of land, the consultant identified the area two kilometres west of Tanunda as a preferred location for a regional treatment plant.

The final decision on what options will be adopted to solve the Barossa Valley waste water problems has not yet

been made. Should the regional treatment option be adopted, more detailed investigation into the siting of the plant will be undertaken with a wide variety of issues, including proximity to townships, odour control, soil investigations and effluent disposal, being taken into consideration before identifying a specific parcel of land.

MALLEE WATER

139. **Mr LEWIS** (on notice) asked the Minister of Water Resources:

1. In what locations and for what purpose have facilities been established by the Engineering and Water Supply Department in the electorate of Mallee which require cyclical maintenance and at what frequency is such maintenance provided to those facilities?

2. On what basis is a determination made about the interval between the cleaning out of water storage tanks for the reticulation of potable water to any community in the electorate of Mallee?

The Hon. J.W. SLATER: The replies are as follows:

1. The scope and number of Engineering and Water Supply Department facilities in the honourable member's electorate is such that to provide a detailed reply to the first part of the question would require an unjustifiable amount of work. However, I have set out a summary of the facilities and their maintenance criteria. Should the honourable member have questions on any specific items I will be pleased to obtain details for him.

Summary of Facilities

Water mains	1 500 km
Tanks	35
Pumping stations	19
Bores	22
Water treatment plants	4
Channels	56 km
Depots	7
Houses	16
Barrages	2
Chemical dosing stations	4

Summary of Maintenance Criteria

Type of Facility	Maintenance Programme	Remarks
Water mains	Flushing as required. Surveillance of mains and fittings during daily work schedule. Unscheduled maintenance (e.g. burst mains).	
Tanks	Annual cleaning and structural inspection. Weekly inspection.	
Pumping stations and water treatment plants	Weekly inspection. Overhauls on a 2-5 year basis.	Overhaul frequency depends on operating conditions.
Bores	Weekly inspection. Overhauls approximately every two years.	As for pumping stations.
Depots	Painting as required. Seasonal maintenance of surrounds. Other maintenance as required.	
Houses	Painting schedule, Internal—10 years External—4 years. Other maintenance as required.	
Channels	Ongoing programme of grass cutting and desilting.	
Barrages	Grit blasting and painting of steel structures as required. Seasonal maintenance on remainder of structure. Landscaping.	
Drainage structures (concrete and steel)	Needs based programme.	
Chemical dosing stations	Weekly.	

2. The tank cleaning programme followed by the Department in the Mallee electorate involves cleaning tanks on an annual basis; however, some variation to this programme may occur, depending on the source of water, i.e., Murray River water or bore water, and operational requirements.

SECURITY MEASURES

141. **The Hon. JENNIFER ADAMSON** (on notice) asked the Minister of Public Works:

1. How many schools in South Australia have been fitted with steel mesh security screens and four-way locking systems, respectively, on perimeter doors?

2. Has this work been carried out by private contractors or by the Public Buildings Department?

3. What is the average price per square metre of the screens as provided by private contract and Public Buildings Department, respectively?

4. Who is the successful tenderer for the fitting of locks in the new Remand Centre?

5. Was Public Buildings Department offered a price on locks and doors complete for the Remand Centre and, if so, what was the price and what is the total cost of each lock and door with locks provided separately?

6. Who is providing the doors and locks, respectively, for the Remand Centre?

The Hon. T.H. HEMMINGS: The replies are as follows:

1. The precise number of steel mesh security screens and four-way locking systems respectively that have been fitted to perimeter doors in State schools is not known. There are two security officers employed by the Education Department who are constantly reviewing security and making recommendations to their Regional Area offices. The Regional Area office then allocates priorities to the recommendations according to available funds.

Over 200 recommendations have been made to date, of which a high proportion have been implemented. To complicate the matter of obtaining precise figures, some schools take their own initiative to provide security without a security inspection being made. In such cases, the funding may come from the school's own sources. If precise figures are required, a detailed investigation would need to be carried out by the Education Department.

2. The work on individual schools is either carried out by Public Buildings Department employees or contractors, according to circumstances.

3. The cost of provision and installation of screens varies according to location and there are no ready figures available which would give a comparison between contract and Public Buildings Department rates.

4. The supply and fixing of doors and locks in the Adelaide Remand Centre has been split in the following manner. The fire doors and locks will be supplied by the main contractor, A.W. Baulderstone Pty Ltd. Other doors and locks will be supplied by Public Buildings Department.

5. No.

6. The doors and locks will be provided by either the contractor or Public Buildings Department (see 4.). These

items will be supplied according to Public Buildings Department specifications. However, at this stage the supplier of fire doors and locks has not been determined.

MAGILL HOME

142. **The Hon. JENNIFER ADAMSON** (on notice) asked the Minister of Community Welfare:

1. How many domestics are employed at Magill Home?

2. How many domestics are or have been absent from work on a monthly basis from January 1984?

3. What have been the hours of overtime worked by domestics and the cost on a monthly basis since January 1984?

4. How many nurses are employed at Magill Home?

5. How many days sick leave have been taken each month since January 1984 by nurses?

6. What have been the hours of overtime worked by nurses and the cost on a monthly basis since January 1984?

The Hon. G.J. CRAFTER: The replies are as follows:

1. 17 (not including five domestics on long-term workers compensation).

2.

Month	J	F	M	A	M	J	J	A	S
No. of domestic staff taking sick leave	2	3	3	4	5	4	6	7	4

3. The cost of extracting overtime records for domestics would be excessive.

4. 17 (including Matron, Senior Sister and 15 Charge Nurses).

5.

Month	J	F	M	A	M	J	J	A	S
No. of nursing staff taking sick leave	2	3	4	5	5	3	8	8	8

6. See 3. above.

BUS LICENCES

143. **The Hon. JENNIFER ADAMSON** (on notice) asked the Minister of Transport:

1. Who are the licence holders and what are their routes for all charter/routed/tourist buses in South Australia?

2. What are the requirements attached to each of the licences?

3. Are any licences held but not in use and, if so, who are the licence holders and what are the routes?

4. How many applications have been received since January 1983, for which routes were they and which have been approved?

The Hon. R.K. ABBOTT: The replies are as follows: It would take about 75 man hours work to fully answer this question. I am not prepared to authorise the expenditure of limited manpower resources to provide the data requested. However, the following information is available:

1. 385 operators hold 528 licences, comprising 138 charter licences, 39 tourist licences, 14 route service licences, 194 schoolchildren licences, 64 school council licences and 79 miscellaneous licences.

2. Charter licences authorise the operation of motor vehicles within the State of South Australia, for the purpose of carrying groups of passengers for hire for a single fixed or agreed rate. Route service licences authorise the operation of motor vehicles between major regional towns and Adelaide over specified routes within South Australia at set individual fares.

Tourist licences authorise the operation of motor vehicles to tourist destinations within South Australia at set individual fares. Each type of licence has extensive and different conditions, for example, the conditions applicable to route service licences occupy 11 pages of typescript.

3. All route service licences are in continuous use. Because of the nature of the business, the use of tourist and charter licences is, to some extent, spasmodic. Operations are regularly monitored and present licences are considered to be adequately utilised.

4. Since January 1983, 864 applications for licence variation and 289 applications for new licences have been received and approved. 18 applications for new licences were not approved.

VEHICLE OCCUPANCY

145. **The Hon. D.C. BROWN** (on notice): asked the Minister of Transport: What action is the Department of Transport taking to increase occupancy of both private and public vehicles?

The Hon. R.K. ABBOTT: With regard to private vehicles the Department of Transport has maintained an overview of interstate and overseas car pool initiatives. However, for car pooling to be successful either considerable personalised input is required to convince individuals that car pooling has broad community advantages. Alternatively, constraints need to exist, such as very long commuting distances or a shortage of car parking facilities.

The attitudes towards and incentives required to encourage formal car pooling have been examined by the Department of Transport. This work indicates that desires to maintain autonomy and independence, in relation to be private, are very strong; major changes such as a doubling of fuel prices or severe parking restrictions, would be needed before existing attitudes can be expected to change. Such measures can only be contemplated as part of energy contingency plans, for example, when fuel is in short supply.

In conjunction with the Department of Mines and Energy and the Commonwealth Department of Resources and Energy, the Department of Transport recently undertook the Adelaide Work Based Car Pooling Demonstration Project. The aim of this project was to examine ways by which the level of car pooling could be increased and to encourage the formation of car pools at the work place. The results were disappointing, but some important findings emerged, for example, a high level of car pooling at work places already occurs, and most people who presently want to and who can feasilby do so already car pool. To increase car pooling beyond existing levels will require significant environmental changes or Government intervention.

With regard to public vehicles, the public transport fleet size is determined by peak demand. On humanitarian grounds increasing vehicle occupancy during the peak is not a preferred option. Increased occupancy during the off-peak period has been encouraged by the introduction of off-peak fare concessions.

REMISSION ON NON-PAROLE

152. **Mr BAKER** (on notice) asked the Minister of Tourism representing the Minister of Correctional Services: With respect to the new system of remission on non-parole:

(a) what administrative instructions have been provided to prison superintendents specifying the criteria under which the scheme shall operate;

(b) what action has been taken to ensure that these instructions are being implemented in a fashion which is consistent with the undertakings made in Parliament when the Prisons Act was debated during December 1983;

(c) what are the relevant percentages of full remissions, part remissions and nil remissions at Yatala Labour Prison since 20 December 1983; and

(d) how many Yatala prisoners have received full remissions during periods in which they had been placed on report for offences committed, misconduct or refusal to work?

The Hon. G.F. KENEALLY: The replies are as follows:

(a) A departmental instruction detailing the operation of the new remission system was re-issued on 8 August 1984.

(b) Regular discussions on the operation of the remission system, in line with the departmental instruction, have been held at institutional heads meetings with members of departmental executive. All institutional heads are required to forward a remissions return every month to the Director, Operations, Department of Correctional Services. The institutional heads are operating the remission system in line with this departmental instruction.

(c) From the period 20 December 1983 to 31 May 1984 all prisoners eligible for remission automatically received full remission. On 1 June 1984, the new remission legislation was proclaimed and the following remissions were granted:

June 1984	101 prisoners	15 days
July 1984	95 prisoners	15 days
	1 prisoner	14 days
	2 prisoners	13 days
	1 prisoner	11 days
August 1984	121 prisoners	15 days
	2 prisoners	14 days
	1 prisoner	13 days
September 1984	115 prisoners	15 days
	1 prisoner	13 days

(d) Section 42 (ra) (3) of the Prisons Act provides that:

> The Director shall not, in considering the behaviour of a prisoner, take into account unsatisfactory behaviour in respect of which the prisoner is likely to be dealt with under any other provision of this Act or any other Act or law.

At Yatala Labour Prison since 1 June 1984, 40 prisoners have received full remission who have had charges laid against them to be dealt with either by visiting justices or by the court system.

QUEEN ELIZABETH HOSPITAL EXPENDITURE

153. **Mr BAKER** (on notice) asked the Minister of Tourism representing the Minister of Health: On what date was the attention of the Minister first drawn to the likelihood of an expenditure over-run at the Queen Elizabeth Hospital?

The Hon. G.F. KENEALLY: At the beginning of December 1983 I was advised by the Health Commission of trends in expenditure at the Queen Elizabeth Hospital which, if maintained, would result in an expenditure over-run. This advice was included in advice about trends in expenditure at a number of hospitals, and I wrote to the Queen Elizabeth Hospital expressing my concern.

ELECTRICITY TARIFFS

154. **Mr BAKER** (on notice) asked the Minister of Mines and Energy: What will be the new rates applying in each electricity tariff schedule and what is the percentage increase in cost (or change in quantum limit) of each over those previously in operation?

The Hon. R.G. PAYNE: The new tariff schedule to apply as from 1 November was printed both in the *Advertiser* and the *News* and is readily available from any Electricity Trust office. As the schedule is quite extensive a copy has been forwarded to the member for Mitcham at his electorate office, in lieu of incorporating it in the *Hansard* record.

I would point out that domestic tariff 'M' has been restructured by combining the first two steps of the old tariff (80 kWh and 220 kWh per quarter respectively) into one step of 300 kWh per quarter. This change will result in minor reductions in the accounts of very small users. 23 per cent of all domestic customers will either have reduced accounts or incur increases of less than 10 per cent: a further 45 per cent will experience increases from 10 per cent to 12 per cent. Only 10 per cent of domestic accounts will increase by more than 13 per cent including 0.1 per cent which will rise by more than 14.8 per cent. All other tariffs have been increased by a flat 12 per cent.

155. **Mr BAKER** (on notice) asked the Minister of Mines and Energy: What will be the full financial impact on ETSA of reducing the proposed 16 per cent increase in electricity tariffs to 12 per cent, and how will this reduction in revenue be managed within ETSA?

The Hon. R.G. PAYNE: The effect of introducing a 12 per cent tariff increase as from 1 November 1984 (in lieu of 16 per cent) will be to increase the accumulated deficit as at 30 June 1985. At the time of calculating the effect of a 12 per cent tariff increase (in August 1984) the deficit was expected to be in the order of $14 million, i.e., an operating deficit for the year 1984-85 of approximately $10 million plus the accumulated deficit as at 30 June 1984 of $4 million. However, due to the abnormally cool weather experienced during September and the first half of October, sales of electricity have significantly exceeded the budget for this period and this is expected to have the effect of reducing the anticipated deficits to approximately $10 million.

YATALA LABOUR PRISON

157. **Mr BAKER** (on notice) asked the Minister of Tourism representing the Minister of Correctional Services: Did one or more prisoners at Yatala use the red phone to arrange outside assistance in the escape involving six prisoners from Yatala in June 1984?

The Hon. G.F. KENEALLY: Crown Law advice indicates that this matter is *sub judice,* therefore the information sought cannot be given at this time.

158. **Mr BAKER** (on notice) asked the Minister of Tourism representing the Minister of Correctional Services: Has a full investigation been carried out on the circumstances surrounding the destruction of A Division at Yatala and, if so, how many prisoners were found to be responsible for the lighting or fuelling of the fire and how have these prisoners been punished?

The Hon. G.F. KENEALLY: The replies are as follows:

1. Yes.

2. Seven prisoners pleaded guilty to the offence of riot by an *ex officio* information and received sentences ranging

from conviction without penalty to six months imprisonment plus extention of non-parole periods.

159. **Mr BAKER** (on notice) asked the Minister of Tourism representing the Minister of Correctional Services: Will the Minister instigate an inquiry into the incidence of rape as one of the forms of initiation of new prisoners entering Yatala Labour Prison and, if not, why not?

The Hon. G.F. KENEALLY: No inquiry will be instigated into the incidence of rape as a form of initiation of prisoners at Yatala Labour Prison as there is no evidence to suggest that this practice occurs.

PRISONERS' SENTENCES

163. **The Hon. D.C. WOTTON** (on notice) asked the Minister of Tourism representing the Minister of Correctional Services: Is it general practice when the sentencing judge expresses an opinion that an offender should serve a sentence under protection that this happens and, if so, under what circumstances would this not be the case?

The Hon. G.F. KENEALLY: The Prisoners Assessment Committee, when assessing newly sentenced prisoners and developing a sentence plan in consultation with them (which would include their location in a prison) always takes into account the sentencing remarks of the judge. These remarks are included in the assessment file of each prisoner. If the sentencing remarks included a statement that the prisoner should spend a period in protective custody then this would happen. However, it does not mean that the whole of a prisoner's sentence would be spent in protective custody. The Prisoners Assessment Committee works towards developing the confidence of each prisoner so that he/she is able to leave protective custody and move into the mainstream of a prison—usually a smaller country institution.

FIRE OFFICERS

164. **The Hon. D.C. WOTTON** (on notice) asked the Minister of Tourism representing the Minister of Correctional Services: Is it the intention of the Government to create a permanent position of Fire Officer in:

(a) Yatala Labour Prison; and

(b) the Department of Correctional Services,

and, if not, why not?

The Hon. G.F. KENEALLY: The replies are as follows:

(a) No.

(b) No. In all institutions fire prevention and fire safety is a managerial responsibility. This responsibility is discharged from the head of the institution acting through the chief correctional officers and assistant chief correctional officers posted to the institution. They are required to carry out fire prevention training, fire drills and identify areas of risk from fire. Many of the contingencies regarding fire are covered in the standing orders of the institution. To aid managers in the discharge of their responsibilities in this area, three agencies have been involved at both the city institutions and country institutions in determining fire safety hazards and advising on fire prevention measures. These three agencies have been the Metropolitan Fire Services Board, the Public Buildings Department Fire Safety Inspection Section and the Department of Labour Industrial Safety Section. The first named agency has carried out inspections of all institutions and the second two agencies have carried out inspections of Yatala Labour Prison.

Their reports have been forwarded to the Department of Correctional Services and are the subject of continuing discussions and implementation of recommendations in rebuilding programmes currently being undertaken by the Public Buildings Department. At head office level the Assistant Director, Institutions, monitors the fire prevention and fire safety situation and procedures at all institutions and is aided in this task by the Inspector, Establishments, who looks at problems and procedures from an overall safety and security point of view. Response squads are being developed at the various institutions. As part of the charter of these response squads, fire prevention, fire safety and standard operating procedures to be employed in case of fire are one of the significant areas of responsibility of these squads.

MEDIUM SECURITY GAOL

166. **The Hon. D.C. WOTTON** (on notice) asked the Minister of Tourism representing the Minister of Correctional Services: If it is not the intention of the Government to proceed immediately with construction of the medium security gaol at Murray Bridge, how does the Government intend to satisfactorily segregate prisoners at Yatala Labour Prison:

(a) now; and

(b) following the closure of Adelaide Gaol?

The Hon. G.F. KENEALLY: The Government does not intend to proceed immediately with the construction of the proposed medium security prison near Murray Bridge. An inter-departmental working party with representatives from the Department of Correctional Services, the Office of Crime Statistics, and the Premier's Department, is currently carrying out a detailed analysis of prisoner numbers, including making predictions about future numbers. The report of this committee is due by the end of this year.

When this report is received, consideration will be given to the building of the proposed prison. Money has been allocated for this financial year to continue the planning for the new prison. It has always been the intention that Yatala Labour Prison would be the State's high security prison. Both medium and high security classification sentenced prisoners will be accommodated there. There is not considered to be a problem in both these classifications being housed in the same institution. There will be no change to this situation when Adelaide Gaol closes.

ETSA DEBTORS

167. **Mr ASHENDEN** (on notice) asked the Minister of Mines and Energy: Further to the member for Todd's question without notice of 26 September and the Minister's written reply of 11 October 1984 in relation to ETSA debtors, what is the break-down of sundry debtors as at 30 June 1983 and 1984 in dollar amounts for 30, 60 and 90 days outstanding and, if these figures are not available, why not?

The Hon. R.G. PAYNE: The total value of sundry debtors including accruals as shown in the balance sheet for the years ended 30 June 1983 and 1984 are $30.564 million and $28.296 million respectively. These figures provide for amounts outstanding for sales of electricity; work and services performed by the Trust chargeable to outside parties; interest payable to the Trust for investments made by the Trust; and sundry items. The interest payable to the Trust is accrued in accordance with accounting practices as the due date for payment in all cases would not have been reached.

Of the remainder, by far the greatest amount relates to accounts outstanding for sales of electricity. The Trust has an established follow-up procedure for collection of dues to it. All amounts outstanding are followed up automatically each day by computer processing and the extent of credit occurring from the date of render varies depending on the paying habits of the particular customer. Generally, the period varies between approximately 17 and 28 working days. Because of the Trust's 'cycle billing' operation, the practice of follow up a number of days after render, and the right to disconnect supply in the event of non-payment, the amount outstanding at any given period is not as relevant as it may be in other commercial operations. Approximately 90 per cent of electricity accounts are paid within 30 days while 99.6 per cent of accounts are paid within 60 days.

OFF-SHORE LOAN

172. **Mr OLSEN** (on notice) asked the Treasurer: In relation to the off-shore loan arranged by SAFA and drawndown in early 1984-85:

(a) who are the lenders;
(b) what is the amount of the loan and the currency involved;
(c) what is the rate of interest negotiated and is the rate floating or fixed;
(d) what is the term of the loan and the planned repayment programme;
(e) when and where was the loan drawndown;
(f) where are the funds currently invested and under what terms and conditions; and
(g) for what projects have the funds been earmarked?

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

(a) Credit Suisse.
(b) 80 million Swiss francs.
(c) The rate of interest is a floating rate related to LIBOR (London inter-bank offer rate). The margin above LIBOR is very fine and commercially confidential.
(d) The loan is a bridging facility for five months expiring on 20 December 1984.
(e) The loan was drawndown on 10 July 1984 in London.
(f) The funds are currently invested through an investment management account with Credit Suisse First Boston Investment Management (CSFBIM) under terms and conditions agreed on a confidential commercial basis between SAFA and CSFB.
(g) The funds are not earmarked at the present time for any specific project. They form part of the general pool of funds available to SAFA for onlending to statutory authorities and/or the Government or for investment purposes.

SAFA LEASE AGREEMENT

173. **Mr OLSEN** (on notice) asked the Treasurer: In relation to the equity lease entered into by SAFA during 1983-84, is a residual payment required prior to reassignment of the leased Crown assets and, if so, what is the amount to be paid out under the lease agreement?

The Hon. J.C. BANNON: It is common for lease arrangements of this kind to require a residual value to be paid at the termination of the lease. Such residual value is of course taken into account when assessing the transaction, and, in particular, the effective interest cost over the life of the lease. In the case of the equity lease entered into by SAFA in 1983-84, the residual value to be paid at the expiry of the lease is 20 per cent of the original cost to the lessor of the equipment (i.e. $10.2 million).

CHINESE TRAINEES

176. **Mr OSWALD** (on notice) asked the Minister of Education:

1. Can the Minister confirm that the Chinese Government would like to provide some six students annually for the CADDS MAN Bureau at the Regency Park TAFE College for a course of six months to educate their students in computer aided design applications?

2. Is the Government looking to the establishment of a permanent exchange of students in the computer field between South Australia and China and, if so—

(a) who has been given responsibility to oversee preliminary negotiations and who is the present negotiator;
(b) what arrangements will be made to formalise the exchange of students at a Government to Government level and will this involve sending an officer to China to complete those formalities or, as South Australia will be the host, will the Government insist that China send out an official negotiator; and
(c) in what areas of technical training will the students receive practical tuition, and has the College the staff and facilities to handle the course and any language difficulties?

The Hon. LYNN ARNOLD: There have been discussions with representatives of the Chinese Government about the possible use of South Australian facilities, expertise and software to train persons nominated by the Chinese Government in computer aided design applications. It is proposed that the training would take place at the Regency Park TAFE College.

The proposal would involve a co-operative arrangement between private interests and the Government. Preliminary discussions were undertaken by a private company. Recently, however, a representative of the Chinese Government has suggested a Government-to-Government arrangement. Further details are currently being sought about this and related matters so that more specific negotiations may be started, involving the Chinese Government, the South Australian Government and private interests.

DEPARTMENT FOR THE ARTS

181. **Mr BECKER** (on notice) asked the Minister for the Arts:

1. What was the reason for the increase of $407 000 to $1 470 000 in debt servicing of the Department for the Arts for the year ended 30 June 1984?

2. What is the budget estimate for debt servicing this financial year?

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

1. The Department for the Arts debt servicing charges rose by an amount of $344 000 from $1 063 000 in 1982-83 to $1 407 000 in 1983-84. In 1983-84 a higher level of expenditure was incurred (namely from $10.9 million in 1982-83 to $14.3 in 1983-84). This was mainly due to the continuing Museum redevelopment and the upgrading of the Art Gallery's storage facilities, which combined with an increase in the rate of interest payable on the interest due on these moneys accounted for the increase in the Department's debt servicing charge.

2. It is anticipated that the 1984-85 debt servicing charge will increase by 15 per cent to $1 618 000.

CARRICK HILL

182. **Mr BECKER** (on notice) asked the Minister for the Arts:

1. What were the findings and recommendations of the inter-departmental committee inquiring into the use of Carrick Hill and when will the recommendations be implemented?

2. Have any *objets d'art,* books or other items included in the donation to the State been misplaced, lost or stolen?

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

1. The inter-departmental committee inquiring into the use of Carrick Hill made the following recommendations:

(i) That Carrick Hill be developed as a museum, art gallery, and botanic park and garden, or any one or more of the former purposes.

(ii) That Carrick Hill not be used as a residence for the Governor.

(iii) That a Carrick Hill Trust be established to assume responsibility for the management of Carrick Hill.

(iv) That Carrick Hill be a Jubilee 150 project and be opened during 1986 Adelaide Festival of Arts as a feature of the State's sesquicentenary celebrations.

These recommendations are currently being implemented.

2. To the best of my knowledge, no *objets d'art,* books or any other items in the bequest have been stolen. I understand discussions are still taking place between representatives of the Carrick Hill Interim Committee and the trustees of the Hayward estate with a view to seeking further clarification on some items in the bequest.

ART PURCHASES

183. **Mr BECKER** (on notice) asked the Minister for the Arts:

1. What is the current balance of the Treasury trust account for the purchase of art for public places?

2. What purchases of art have been made since 1 July 1984 and what prices were paid and, if none have been purchased, why not?

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

1. The 1984-85 approved estimates of expenditure include an amount of $56 000 for the purchase of works of art for public places as a single line appropriation under 'Minister for the Arts—Miscellaneous'.

2. To date no moneys have been expended from this line but a Government appointed Art for Public Places Committee is currently examining existing proposals and seeking additional proposals for use of these funds. It is anticipated that submissions will be made to the Minister for the Arts in the second half of the financial year.

JUSTICE INFORMATION SYSTEM

185. **Mr BECKER** (on notice) asked the Minister of Community Welfare representing the Attorney-General:

1. Have suitable software packages now been obtained to enable the completion of an integrated justice information system and, if not, why not?

2. What now is the proposed completion date of the project and its estimated cost?

The Hon. G.J. CRAFTER: The replies are as follows:

1. Tenders for software will be called once the data model for JIS has been finalised. This is expected to occur in the second quarter of 1985.

2. Users of the JIS will be able to begin utilising equipment within a year of its acquisition; applications will be developed progressively over a period of several years. The project cost is expected to be about $13 million (in 1984 dollars).

GRAND PRIX

187. **Mr BECKER** (on notice) asked the Premier: Was consideration given to holding international standard motor cycle races in conjunction with the Formula One Grand Prix and, if so, what was the outcome and, if not, why not?

The Hon. J.C. BANNON: No approach has been made to the Government for the staging of an international standard motor cycle race in conjunction with the Grand Prix.

CRIMINAL INJURIES COMPENSATION

188. **Mr BECKER** (on notice) asked the Minister of Community Welfare representing the Attorney-General: What are the full details of payments totalling $3 500 000 made under the Criminal Injuries Compensation Act for the year ended 30 June 1984?

The Hon. G.J. CRAFTER: Payments totalling $951 715 were made against the Programme—Payments to Victims of Crime for the year ended 30 June 1984. This payment included 240 claims under the Criminal Injuries Compensation Act amounting to $942 000 and a further $10 000 paid to the Government Computing Centre for the development of a computerised debt recovery system to facilitate the recovery of claims. The amount of $3.5 million reported in the 1984 Auditor-General's Report related to total payment made to date since the Act's inception.

ADELAIDE FESTIVAL CENTRE TRUST

189. **Mr BECKER** (on notice) asked the Premier:

1. What was the balance of the Adelaide Festival Centre Trust Entrepreneurial Fund as at 30 June 1984 and how does the amount compare with those of 30 June 1982 and 1983?

2. What proposed investments or promotions has the Trust arranged for 1984-85?

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

1. The balance of the Adelaide Festival Centre Trust Entrepreneurial Fund as at the specified dates are as follows:

30 June 1982—$465 035
30 June 1983—$661 688
30 June 1984—$9 092

2. For the 1984-85 financial year the Trust have made plans to commit expenditure of up to $1.2 million. However, it should be noted that this expenditure has been estimated on the basis that the income of the same amount will be received. Accordingly it is anticipated that the Trust's forthcoming entrepreneurial activities will break even.

'P' PLATES

191. **Mr BECKER** (on notice) asked the Minister of Transport:

1. What instructions are given to young public servants driving Government vehicles with 'P' plates attached and are they obliged to observe the speed limit and, if not, why not?

2. Will the Minister have departmental officers check that 'P' plates are appropriately displayed and that such drivers abide with road traffic laws?

The Hon. R.K. ABBOTT: The replies are as follows:

1. Public servants who are subject to probationary licence conditions are obliged when using Government vehicles to comply with the road traffic laws.

2. Departmental officers would be well aware of the conditions relating to 'P' plates and I can see no necessity for any checks to be made.

MARINE RESEARCH STATION

192. **Mr BECKER** (on notice) asked the Premier:

1. Why was the West Torrens council not advised before the announcement was made that a Marine Research Station is to be built at West Beach and that the Par 3 Golf Course is to be relocated?

2. Is West Torrens council planning approval required before such projects are proceeded with?

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

1. The subject of a Marine Research Station on the West Beach Trust Reserve was first initiated by the Department of Fisheries in 1983 and communication was made with the West Beach Trust at this time. It was determined that the most suitable site for such an establishment was on part of the Par 3 Golf Course land adjacent to Marineland. The subject of the Marine Research Station and relocation of the Par 3 Golf Course was a matter of discussion by the West Beach Trust on a number of occasions during 1983 and 1984 and prior to any public announcement. The City of West Torrens has two representatives on the West Beach Trust, an officer and a member of Council. Due to this direct representation, activities of the Trust are not separately communicated to the Council.

2. The planning approval of the West Torrens Council is not required for such a project. Projects carried out in the West Beach Trust Reserve are controlled by the Seventh Schedule of the Regulations under the Planning Act, 1982 and are therefore subject to the deliberation of the South Australian Planning Commission.

SOUTH AUSTRALIAN GOVERNMENT FINANCING AUTHORITY

194. **Mr BECKER** (on notice) asked the Premier: Who are the members of the South Australian Government Financing Authority, and are their terms of appointment and how much is their remuneration?

The Hon. J.C. BANNON: The members of the South Australian Government Financing Authority and their terms of appointment are as follows:

MEMBER	EXPIRY DATE
Under Treasurer* (Chairman)	Ex Officio
Mr P.J. Emery (Deputy to the Chairman)	No fixed term
Mr D.B. Hamilton	13 January 1986
Mr D.E. Hosking	17 May 1985
Mr J.O. Messner	13 January 1985
Mr D.H. Nimmo (Deputy to Messrs Hamilton and Messner)	No fixed term

*Mr R.D. Barnes retired as Under Treasurer on 12 November 1984.

No fees are paid to members of the Authority.

DATA PROCESSING BOARD

200. **Mr BECKER** (on notice) asked the Minister of Community Welfare representing the Attorney-General:

1. Has the Data Processing Board accepted a proposal for a computer system for the Corporate Affairs Commission and, if not, why not?

2. What now is the estimated cost of the system and the date of operation?

The Hon. G.J. CRAFTER: The replies are as follows:

1. In July 1983 the Department of the Corporate Affairs Commission submitted a proposal for development of an in-house computer system to the Data Processing Board. The Board recognised the Department's need for computerisation and requested that further cost benefit analysis of Government Computer Centre and private processing alternatives be undertaken. The Board also requested that current developments by the Queensland Corporate Affairs Commission be fully evaluated. In addition the Board's formal appraisal proposed that the Department should re-evaluate the relative risks of using in-house bureau facilities. The Department is presently undertaking the review work requested by the Data Processing Board. The Department's intention is to resubmit a proposal as soon as possible.

2. The estimated costs of the proposed system are now dependent upon information being obtained to satisfy the requirements of the Data Processing Board. It would be inappropriate to specify proposed system costs before the Data Processing Board has approved the Department's final proposal.

VACANCY RENTAL COSTS

201. **Mr BECKER** (on notice) asked the Minister of Education:

1. What controls over vacancy rental costs have been implemented, when were they implemented and what savings have been achieved to date?

2. What was the total amount of unnecessary vacancy rental costs incurred and outlined in an audit in 1983 as reported on page 67 of the Auditor-General's Report for the year ended 30 June 1984?

The Hon. LYNN ARNOLD: The replies are as follows:

1. The Accounts Branch of the Education Department requires validation by Regional and Area Offices of all vacancy charges debited. The Teacher Housing Committee has initiated a monitoring procedure of all accommodation vacant for three months or more with a view to reducing any excess. I have recently approved a new policy for the control of vacancy housing. The contents of the policy are yet to be discussed with the South Australian Institute of Teachers prior to implementation. In the period 30.6.83 to 28.6.84 a 36 per cent reduction occurred in recorded vacancies. Some of these reductions resulted from the updating of records. A fall of $24 000 has been achieved in vacant rentals (property retention fees) in this period despite adjustments made to rentals payable.

2. The Auditor-General's Report has not defined what is an unnecessary vacancy and this can be debated at length. However, the total amount paid for the year ending 30 June 1984 was $314 248.06. For ease of control this figure includes THA accommodation occupied by and paid for by private tenants.

ANCILLARY STAFFING COSTS

202. **Mr BECKER** (on notice) asked the Minister of Education:

1. Has a reply now been forwarded to the Auditor-General following a review of ancillary staffing costs and, if so, what were the contents of the reply?

2. What was the reason for delay in the reply to the Auditor-General?

The Hon. LYNN ARNOLD: The replies are as follows:

1. No.

2. The Auditor-General wrote to the Department on 21 June 1984, seeking comments on the review and suggesting that the report should be referred to the Ancillary Staff Review Committee, which had been established some time previously. The Review Committee was originally scheduled to report in June 1984. Owing to the complexity of its tasks I subsequently extended the due date to 14 December 1984. At this stage the committee had not had the opportunity to fully consider the Auditor-General's report and, therefore, no reply has at this stage been sent. The Review Committee, with its wide community representation, is unable to meet frequently. The committee has also been hampered by a delay in computer processing of relevant data and the absence of the Director, Personnel Policies, on extended sick leave.

PETTY CLEANING COSTS

203. **Mr BECKER** (on notice) asked the Minister of Education:

1. Why did the Education Department not commence a review of all petty cleaning costs until April 1983, following an audit examination in 1981?

2. What savings have been made and is the proposed estimated annual saving of $200 000 now achievable?

The Hon. LYNN ARNOLD: The replies are as follows:

1. At the time when the audit query was raised in July 1981, the Education Department had already been examining various aspects of achieving savings in school cleaning costs. As most of these would have involved a reduced standard, it was necessary for a detailed examination to be carried out. At about the same time the Department was also requested by Treasury to investigate an examination of every conceivable aspect of school cleaning with a view to achieving further savings.

On this basis many quite radical proposals were formulated and considered during 1981 and 1982. An investigation of cleaning standards and costs in other States was also implemented. Following the lengthy consideration of all options a basis for the review was established. Due to the onset of the 1982 Christmas vacation period it was obvious that the time was inappropriate to launch the review, and so the review did not commence until March 1983, by which time school had recommenced and settled down to the normal routine.

2. Full year savings of $185 000 will be achieved, not $200 000 as estimated.

HOUSE OF CHOW RESTAURANT

204. **Mr BECKER** (on notice) asked the Deputy Premier: Did the Deputy Premier open 'The House of Chow' restaurant on 28 August 1983 or thereabouts and, if so, in what Ministerial capacity?

The Hon. J.D. WRIGHT: Yes, as Deputy Premier and member for Adelaide.

STUART HIGHWAY

205. **Mr GUNN** (on notice) asked the Minister of Transport: When will the Stuart Highway be completed (sealed) to Coober Pedy?

The Hon. R.K. ABBOTT: It is anticipated that the Stuart Highway will be sealed to Coober Pedy in November 1985.

MARINELAND

212. **Mr BECKER** (on notice) asked the Minister of Labour:

1. What now is the final estimated cost of constructing 30 family chalets at Marineland, West Beach.

2. Have all the chalets been completed and fully furnished and, if not, why not?

3. How many persons were employed on the project and for how long?

4. Was the project delayed through bad weather and/or industrial disputes and, if so, to what extent?

The Hon. J.D. WRIGHT: The replies are as follows:

1. The final estimated cost of constructing the 30 chalets is $1.7 million. To this, a further $150 000 will be expended by the Trust in furniture and fittings.

2. Thirteen of the chalets were completed at the end of the Job Creation Scheme on 30 June 1984 and commissioned mid-September. The remaining chalets are being completed on a pre-determined schedule to ensure completion by the time they are needed for the summer holiday season. All chalets will be on stream by 2 December 1984.

3. Throughout the project period from October 1983 to June 1984 an average of 60 people were employed for a period of 34 weeks.

4. Delays were experienced through bad weather and the resultant inclement weather claims under Construction Workers Awards. These were quite severe. Industrial disputes were minimal and would have caused a loss of negligible proportions.

213. **Mr BECKER** (on notice) asked the Minister of Tourism:

1. What action is the Government taking to promote the family chalets at Marineland, West Beach, locally, interstate and overseas?

2. How far in advance are bookings being received, and what volume of reservations have been made?

3. What tariffs are charged and how do these prices compare with any similar projects interstate?

The Hon. G.F. KENEALLY: The replies are as follows:

1. Whilst the Department of Tourism is offering every support in the promotion of the family chalets, the promotion is entirely a matter for the West Beach Trust, which has its own marketing programme for all of its commercial activities.

2. Bookings and inquiries have been received as far forward as 1987. An average occupation rate of 40.15 per cent has been achieved since the opening of the chalets. The chalets are 100 per cent booked from approximately 16 December until late February.

3. The tariffs charged vary according to the season. In peak season they are $37 per night, in the shoulder periods $35 per night and in the winter period $32 per night. Exact comparison with interstate is not possible. However, the West Beach Trust tariffs are approximately $12-$15 per night lower than similar accommodation interstate.

DEPARTMENT OF LANDS INTEREST PAYMENTS

219. **Mr BECKER** (on notice) asked the Minister for Environment and Planning:

1. What was the reason for the increase of $187 000 in interest payments to $1 064 000 for the Department of Lands?

2. What is the interest rate on loan borrowings of the Department?

The Hon. D.J. HOPGOOD: The replies are as follows:

1. The average interest rate for 1983-84 increased to 10.75 per cent; over 1982-83, 10.1 per cent. Departmental balance on the Capital Account as at 30 June 1983 was $10 132 000.

Calculation $10 132 000 at Interest variance of 0.65 per cent for 1983-84	=	$65 000 approximately
Calculation on net increase in Departmental Capital Account for 1983-84.		
Net variance $1 140 000 at 10.75 per cent	=	$122 000 approximately
TOTAL	=	$187 000

2. The average interest rate set at Treasury for 1983-84 financial year was 10.75 per cent.

GRAND PRIX

223. **Mr OLSEN** (on notice) asked the Premier: What will be the cost to ETSA as a result of power lines and poles having to be moved before the Adelaide Grand Prix and replaced after the race is over?

The Hon. J.C. BANNON: This information is not available at this time. However, discussions are taking place with the Electricity Trust to determine the effect the Grand Prix will have on that authority.

224. **Mr OLSEN** (on notice) asked the Premier: Has the Government looked at the possible loss of trees of an historic or heritage nature in Victoria Park and surrounding areas as a result of the Adelaide Grand Prix route now decided upon?

The Hon. J.C. BANNON: It is not anticipated that any trees of an historic or heritage nature in Victoria Park and surrounding areas will be lost as a result of staging the Grand Prix.

225. **Mr OLSEN** (on notice) asked the Premier:

1. What protection will be afforded to properties within and around the route for the Adelaide Grand Prix?

2. Has the Government made any predicted costing of the insurance premiums for bodily injury, loss of life or damage to property?

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

1. Safety fences to meet international standards will surround the track and provide protection to property and people. Under the contract with FOCA, insurance requirements are specified for liabilities of participants and protection of people and property.

2. The cost of insurance premiums is currently being negotiated.

226. **Mr OLSEN** (on notice) asked the Premier: What medical facilities will be provided for the Adelaide Grand Prix for both spectators and participants and what is the estimated cost including the provision of a burns unit?

The Hon. J.C. BANNON: At this stage, discussions are taking place which will confirm the necessary medical services that will be provided.

227. **Mr OLSEN** (on notice) asked the Minister of Emergency Services: What is the estimated cost of providing police support before, during and after the Adelaide Grand Prix including the estimated cost of penalty rates likely to be paid?

The Hon. J.D. WRIGHT: These are not available at this time; however, discussions are taking place with the Police Department to determine the effect the Grand Prix will have on that Department.

228. **Mr OLSEN** (on notice) asked the Minister of Transport: What is the estimated cost to the State Transport Authority of altering routes and timetables to permit trials, practice sessions and racing during the Grand Prix?

The Hon. R.K. ABBOTT: These are not available at this time. However, discussions are taking place with the State Transport Authority to determine the effect the Grand Prix will have on transport systems.

OVERSEAS REPRESENTATIVES

233. **Mr BECKER** (on notice) asked the Premier:

1. What were the total fees paid to overseas representatives in Hong Kong, Singapore, Manila and Tokyo, respectively, in the year 1983-84?

2. Who are the various representatives and what benefits in contacts and new business have they achieved?

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

1. FEES PAID—

1983-84 totalled $75 000.
(Japan $65 000; Hong Kong $5 000; and Singapore $5 000)

2. REPRESENTATIVES—

Japan—
Mr Toyo Tanaka—Elders Limited

Hong Kong—
Mr Bernard Hooley—Paterson, Simons Elders Ltd

Singapore—
Mr Tay Joo Soon

Manila—
Mr George Marcello

The above representatives provide a range of services principally aimed at promoting business investment opportunities in South Australia. They also assist the Government and its officers in identifying such opportunities, many of which have been successfully negotiated while many more are the subject of on-going negotiations.

SPLATT ROYAL COMMISSION

234. **Mr BECKER** (on notice) asked the Premier:

1. What are the total and itemised expenses of the Edward Charles Splatt Royal Commission?

2. Are there any outstanding accounts and, if so, from whom and for what amounts?

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

1.

Total Direct Expenditure	$1 387 925.49
Total Indirect Expenditure (see *(c)* and *(h)*— Approximate	$217 000.00
	$1 604 925.49

Itemised Expenses—

(a) The Legal Services Commission has not made any payments to solicitors or counsel in respect of the Commission. However, to date the Legal Services Commission has made available $250 000 to the Government to assist to defray the legal costs of representation of Mr Splatt before the Commission.

(b) Fees to counsel and solicitors—$354 707.95.

(c) Cost of counsel, solicitors and clerks in Crown Solicitors Office who were involved in the Royal Commission—estimate $167 000.

(d) Cost of Secretary to Royal Commission—$20 252.92.

(e) Royal Commissioner—fees—$141 571.00
—travelling expenses—$5 526.40

(f) Court reporting charges—$115 878.07.

(g) Cost of staff assisting Commission—$22 688.32.

(h) Cost of prison officers in arranging Splatt's attendance at Commission—$50 000 estimate.

(i)

Witness fees	$18 359.50
Travel expenses	$25 785.33
Accommodation expenses	$33 230.87
	$77 375.70
Scientists fees	$604 729.29

(j) Laboratories $1 940, testing materials $4 248.95 (Note costs paid to scientists for performing tests included in fees paid to scientists (see *(i)* above)).

(k) Sundry expenses—$33 029.86.

(l) Printing of report—$12 166.18.

Although it is likely that further fees will be paid to some persons, it is not possible at present to predict the quantum of such payments. In relation to the three lawyers who represented Mr Splatt, namely, Mr M. Abbott, Mrs M. Shaw and Mr P. Norman, discussions are occurring between them and the Crown Solicitor on some outstanding cost questions. If this cannot be resolved then their bills may have to be taxed by a Master of the Supreme Court. It may be that further payments will be made.

Apart from the abovenamed lawyers, there are six witnesses/consultants whose accounts have not been finalised. These persons are:

(1) Professor J. Haken.

(2) Mr P. Hastwell.

(3) Dr T. Beer.

(4) Mr M. Pailthorpe.

(5) Mr G. Dickinson.

(6) Mrs M. Millingen.

The Crown is awaiting further information from these persons as to work performed and charges made in respect of such work. Once again, it is not possible to state what, if anything, remains to be paid to these persons. The Crown will not be making any further payment at this point of time.

WINE INDUSTRY INQUIRY

239. **Hon. E.R. GOLDSWORTHY** (on notice) asked the Minister of Education, representing the Minister of Agriculture: Did the Minister or the Premier nominate Mr Noel Dimmich as the grower representative on the wine industry inquiry committee set up by the Commonwealth Government and, if not, who did?

The Hon LYNN ARNOLD: Yes.