HOUSE OF ASSEMBLY

Tuesday 19 March 1985

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:

Consent to Medical and Dental Procedures,
Electoral Act Amendment,
Local Government Act Amendment (No. 4),
Prices Act Amendment (No. 3),
Real Property Act Amendment,
Second-hand Goods,
Second-hand Motor Vehicles Act Amendment,
State Disaster Act Amendment,
Statutes Amendment (Commercial Tenancies).

PETITIONS: HOTEL TRADING

Petitions signed by 60 residents of South Australia praying that the House reconsider legislation allowing hotels to trade on Sundays were presented by the Hon. Ted Chapman and Mr Ingerson.

Petitions received.

QUESTIONS

The SPEAKER: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 375, 401, 414, 417, 430, 450, 454, 466, 470, 471, 475, 476, 481, 489, 491, and 492; and I direct that the following written answer to a question without notice be distributed and printed in *Hansard*.

MORPHETT ROAD PEDESTRIAN CROSSING

In reply to **Mrs APPLEBY** (14 February).

The Hon. R.K. ABBOTT: With regard to the proposal that a pedestrian crossing facility be installed on Morphett Road, Dover Gardens, in the vicinity of Folkestone Road, the Corporation of the City of Marion, which is the traffic authority responsible for the road at this location, recently completed an investigation of pedestrian needs at this location. The details of this investigation were forwarded to the Road Traffic Board for evaluation. The Road Traffic Board has given 'approval in principle' for the installation of a pedestrian crossing and is now awaiting the submission of detailed plans by Marion council to enable formal approval to be finalised.

PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. J.C. Bannon)—
Pursuant to Statute—
Financial Institutions Duty Act, 1983—Regulations—Exemptions.

By Hon. G.F. Keneally for the Minister for Environment and Planning (Hon. D.J. Hopgood)—
Pursuant to Statute—
Coast Protection Board—Report, 1982-83.
Planning Act, 1982—
Regulations—Development Control, West Torrens.
Crown Development Reports by the South Australian Planning Commission on proposed—
Construction Classroom, Elizabeth Community College, Salisbury.
Erection of Classroom, Salisbury High School.
Construction of Multi-Purpose Hall, Highbury Primary School.
Division of Land, Hundred of Munno Para.
Ceramics Workshop and Female Toilets, Adelaide Hills TAFE College, Aldgate Branch.
Construction of Single Persons Quarters at Naracoorte.
Erection of Radio Communications Tower and Equipment Building at Camelback.

By the Minister of Tourism (Hon. G.F. Keneally)—
Pursuant to Statute—
Health Act, 1935—Regulations—Private Hospitals.
Prisons Act, 1936—Regulations—Parole Release Orders.
South Australian Health Commission Act, 1975—Regulations—Private Hospital Construction.

By the Minister of Local Government (Hon. G.F. Keneally)—
Pursuant to Statute—
Building Act, 1970—Regulations—Wall Materials.

By the Minister of Community Welfare (Hon. G.J. Crafter)—
Pursuant to Statute—
South Australian Ethnic Affairs Commission—Report, 1983-84.
Trustee Act, 1936—Regulations—Authorised Trustee.

QUESTION TIME

The SPEAKER: Before calling on questions, I indicate that the Minister of Tourism will take questions that would have been directed to the Minister for Environment and Planning.

DEATH DUTIES

Mr OLSEN: In view of the decision of the State Convention of the Australian Labor Party to seek an investigation into the introduction of a full range of capital transfer taxes, which must include death duties, does the State Government still intend specifically and strongly to oppose the reintroduction of death duties at the tax summit in July? On 20 February, only a month ago, in this House the Premier said, 'It is not my Government's policy to support the reintroduction of death duties, and that will certainly be made clear at the tax summit.' However, at the ALP State Convention at the weekend the Premier supported a motion which has rewritten that policy. Although the Premier has tried to claim that his position has been misrepresented, he said on the Australian Broadcasting Commission's *AM* programme yesterday, 'I have said the Government ought to investigate the whole range of taxes.' Today, it has been revealed that the centre left faction of the ALP, of which the Premier is a member, has joined the left wing in proposing the reintroduction of death duties. Because of the obvious and serious conflict of the decision of the ALP State Convention on Sunday and the commitment that the Premier gave this House only four weeks ago, what should the people of South Australia believe: that his Government will strongly oppose the reintroduction of death duties at the tax summit at either a State or a Federal level; or support an investigation on the reintroduction of death duties?

The Hon. J.C. BANNON: The answer to the question asked by the Leader before he gave his explanation is 'Yes'. I stand by the statement that I made in this House, a statement which was repeated this weekend and which has been clarified on every point put to me since: namely, that

the South Australian State Government does not support the reintroduction of death duties or succession duties. The Leader of the Opposition quoted very selectively from the ABC interview because I made clear in that interview, if he had listened, that the full investigation of all this range of taxes, including capital transfer taxes—

Mr Olsen: And including death duties?

The Hon. J.C. BANNON: —and including death duties, should enable us, nationally, to make a decision once and for all as to what taxes should be imposed and what should not be. At the moment all we have is speculation that there may be this tax or that tax. If a clear decision is made at the tax summit, we will know where we are. The point, I repeat again, as I have stated categorically on every occasion and on the weekend, I do not support, nor does my Government, the reintroduction in South Australia of succession duties.

Members interjecting:

The SPEAKER: Order! I ask the Leader to come to order. He has been given a fair go, but during the reply he interjected and repeated his question several times. I ask that that cease.

The Hon. E.R. Goldsworthy interjecting:

The SPEAKER: Order!

GRAND PRIX CATERING

Mr TRAINER: Will the Premier advise the House of the true situation regarding the organisation of the Australian Formula One Grand Prix, to be held in Adelaide on 3 November, particularly in regard to the catering contract? The Premier is, no doubt, aware that some misunderstandings have arisen in the community. For instance, the member for Bragg asked in this House last week whether or not the contract for on-course catering at the Grand Prix had been let to an interstate firm. I overheard the same allegation being made by a woman caller on a talk-back programme later that day and it has also been claimed that the catering contract had been let to the Sydney Opera House. A number of other stories have been circulating in the community which seem to have the general effect of denigrating the organisation of the Grand Prix by giving it an air of vagueness and even deviousness. Can the Premier clear the air on this issue?

The Hon. J.C. BANNON: Any big project is susceptible to rumours and speculation about its progress. The Grand Prix is a very big project and is no exception to that general situation. Unfortunately, there are a fair number of knockers in our community—people with not much faith in our capacity—who are always willing to find fault in some area. I am afraid that that seems to be a syndrome, but regrettably it seems to be a little more developed here in South Australia than perhaps in other places.

The Hon. Ted Chapman: Why do you think that is?

The Hon. J.C. BANNON: There is some lack of confidence in South Australia about our capacity. One of the key aspects of that is the way in which the Opposition has attacked most of the major development projects we have had. The performance over ASER, the casino development and the Grand Prix in part has worked to spread rumours and undermine those developments. We have to simply shrug it off and get on with the job, but it is unfortunate that this knocking and negative approach seems to prevail. In other words, it is not a case of constructively saying that there are problems and asking how we can pitch in and help to something about it. The attitude is that it is the Government's problem, that the whole event is under threat, and that we cannot have it.

Last week I was asked a question, as the honourable member pointed out, on the catering contract for the Grand Prix. Virtually a direct allegation was made that the contract had been let to some outside or interstate firm. That came as news to me, but I have not had a daily report from the Grand Prix Board which has been charged by the Parliament, under legislation, with the task of organising this event. I was not sure of the facts of the situation. The allegation was made, as so many allegations are made, without much backup and, obviously, on the basis of rumour. I have since been advised that the catering contract has not been let to anyone. An advertisement calling for companies interested in catering at the Grand Prix will appear in the *Advertiser* and the *Australian* on Saturday 23 March. So, that is how far down the track it has gone. Somebody obviously wanted to peddle rumours that the contract had been let. It will be judged competitively. I hope that South Australian caterers or those based here are able to make a competitive bid for it.

The Board is operating under the general principle to try to maximise employment opportunities here in South Australia. So, that is the matter of catering. I referred last week to the massive contract for safety barriers. The contract for the manufacture of those concrete barriers has gone to Humes Limited, a company which is operating in South Australia; in fact it was formed in South Australia in 1910. Somebody said it is an interstate company. The Hume operation here—whatever its ultimate ownership—is well entrenched in South Australia, and the materials, labour and activities will all be sourced here. That is good. That firm has won that contract, and that will generate activities.

The marketing contract, which members should recall is aimed at raising revenue—the better the marketers do the more they will be able to reduce the backup of funds that are needed by the State—has gone to a marketing consortium, not to an interstate firm. The consortium is headed by Southern Television, a local company in South Australia. That company is the leader of the marketing group, and another local company, Tuohy Allan and Associates, is part of that consortium. In addition, there is also PBL Marketing, based in Sydney, a firm with an international reputation in marketing. It is one of the best in Australia and obviously, as part of that overall consortium, will be most useful in maximising revenue. PBL in turn uses Mojo as part of its marketing thrust in association with it. So, what we have, I believe, is a maximising of South Australian involvement in this, coupled with the international expertise that PBL can provide. So the Board fully understands that its brief is to maximise employment development opportunities in South Australia, and I have confidence that that is what it is doing.

REDUNDANCY PAYMENTS

The Hon. E.R. GOLDSWORTHY: Will the Premier (or the Deputy Premier, whoever cares to answer) say whether the State Government will be intervening in the hearing to begin in the State Industrial Commission next month of claims by the Trades and Labor Council for increased redundancy payments and, if so, what will be the basis of the Government's submission? I understand that the Government has sought leave to appear.

The Hon. J.D. WRIGHT: The Government will be intervening, as it did in the Federal case the ACTU took last year. The Government is in the process of determining what attitude it will take in relation to the South Australian claim, but I would suggest (and it is no stronger than a suggestion at this particular stage; Cabinet has not made a final decision) that we will be taking a line very similar and putting forward

proposals very similar to those put forward in the main case last year.

LINDAL HOMES

Mr MAYES: Will the Minister of Community Welfare, representing the Attorney-General and Minister of Consumer Affairs in another place, ask the Attorney-General urgently to investigate the operation of Lindal Homes? I have been contacted by a constituent who is a relative of a person who is building a new house on a block he owns in the Hills. The initial contact from the constituent indicated to me that the person was in great distress about his family.

The people who are building the house purchased what they thought to be a kit home in July 1984. Although they signed and purchased that kit home on 13 July 1984, they are still living in a 15ft by 8ft caravan on a block without running water and without amenities, such as power, and are subjected to the most horrendous family stress because of that situation. There are two adults and four young children in that caravan. They had, to the best of their understanding, been informed that it would take eight weeks to erect the new home on the new block which they had previously purchased. They signed contracts for the purchase of a kit and for the erection and construction of that home by sub-contractors supervised by the builders, Lindal Homes, on that block.

The situation is that the kit that was purchased did not in fact comprise a kit home. The buyers were informed by the builder some two months later in November, after having paid a deposit of $8 000 on the building materials, which they believed to comprise a kit, that the kit had arrived in Adelaide and that they were due to pay for it a further $10 500, in accordance with the contract. The buyers were also informed at that stage by the builder that the kit would not be delivered to their block because of inclement weather. The kit was subsequently delivered and the concrete slab was laid.

Members interjecting:

The SPEAKER: Order! The honourable member for Unley.

An honourable member interjecting:

Mr MAYES: If the honourable member listens carefully he might hear the question.

Mr Lewis: Stand up and speak up.

The SPEAKER: Order! The honourable member for Mallee is quite out of order. The honourable member for Unley.

Mr MAYES: The so-called kit was delivered, but when the carpenter began to erect it the materials were found to be not in kit form. In fact, the materials had to be cut and prepared for erection. After pursuing the matter with the builder, the buyers were informed that they would have to reimburse the carpenter with a fixed sum each week before the building would be erected on their block. The building was erected, but was not completed, and the carpenters left the site with the money that had been supplied without having completed the balcony, and without fixing lintels, cornices or skirting boards.

The buyers of this home had been told that they would be supplied with a completely exterior clad and interior lined home. However, they found that the home was not complete with interior cladding. The contractor suggested that the buyers should obtain quotes from subcontractors before committing themselves to pay those subcontractors. In the past the builder has in fact instructed subcontractors, without the owner's approval, to attend the site and commence work. Consequently, any amount over the estimated costs were in fact incurred by the person building the home.

I have now received four such grievances from people in similar situations and who have suffered the same difficulties with the builder and have been put to the same inconvenience and delays in relation to moving into their homes. According to the information that I have received, they and their families have suffered great inconvenience and distress and have also incurred additional costs from overruns as a consequence of the way that contracts have been structured. The situation is so grave that I ask the Attorney to investigate this matter urgently.

Mr LEWIS: On a point of order, Mr Speaker. When the honourable member referred to the situation being 'so grave' was that not a commentary rather than an explanation of the background of the question? I ask you, Sir, to rule whether or not that is admissible under the terms of Standing Orders as they relate to explanations of questions.

The SPEAKER: Over a very long period in this House it has been the practice of various Speakers to permit tolerance in the explanation of questions. In the circumstances, I do not believe that there is a point of order so long as the honourable member continues to link his remarks to the original question. Has the honourable member completed his question?

Mr MAYES: Yes.

The Hon. G.J. CRAFTER: I thank the honourable member for his question, which raises a number of aspects: first, the issue of a contractual nature and, presumably, an aggrieved party would have redress to the civil courts to pursue the matter; secondly, the question may come within the jurisdiction of the Builders Licensing Board; and, thirdly, it might come within the ambit of the housing industry itself. I understand that the Housing Industry Association and perhaps similar organisations within the industry are concerned about some practices that have developed in recent times within that industry. I shall be pleased to refer this matter to my colleague for his investigation.

LOCAL GOVERNMENT RATES

The Hon. B.C. EASTICK: Will the Minister of Local Government say when the Government intends to introduce its new policy on council rating, and by what means does it intend to determine a person's capacity to pay rates?

The Hon. G.F. KENEALLY: This question arises from a report in the press that misrepresents—

Members interjecting:

The SPEAKER: Order!

The Hon. G.F. KENEALLY:—a decision taken by the Policy Convention on the weekend. The policy said that the Labor Party, in Government, would have an inquiry into the rating system and the method of financing local government in South Australia, and that amongst the criteria that such an inquiry would look at would be the capacity to pay, etc., and a whole number of other criteria. The inquiry has not been established. It will be an independent inquiry making recommendations to the Government about the best method of organising rating values in South Australia.

Members interjecting:

The Hon. G.F. KENEALLY: This procedure was put in place initially by my predecessors (the Hon. G.T. Virgo; the Premier, when he was Minister; the Hon. C.M. Hill, as Minister; and my colleague the Minister of Housing and Construction, as Minister). It is one of a series of actions that Local Government Ministers are committed to acting on and it will result—

Members interjecting:

The Hon. G.F. KENEALLY: At present the discussion papers have not been prepared and distributed to local

government, but they will be distributed in due course. The procedures that have been guaranteed will take place.

The Hon. B.C. Eastick interjecting:

The Hon. G.F. KENEALLY: When the honourable member has the opportunity to read the policy that was agreed he will see that what I am telling him and the House is what was agreed at the weekend. What has been reported in the press is a precis of the decision and, because it is a precis, it does not represent the decision that was taken.

BRIGHTON HIGH SCHOOL

Mrs APPLEBY: Can the Minister of Education make clear that priority has been given to Brighton High School for its stage 2 redevelopment? I have received correspondence from the School Council and several telephone calls relating to a strong rumour that the proposed redevelopment of the school has been taken off the Department's priority list. Given that stage 1 is now under way, I seek the Minister's assurance that there is no foundation for the rumour that will adversely affect the school's much needed redevelopment.

The Hon. LYNN ARNOLD: I can give a reassurance to the honourable member about the situation with respect to Brighton High School—the position has not changed since I visited that school well over 18 months ago.

Members interjecting:

The SPEAKER: Order!

The Hon. LYNN ARNOLD: In fact, the situation that has applied to that school is that at all stages we have indicated that stage 2 would be commenced in the 1986-87 financial year, but there has always be a rider attached to that commitment: if we can do it earlier than that—funds permitting—we will do so. I made that statement to Mr Lee, to the Principal (Mr Farrow), and to the member for Glenelg, the member for Brighton and the member for Mawson, who were all present when I visited the school. I made that statement because I was well aware of the circumstances that apply at Brighton High School. I am aware that the school's development needs have been evident for a considerable period and do need attending to.

They were development needs, I might say, that were not particularly attended to by the previous Government and consequently they are overdue. The difficulty we have had, as members well know and as I have explained to the school council, is that the financial situation has been such that we have not been able to attend to all development needs at the earliest opportunity that we might have liked to do so. Notwithstanding that financial difficulty, I have endeavoured to give school communities wherever possible some lead as to when development will take place. It is in that context that some considerable time ago (at the time of my visit) that I gave the undertaking for 1986-87, but I also said that, if we can do it earlier, we will do so.

I am glad that the honourable member has taken this opportunity to raise the question of rumours, because the rumours are absolutely without foundation. Mr Lee, who is Chairman of the school council, has written to me about this matter, and I shall reply to him stating that the rumours are just that—they are rumours, they are baseless and they have no foundation. The commitments that have been given to the school council by the Government are maintained without any equivocation.

VISIT OF NUCLEAR POWERED SHIPS

The Hon. MICHAEL WILSON: Has the Premier yet decided how his Government will implement its policy, namely, to take all possible steps to discourage the presence of nuclear powered or armed vessels in South Australia, and is it his intention to notify the United States, British and French Governments of the ALP policy decision in view of the proposed visit to South Australia of vessels from those countries during our 150th birthday celebrations?

Immediately after the adoption of this policy by the ALP State convention at the weekend, the Premier said that he was happy with it but was not sure how it could be implemented. This is a serious issue which demands that the State Government take a clear and responsible position rather than the weak and vacillating approach that we have had from the Premier. The ALP policy decision recognises that the States do have a role to play in facilitating these visits—

The Hon. E.R. Goldsworthy: Which he denied last week.

The Hon. MICHAEL WILSON: —something that the Premier has tried to deny every time he has been questioned in this House. The convention decision puts in doubt plans for major events off Kangaroo Island and Victor Harbor during our 150th celebrations next year. The Premier has a responsibility to tell this Parliament and the public how it intends to apply the policy.

The Hon. J.C. BANNON: The answer to part A of the question is, 'No' and therefore part B of the question is not applicable.

WHYALLA DRUG ABUSE

Mr MAX BROWN: My question—

Members interjecting:

The SPEAKER: Order! I call the member for Whyalla.

Mr MAX BROWN: Will the Minister of Tourism take up with the Minister of Health in another place the reported drug abuse in Whyalla and ask him to initiate a professional and comprehensive investigation into the report to ascertain how prevalent the abuse might be, its causes, and the requirements that might be necessary to alleviate the problem if it is prevalent?

I draw to the Minister's attention two reports that appeared in the *Whyalla News* on 15 and 18 March respectively. The first, which is a fairly important statement made by a police officer, appeared in the 15 March edition of the *Whyalla News* under the heading 'Drug Abuse—Police Grapple with Hard Narcotic Trade' as follows:

> Whyalla police have made many arrests for drug related offences in the past few months and will continue to chase the trade in hard drugs, according to police Senior Sergeant Jeff Watts.
>
> In the wake of the SA Police-Lions International Operation NOAH 'hot-line' on Wednesday, Senior Sergeant Watts was commenting on whether Whyalla had a drug 'problem'. 'Wherever drugs are abused, there is a problem,' he said.
>
> He said most of the arrests made were for possession or use of Indian hemp or marijuana as it is more commonly known. Although there appeared to be a trade in narcotic or hard drugs in Whyalla, there were not many arrests in the area, Senior Sergeant Watts said.

The other report, which quotes another policeman, appears in Monday's edition of the *Whyalla News* and is headed 'Drug centre mooted'. It states:

> The majority of all drug-related cases passing through the courts and rehabilitation centres are alcohol related, but if police crime statistics are any indication the trade and use of other drugs is alive and well.
>
> Figures for the 1983-84 period are unavailable but for 1981-82 there were 3 470 drug-related cases before the courts and in 1982-83 that figure increased to 4 963, with the use and possession of illegal drugs comprising 2 874 cases for 1981-82 and 2 176 in 1982-83.
>
> In Whyalla, drugs were involved in 18 juvenile and 136 adult offences in 1982 and 20 juvenile and 128 adult cases the following year.

It is often pointed out that, where a community has a high level of unemployment, the evils of society, including drug addiction, are predominant. There needs to be an investigation in respect of this matter.

The Hon. G.F. KENEALLY: I thank the honourable member for his question, which has highlighted to Parliament a very worrying situation in Whyalla, especially in relation to the trade in narcotics and hard drugs, as has been ascertained by the NOAH exercise. I will certainly ask the Minister of Health to institute an investigation into the situation at Whyalla. Obviously, he would need to work in co-operation with the Deputy Premier and the Police Department. The honourable member has highlighted a matter of concern to all members of this House, and I will relay his request to the appropriate Minister.

YATALA LABOUR PRISON

The Hon. D.C. WOTTON: Will the Premier say what specific precautions the Government is taking, recognising that both the Minister of Correctional Services and the Executive Director of his Department are overseas, in the light of persistent reports that there will be another major disturbance at Yatala Labour Prison this week? Prisoners at Yatala yesterday went out on strike and are refusing to work as a result of their breaking an agreement reached earlier this year. That agreement gave the opportunity for prisoners to take part in evening activities, and therefore be confined to their cells for a shorter length of time, during the period of daylight saving. However, prisoners are now striking because they see participation in evening activities, with a shorter time spent in their cells, as their right rather than a privilege and have threatened to instigate a major disturbance at the gaol this week if evening activities are not restored.

The Hon. G.F. KENEALLY: The action that the Premier took to ensure that the management of the prison continued while the Minister of Correctional Services and the Director were in Hong Kong was to appoint me as Acting Minister, and the Deputy Director (Mr Beltchev) is acting in the position of Director. I am in daily contact with the Acting Director and I believe that the situation within our prisons is under control. I have found (and the honourable member, since he has been shadow spokesperson for correctional services, should have found) that it does not pay to highlight in Parliament or publicly any prospective action within the prisons, because that is often a self-fulfilling prophecy. The honourable member and his colleagues can be assured that the matter of the prisons is under control.

GRAND PRIX ACCOMMODATION

Mr FERGUSON: Is the Minister of Tourism aware that some changes in legislation may be necessary as a result of the concept of home hosting for events such as the Grand Prix? It is the opinion of my local council, the City of Henley and Grange, that, although it has no objection to the concept of home hosting, a need exists to alter the planning legislation to accommodate that concept. It has been stated by the council that home hosting can be interpreted as a change of intention in relation to domiciliary accommodation. It has stated that there needs to be some sort of definition as to where home hosting finishes and a boarding house commences. Councillors have put to me that if a normal suburban dwelling is used constantly for home hosting there must come a time when the regulations regarding boarding houses come into play.

The Hon. G.F. KENEALLY: This is a very important question. Frankly, one of the greatest challenges we are facing as a State in the Grand Prix, which will be a remarkably successful event, is to adequately accommodate the number of people who will come to Adelaide and South Australia. I guess that we have all heard the rumours about some of the offers for accommodation that have been made. If they are half true, it would indicate the demand. We have all heard that accommodation has been booked as far away as the Barossa Valley, Victor Harbor and Goolwa in motels, hotels and boarding houses. Apparently, the Grand Prix Board and the Department of Tourism is jointly considering what action, if any, needs to be taken, to have a home hosting procedure as referred to by the honourable member. Certainly there would need to be amendments in the planning and local government areas, both on building and health matters as they relate to private houses acting as boarding houses.

If all the discussions that are taking place now result in a recommendation to Government that it should have home hosting, we would need to have legislation enacted this session, which would involve the co-operation of all members of Parliament. I am sure that we would have such co-operation to ensure that people coming to South Australia for the Grand Prix would be able to find accommodation, whether it be in hotels, motels, caravan parks, boarding houses or private homes temporarily acting as boarding houses. It is an important question which we are addressing now and on which we hope to have a decision very quickly. It may be that legislation is needed. If that is the case, we would be looking for the co-operation of all members of Parliament to ensure a swift passage.

BLOOD ALCOHOL LEVELS

The Hon. D.C. BROWN: Will the Minister of Transport advise whether the Government will act immediately to ensure that, before Easter, the law will make it an offence for L and P plate drivers to have a blood alcohol level above zero? Strong community support exists to require L and P plate drivers to comply with zero blood alcohol levels. Twelve months ago, I announced that the Liberal Party supported that policy. Seven months ago on 29 August—the day before the State Budget was introduced—the Premier announced that his Cabinet had decided to introduce such legislation. That was seven months ago, yet no action has been taken by the Government. Easter is usually the worst week-end of the year for road accidents. It is therefore important for the Government to have the new law operating before Easter.

Half of all fatal accidents involve drivers with a positive blood alcohol level. Statistics show that young drivers, particularly males, face the greatest risk. Alcohol tends to stimulate aggression which, together with inexperience, produces the circumstances for dangerous driving and then for serious accidents. With the disastrous road toll already this year, the Government cannot afford to wait any longer before introducing such legislation and should make it operative before Easter.

The Hon. R.K. ABBOTT: I have read the press statement that the honourable member has made concerning this matter, and it is true that the Government has made an announcement: dealing with this and a number of other measures, the Premier said in the House that, with respect to the blood alcohol content of learners and P plate drivers, the Government had decided not to implement anything or pre-empt whatever might be the decision of the Select Committee on Random Breath Testing in the Upper House.

The Hon. D.C. Brown interjecting:

The SPEAKER: Order! The honourable Minister.

The Hon. R.K. ABBOTT: Mr Speaker, I do not think that the Opposition's colleagues in the Upper House who are members of that Select Committee would take kindly to this Government introducing provisions governing the very matter that the Select Committee is looking at. We have indicated our policy on this matter, and we are quite prepared to introduce it if the Select Committee does not make the appropriate recommendation, but we have taken the decision to wait for that report, which will be handed down on 2 April, and we can then incorporate all the recommendations of that report in the legislation.

SMALL CLAIMS COURT

Ms LENEHAN: Will the Minister of Community Welfare ask the Attorney-General in another place to consider increasing the jurisdiction of the Small Claims Court above the present monetary limit of $1 000? I ask this question in response to representations, made to me by the Noarlunga Community Legal Service. In 1975 the Local and District Criminal Courts Act set a maximum limit of $500, and in 1982 this limit was increased to $1 000. Based on the consumer price index for South Australia, the equivalent of the $500 limit in 1975 would be $1 179.50 at the end of 1984. As access to the Small Claims Court provides a speedy, inexpensive and simple method of resolving minor disputes, I request that the Attorney increase the jurisdiction of that court to fulfil the intention of the original legislation, which was to provide access to the legal system in solving disputes over relatively small amounts of money.

The Hon. G.J. CRAFTER: I thank the honourable member for her question, which raises an important issue that would obviously bring relief to many consumers who are seeking speedy and efficient relief from problems that are substantial in their own circumstances. I will be pleased to refer this matter to the Attorney for his consideration.

WATER AND SEWER CONNECTIONS

Mr OSWALD: Can the Minister of Water Resources say what percentage of water and sewer connections to new housing subdivisions are at present being undertaken by the private sector and whether he intends to reduce this percentage even further following the decision of the ALP State Convention at the weekend to require public works to be carried out by Government instrumentalities to the maximum extent possible?

Members interjecting:

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

The Hon. J.W. SLATER: I will obtain the information sought by the member for Morphett and advise him accordingly.

HOOLIGANISM

Mr HAMILTON: Can the Deputy Premier advise what programmes the Police Commissioner has implemented or is considering implementing to overcome the activities of unruly persons in the community who harass law abiding citizens? Since my election to this place in 1979, I have consistently raised here the matter of crime and vandalism in my electorate. I wrote to the Deputy Premier recently about an article that had appeared in the local press. The article, headed 'Hamilton declares war on louts', contained details of the activities of some of the hooligans who appear to take some delight in disrupting the local community and annoying elderly people who reside in retirement villages in and around the West Lakes waterway.

Following the publication of that article, I received a number of telephone calls from my constituents, supporting the actions that I had taken. I received a telephone call last Friday from a constituent who lives at Kestrel Grove and who was very angry indeed as he related to me the details of an incident that had occurred some three weeks before. He told me that his daughter and a girlfriend had decided to take the family canoe towards the northern end of the waterway. After a short time he had heard screams from that vicinity and had gone to investigate, to find that his daughter and the other lass were in the lake with the canoe turned upside down nearby. His daughter could not swim, and the father was very angry.

He approached a group of 12 youths and asked them what they were doing. They said, 'What's the matter, pop? What's the matter, baldy? Can't you take a bit of fun? We only want to screw your daughter.' The father was very angry, to say the least. He subsequently went back to his car and was harassed by these youths. The police were called and names were taken. As a result of the article to which I have referred, I have received many phone calls from constituents expressing their concern at the actions of this unruly element in the area. My constituents are supportive of the actions taken by the police, but they want to know what further proposals are in the pipeline to rule out this unruly element in the West Lakes area.

The Hon. J.D. WRIGHT: It is important for me to point out that it is not physically possible for police patrols to be present at every location where an act of hooliganism is occurring. Irrespective of how much the Government increases the number of police officers, it would still be impossible for the police to be right on the spot when these acts are taking place. Generally speaking, South Australia has as good a complement of police officers per capita as any other State in Australia would have. South Australians are generally law abiding citizens, but the sort of acts to which the honourable member refers do occur. I know from correspondence that I receive that hooliganism and general misconduct occurs from time to time, involving not only young people but also in many cases middle aged people, although in the main this matter involves young people who band together.

Some time ago the police introduced the community assistance programme, and called upon people to report instances of crime, disruption or anything else that could lead to house breaking or things of that nature. To a very large extent that programme is working. A report has indicated that in my electorate of Adelaide the police have almost stamped out hooliganism. Overall, the police do a remarkable job in this regard because, as I have said, it is impossible for police to be on the spot at all times. The police act with a very large amount of common sense, and they act with speed after being notified of an incident.

The honourable member is pursuing this matter in the right way by bringing it to the attention of the public within his own district—that is important. The honourable member pointed out that he was getting good publicity: someone said that they saw him on television the other night complaining about the situation, and the situation was referred to in the local press. I believe that the honourable member is playing his role properly by directing this matter to people's attention.

However, people in these areas also have a responsibility to try to protect each other. If the sort of conduct about which the honourable member spoke is allowed to go on, then clearly citizens ought to be in a position to assist other people in difficulty and, where possible, to notify the police

immediately so that they can get a patrol there. I have to say that I would like to see an increase in patrols, as no doubt would the Police Force and also the public.

Generally the police do a good job with the manpower available, and it is not always possible to allow extra money to be diverted to one area. Everyone knows that in running the State Budget there must be an equitable sharing of resources.

I believe that the Commissioner of Police has undertaken more initiatives in regard to the control and prevention of crime than I have ever seen in my lifetime in South Australia, and he should be commended for that. I will draw the Commissioner's attention to the honourable member's question and ask him for a full report on the exact matters that the honourable member has raised concerning his district.

CHILD CARE CENTRES

The Hon. H. ALLISON: As the Minister of Community Welfare recently announced the provision of 20 new child care centres for South Australia in 1985-86, can he confirm that these are the same centres now somewhat delayed as those announced in the 1984 Federal Budget at a cost of $2.5 million, and including the Port Adelaide night and day care centre? If so, will the Minister give details to the House about the total recurrent cost to South Australia as against Federal Government grants, and with special regard to the recurrent cost to the State of the past two years of TAFE training of the 100 staff to be enrolled in TAFE skills in demand courses for child care centre staff?

The Hon. G.J. CRAFTER: I thank the honourable member for his question and for raising this matter before the House. The question concerns funding and I shall be pleased to obtain that information for the honourable member and provide details to the House—

Mr Lewis: Don't you know?

The Hon. G.J. CRAFTER: —as to the financial years in which those expenses will be incurred. It is interesting to note that this is an area where the Opposition not only refused to fund community based child care centres but in fact decreased existing funding for the office of child care. Funding comes from the Commonwealth Government for recurrent expenses, and capital expenses are being provided by the State by agreement. That matter has been explained to the House previously, and a number of press statements have been made outlining that, but I will provide the exact information for the honourable member in due course.

TORRENS ISLAND POWER STATION

Mr GREGORY: Can the Minister of Mines and Energy indicate what stage has been reached concerning the possible conversion of part of the Torrens Island power station for gas and coal firing? All members will recall that the Stewart Committee recommended that work should continue on the possible conversion of the Torrens Island plant to burn imported black coal to the point where tenders could be called for the plant, if necessary, and the work should be started on the preparation of an environmental impact statement. Can the Minister indicate what action the Electricity Trust of South Australia has taken or proposes to take in relation to that recommendation?

The Hon. R.G. PAYNE: Yes. I would like to commend the honourable member for his continuing interest in this vital area of South Australia, its resources, and the way in which we will locate suitable fuels and continue to generate electricity as required for the advancement of the State. Following the Stewart Committee's recommendation, the Trust invited consultants with appropriate expertise and experience to submit a proposal for the preparation of the draft environmental impact statement for the conversion of Torrens Island B Units 1 and 2, and the related engineering investigations and design studies. As a result of this process, a recommendation was made to the Trust management that a joint venture between Social and Ecological Assessment Pty Ltd, an Adelaide based environmental consultant, and Burmot Australia Pty Ltd, a Sydney based engineering consultant, should be engaged to carry out this work. The important point to note is that the decision was not finalised at that time because negotiations with the Cooper Basin producers on future gas supplies and pricing were in their early stages. Those negotiations are still in progress and, because of the passage of time, it has now become important to progress the Torrens Island conversion option.

Following discussions I had with the Trust a few weeks ago, the Chairman of the Trust (Mr Hayes) informed me this morning that his Board had approved the joint venture consultancy I mentioned earlier. Social and Ecological Assessment and Burmot have been instructed to prepare the draft environmental impact statement and carry out related engineering studies, and Burmot has been engaged to carry out separate engineering studies. Under the terms of the arrangements made between the Trust and the two consultant companies, a work programme covering the next five months has been set out. This will enable the Trust to make a decision whether, in the light of progress in the gas negotiations, the studies should proceed beyond that point.

In addition, if satisfactory arrangements are made with the Cooper Basin producers at an earlier stage, the Trust has the option of terminating both studies at a month's notice. The Government and the Trust remain hopeful that satisfactory price and supply arrangements will be achieved with the gas producers, because clearly the continued use of natural gas at Torrens Island is the preferred course. However, we are obliged and have a responsibility to ensure that alternative courses of action can be taken at short notice, and this will be done.

PUBLIC WORKS PROJECTS

Mr BAKER: Can the Minister of Public Works state what percentage of public works projects is currently being undertaken by the private sector and to what extent will this decrease even further as a result of the left wing's victory at the Australian Labor Party Convention on Sunday that will force public works projects to be carried out by Government instrumentalities to the maximum possible extent?

The Hon. T.H. HEMMINGS: If it were not for the fact that I view Question Time seriously, I would treat that question as a completely frivolous one. This Government has always recognised the role for the private sector in carrying out work on behalf of the Government. Since it came to office this Government has taken up the responsibility of providing work for those blue collar people in the public sector. The previous Government slashed completely the blue collar work force without any regard to the problems of those people in it. There was no rhyme nor reason for them doing that. I will pay the member for Davenport a compliment here. I think that, when he was Minister of Public Works, he at least saw the problems facing the work force and he tried to help them, but his ideology and mine are totally different. That is the kiss of death—he will not become Leader.

Members interjecting:

The SPEAKER: Order! I do not think the compliment is that great. The honourable Minister.

The Hon. T.H. HEMMINGS: If I may continue, the member for Mitcham was either skulking in the background of Trades Hall or he was relying on the press reports that he read this morning. The resolution that was eventually passed stated that, wherever possible, public works would be carried out by people in the public sector. There will always be a fair percentage of work carried out by the public sector, and there will also be wherever possible work carried out by the blue collar work force. We have struck the happy medium—we have set in motion a work force planning review to set the level to provide work for our blue collar workers.

The Liberal Government let the blue collar work force down and was prepared to put them on the scrap heap. The Opposition have already served notice that it will dispense with the blue collar work force. This Government is ensuring that there is an equal balance: that there is room for the private sector and also for the blue collar sector.

CHILD CARE TRAINING

Mrs APPLEBY: Will the Minister of Community Welfare state what provisions, if any, are being made to provide adequately trained child care service deliverers for the new child care centres to be established in South Australia? As two of the new child care centres will be servicing my district (one at The Hub at Flagstaff Hill, and the other on Sturt Road at Marion), this question is very important to those who will be seeking to utilise the service.

The Hon. G.J. CRAFTER: From the comments that have been made, it is obvious that the Opposition clearly opposes the expenditure of moneys on child care programmes of this nature, and that was clearly evidenced by the action they took when they were in Government at both State and Federal levels. The facts are there for everyone to see. The Opposition clearly portrayed its opposition to child care services during the passage of the Children's Services Bill through this House. It is clear from the interpretation of those debates that there was very clear opposition to the current initiatives that are being effected by both the Federal and State Governments in relation to the provision of adequate community based child care in our community.

The programme that the Commonwealth and State Governments have embarked on will provide an extra 250 jobs in this State, the equivalent of a very major industry, and the recurrent funding for those centres will be met by the Commonwealth Government. An extra 100 students are being enrolled in TAFE child care study courses. Here I point out that, during the period of the previous Administration in this State, those child care courses were slashed considerably and considerable representations were made to me and the Minister of Education to try to reinstate funding for child care courses in TAFE colleges. But no, the previous Administration decided that that had a low priority and those courses would be diminished greatly in their capacity.

I am pleased to say that we in Government have increased those places and are now dramatically increasing them so that we can have properly trained child care workers. We have been able to secure, by agreement with the Commonwealth Government, funding for the training of these workers. The Minister for Employment and Industrial Affairs (Mr Willis) has agreed to fund the first two years of training courses under the Skills in Demand programme and the State Government will fund the final two years of that course. The child care courses will be held at Noarlunga, Elizabeth and Croydon Technical and Further Education Colleges.

PERSONAL EXPLANATION: GOVERNMENT FEES

Mr GROOM (Hartley): I seek leave to make a personal explanation.

Leave granted.

Mr GROOM: In a speech made to this House last Thursday, the member for Mallee, referring to my table of 194 Liberal State Government charges and other imposts levied during its period of office from 1979 to 1982, said:

> The honourable member—

that is I—

> is culpable of one of the most gross deceits I can imagine. The House has indeed been deceived in that the information contained in the statistical table does not in fact relate to increased Government taxes and charges. He is not comparing like with like.

He went on to say:

> The second point to which I draw attention relates to the gross deceit and scurrilous misrepresentation by the member for Hartley in claiming that he is stating the truth (when clearly he is not) where we find that within this set of statistics are a large number of items which are in no way increases in revenue raising measures of the Tonkin Government whatsoever. In fact, included amongst them are expenses that the Government would be incurring—an increase in the expenditure side of the Budget and the ledger . . .

Those are the comments by the member for Mallee.

Mr LEWIS: On a point of order, Mr Speaker, is it permissible for a member, in the course of making a personal explanation, to read from *Hansard?*

The SPEAKER: There is no point of order. The honourable member for Hartley.

Mr GROOM: The comments by the member for Mallee are untrue and baseless. In compiling my list, I used the same criteria as was used by the Opposition. All the increases were made by way of Government regulation or action, affected the operating costs of a wide range of business and professional fees, and flowed on to all South Australians in increased prices of goods. Dealing specifically with the allegation that I had included several fee increases paid by the Government as distinct from fees paid to the Government and the suggestion that the Opposition did not, I point out that in the list published by the Opposition on 9 November 1983, on page 2 of the *News,* item 9 of the Opposition list states:

> 27.1.83. Hairdressers Registration Board—Board fees: Chairman increased from $1 090 to $1 200 per annum; up 11 per cent. Members increased from $900 to $1 020 per annum; up 13 per cent.

Consequently, this type of item appeared on my list, and the honourable member's accusations are false. Indeed, by his actions the member for Mallee has simply condemned, from out of his own mouth, the Opposition's list as dishonest and misleading.

PERSONAL EXPLANATION: HOOLIGANISM

Mr HAMILTON (Albert Park): On Sunday last, I was interviewed by channel 10 in relation to louts and acts of vandalism in the West Lakes area. During that interview, which was subsequently shown on the 6 p.m. news that same evening, a comment was made by the television reporter that vigilante groups could be set up in the Albert Park electorate because of the harassment of elderly citizens and children of constituents, specifically in the West Lakes area.

It could be construed by some viewers that I am supportive of vigilante groups, and therefore I wish to categorically and emphatically state that I am strongly opposed to such a concept. Viewers of that news segment would recall that I stated quite clearly during the interview that I would use all legal means available to me, under existing laws of this

State, to weed out this unruly element within the Albert Park electorate.

Moreover, I am strongly opposed and would so counsel any person contemplating setting up a vigilante group. Indeed, if it was brought to my attention that a group had been formed I would raise it with the police and the Deputy Premier, because it is just not on.

It is regrettable that this slant may have been perceived by viewers of channel 10. However, the remainder of that television interview on the problems that I have just enunciated clearly expressed my concern and indeed that of my constituents, and the fear of this unruly element who apparently delight in disrupting my local community.

Finally, I thank channel 10 for the opportunity to highlight the concern of my constituents on this matter.

The SPEAKER: Call on the business of the day.

EXECUTORS COMPANY'S ACT AMENDMENT BILL

The Hon. J.C. BANNON (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Executors Company's Act, 1885. Read a first time.

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

That this Bill be now read a second time.

This Bill is intended to lift the restriction on shareholdings in the Executor Trustee and Agency Company of South Australia Limited to enable the State Bank's bid for the company to proceed. I seek leave to have the remainder of the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

Late last year, in view of an offer being made by the ANZ Banking Group, the Government confirmed the approach taken by previous Governments in connection with this company. The Executor Trustee and Agency Company of South Australia Limited is the oldest of the four private trustee companies in South Australia. Its long service in probate administration and trustee functions makes it too important a part of the South Australian commercial community to be under the control of other than a sound, South Australian based enterprise. Therefore, I advised the ANZ and the Executor Trustee and Agency Company that, in the Government's view, the company should remain in South Australian hands as regards both equity and Board control. Acquisition of the company's shares by the State Bank of South Australia will ensure that these objectives will be achieved.

The Bank has advised that it has acceptances or undertakings in respect of more than 50 per cent of the company's shares. Therefore, it is now appropriate to clear the way for the Bank's offer to proceed.

Clause 1 is formal. Clause 2 amends section 26 of the principal Act which imposes certain limitations in relation to shareholdings in the company. The effect of the amendment is to exclude from the application of the section the Crown, or an agency or instrumentality of the Crown.

Mr OLSEN secured the adjournment of the debate.

CARRICK HILL TRUST BILL

Consideration in Committee of the Legislative Council's message that it had disagreed to the House of Assembly's amendment to the Legislative Council's amendment No. 1:

Legislative Council's amendment No. 1:

Page 2 (clause 7)—After line 28 insert new subclause as follows:

(1a) One of the persons appointed to the Trust shall be a person who is a member of the Council of the City of Mitcham, nominated by that Council.

House of Assembly's amendment thereto:

Leave out 'who is a member of the Council of the City of Mitcham, nominated by that Council' and insert 'whose principal place of residence is, in the opinion of the Minister, in the near vicinity of Carrick Hill'.

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

That the House of Assembly's amendment to the Legislative Council's amendment No. 1 be not insisted on.

Although it introduces an element of inflexibility into the Bill and the selection of the Trust, and although I believe that in this case there are no specific grounds for the council to have a direct nomination, nevertheless, it has been argued vigorously in another place and it is most important that the Trust be constituted and set about its work. Rather than that the whole matter be delayed, resulting in a deadlock that may result in the Bill being laid aside and work on Carrick Hill having to be put into mothballs, I am not prepared to insist on the amendment. On a trustee board of up to seven members, one shall be nominated by the Mitcham council, the other six being appointed at governmental discretion. In accepting this amendment, I do not in any way resile from my undertaking to the member for Davenport in debate to allow him the opportunity for input in this matter.

The Hon. D.C. BROWN: I appreciate the fact that the Premier has given some thought to this amendment. A number of options were considered, one being to allow the appropriate Minister to appoint a local representative after consultation with the local House of Assembly member. In some ways that is what the local residents would prefer, but I will take up the offer of the Premier that he will still consider appointing a local representative to the Trust and give me, as the local member of Parliament, a chance to submit names of residents who could serve on the Trust. I will take up that offer. There are notable residents who could make a valuable contribution to the Trust, one being Mr Charles Wright, for whom the Premier would have a high regard and who has ability and achievement in these areas. Indeed, he is a neighbour of the Carrick Hill property.

In accepting the Legislative Council's amendment, which was moved by the Liberal Party in the Lower House in a slightly different form but then amended in the Upper House, the Premier has accepted a member from the local council, the Mitcham council. I would assume that the Mitcham council will appoint one of the two councillors for the ward in which Carrick Hill is located. It has been mooted by a certain member of the Upper House that this is his amendment, that member being an Australian Democrat. However, the amendment was put forward originally by the Liberal Party, and I want that fact on record. It has now been claimed by someone else to be their amendment.

I support the amendment put forward by the other place. I am delighted that the Government has changed its mind on this issue. As there is now agreement on the legislation, I wish the Trust every success in its deliberations and in the very challenging task that it has before it in developing Carrick Hill as a very notable place for all people in South Australia and a major tourist attraction, and in establishing what will be a very significant art gallery, botanic garden and museum, but doing so in a very sensitive residential environment in a manner that is compatible with that envi-

ronment. I look forward to the Trust being able to accept that very difficult challenge that confronts it at present. I trust that it will be done quickly so that the Trust can open Carrick Hill for our sesquicentenary next year.

Motion carried.

ASSOCIATIONS INCORPORATION BILL

Adjourned debate on second reading.

(Continued from 26 February. Page 2840.)

The Hon. H. ALLISON (Mount Gambier): This Bill represents the third attempt on the part of the Government to introduce a Bill to control the affairs of associations in South Australia. The brief history is that, in 1978, a former Attorney-General (Hon. Peter Duncan) introduced legislation considered to be excessively intrusive upon the private affairs of associations. In 1983, a new Bill was introduced that was a considerable revision of the 1978 version. The present shadow Attorney-General (Hon. K.T. Griffin) suggested a wide number of amendments to the 1983 legislation and, subsequently, it did not pass the Houses and was considerably reviewed again. In 1984, yet another Bill was brought into another place containing a wide number of amendments from the 1978 and 1983 legislation. It was still regarded by the Opposition as being considerably defective.

Some 20 quarto size pages of amendments were moved in another place by the shadow Attorney-General, indicating that there was still some considerable laxity in the drafting of this legislation or Ministerial ineptitude. We believed that a considerable number of points that were still the subject of protest from public and associations should be addressed. The end result is that we have before us a piece of legislation that has been very substantially amended in another place, is far more satisfactory than any of the previous propositions put before the Houses and, even at this late hour, is still subject to further agreed amendment when it goes through Committee. The Minister has put forward a number of amendments which he intends to place before us in Committee. I understand that at the eleventh hour a further amendment was brought forward at the request of the South Australian Council of Social Services. I do not think we yet have a copy of that amendment before us.

The effect of the initial 1978 legislation upon associations in South Australia would have been quite Draconian. There were thousands of associations in South Australia, the vast majority of which protested against the 1978 and 1983 legislation. Under the former South Australian legislation, the associations received the benefit of a flexible system of incorporation under the Associations Incorporation Act. They included churches, sports and social clubs, charitable bodies, and the like. This Bill limits considerably the power of associations to invite financial contributions from the public, and it provided in the original form that they could take contributions from members only.

In bringing forward earlier legislation, the Government seemed to misunderstand the nature of some associations such as churches which had separately incorporated bodies for the purpose of fundraising and that those bodies do not have members. Raising moneys from all members of the church would have been prohibited. In reviewing the legislation as presented in another place, the shadow Attorney-General commissioned a very comprehensive review of the present Act and, of course, he was carrying on work that he had done when he was Attorney-General in the former Liberal Government.

The shadow Attorney-General proved to be a painstaking, meticulous worker in his efforts to improve this legislation. In fact, he was in constant contact with a very wide range of associations and other bodies in South Australia in his attempts to review and further improve this legislation. The Hon. K.T. Griffin is to be highly commended for the arduous and lengthy negotiations that he personally undertook with a wide range of people in order to arrive at the Bill as it reaches us in its present form.

The main areas of concern, as they affected associations in South Australia when the Bill was introduced in December 1984, were as follows. A number of definitions and other provisions of the Companies (South Australia) Board were adopted only by reference to the Companies (South Australia) Code and were not set out in full in the Bill. This meant that those involved with the associations would have a copy of the Bill when passed along with the bulky Companies (South Australia) Code and the regulations which may make relative changes to the provisions of the Code, in order to have before them all the law relating to associations. In addition, it would have been possible for the Companies (South Australia) Code to be amended and thus automatically affect the associations without the Associations Incorporation Act having to be amended.

It should be remembered that amendments to the Code are made by a majority decision of the Ministerial Council and not by relevant State Parliaments. Those provisions of the Companies (South Australia) Code to be applied to the associations should, we felt, be set out in full in the Bill. A provision limiting the power of associations to invite financial contributions from the public also existed. Under the legislation they could do so only from members. Many associations do not have members, yet provide a facility for members of parent associations to make gifts or loans for the purpose of the parent association itself. For example, some churches have capital development funds quite separately incorporated under the Associations Incorporation Act of 1956 which provide a vehicle for members of churches to make gifts or loans to the capital or development fund and to be made available for the wider work of the church. That would have been prohibited under the legislation as introduced in another place.

Another point is that incorporated associations, with a gross income in excess of the prescribed amount per annum, were required to have their accounts audited by a registered company auditor and to lodge with the Corporate Affairs Commission periodic returns containing accounts and other information relevant to the affairs of the association as the regulations might require. The Minister's second reading explanation in another place indicated that $100 000 was the proposed figure but, in the light of experience, that figure was to be increased or decreased.

There was no indication as to what information would be required by regulation to be included in the period returns. Gross income means the total amount of all receipts of the association, however derived without deduction, and obviously includes even membership subscriptions. In some instances that we noted, such as associations carrying on a business and lodging returns, public scrutiny can probably be justified. However in most associations it simply cannot be justified, and we felt that at least the cut-off point ought to be in the Act and not left to regulations.

Secondly, regulations ought not to be able to be promulgated requiring disclosure of details of members and other information of an essentially private nature. We also felt that the audit of accounts by a registered company auditor, with lodging at the Corporate Affairs Commission only in the case of associations carrying on business, could be accepted with provisions for a special resolution of members to decide not to have an audit. Alterations to the rules were not to be effective and binding on members of an association until registered by the Corporate Affairs Commission.

Under the Companies (South Australia) Code, amendments to the Memorandum and Articles of Association of Companies become effective at the time of passing by special resolution of members of the company. We felt that this provision ought also to apply to associations. Furthermore, resident funded accommodation associations expressed concern that they would not be able to continue to function because of the limitation of invitations to the public for deposits or borrowings. Aged Cottage Homes Incorporated and the Voluntary Care Association of South Australia Incorporated are two principal associations which would have been affected by this and which raised the problem also in respect of the prescribed interest provision of the Companies (South Australia) Code which the Opposition has further amended in the current legislation.

Some associations do not have members, and the Bill provides that, where they do not have members, members of the committee of the association are members for the purposes of the Act. This may have been acceptable, but the Bill then required them to have an annual general meeting, and that appears to be superfluous. For example, the Synod of the Uniting Church has a number of incorporated associations carrying out aspects of its work. Those associations have no members and the committee of management is appointed annually by the Synod, which has the power to alter the rules and Constitution of the Association without any reference to the committee of management. This Bill provided that amendments could be made to the rules only by special resolution passed by at least three-quarters of the members present who vote personally or by proxy, and of course such a provision would have been quite ineffective had it been allowed to remain in the legislation.

The Corporate Affairs Commission is given the power to decline to incorporate an association or to register amendments to the rules of an association where the Commission is of the view that the rules or the amendments contained oppressive or unreasonable provisions affecting the rights of members. There are no criteria. Members of an association, in joining the association, agree to be bound by the rules, and it seems inappropriate for a Government agency to determine what may be oppressive or unreasonable for any particular association. Although a right of appeal was included in the legislation to a District Court against any decision of the Corporate Affairs Commission, it did seem to the Opposition that it would have been more appropriate if there were concern about what was to be regarded as an oppressive or unreasonable provision in the rules of an association that any member dissatisfied ought to be able to take a complaint to the District Court rather than the Government bureaucracy making decisions.

The Opposition further noted in opposition to the legislation that the Commission has power to decline to incorporate an association if the incorporation would not be in the public interest, and in the legislation there was no definition of 'public interest'. Of course, we questioned in debate in another place the desirability of having that provision. The Bill also contained a provision that a person aggrieved by an act or a decision of the Commission may appeal to the District Court. In some circumstances the Minister makes a decision and unless there are compelling reasons of which the Opposition was not aware why the Minister's decision should be above the law, we in Opposition felt that there should be a right of appeal to the District Court against the Minister's decision also.

There are obviously a considerable number of amendments to the original legislation as it was introduced in another place which were not only put by the shadow Attorney-General but which were also accepted without demur by the Attorney-General—an obvious indication that the legislation as introduced was grossly deficient and that there had been a considerable amount of either laziness or ineptitude on the part of the Attorney-General when he once again, for the third time, sought to bring in this legislation on behalf of the Government.

The legislation as it has been introduced in this House, as I said, is once again to be subject to even further agreed amendment, and the Opposition will support those amendments. I simply reflect that this Bill is by no means the sole example of lazy draftsmanship on the part of the Attorney-General. Time after time in this House we have debated legislation which has been very considerably amended and improved by the work of the shadow Attorney-General in another place, and I suggest that, were it not for the extremely arduous and meticulous work that he has done over the several years that he has been in the shadow Attorney-Generalship, there would have been a lot of legislation which would have adversely affected the people of South Australia in so many ways, and this Bill is no exception.

The Hon. JENNIFER ADAMSON (Coles): I support the Bill, and I certainly endorse the remarks of my colleague the member for Mount Gambier in his praise of the shadow Attorney-General and former Attorney-General, the Hon. Trevor Griffin. He certainly has undertaken most wide, deep and meticulous research in respect of this and many other pieces of legislation and, as a result of his homework (to put it in simple terms readily understood by all), the legislation is already much improved and futher improvements are envisaged.

The Hon. H. Allison: He has spent untold hours.

The Hon. JENNIFER ADAMSON: Yes, he has done untold hours of work and there has been untold length and breadth of consultation not only with his colleagues but also with the wider community. I certainly welcome, as all members do, the long awaited arrival of this Bill in this House. I vividly recall during my first term as the member for Coles (I think it was probably 1978) rigorously opposing the proposals of the then Attorney-General (Hon. Peter Duncan) for new legislation to control incorporated associations and the introduction of what he was then proposing and what I considered to be Draconian measures. This Bill is much more moderate in its scope.

I simply want to raise briefly a matter which is not dealt with directly in the Bill and which I doubt can be dealt with directly in it but which nevertheless is integral to the operation and administration of incorporated associations. I refer to the conduct of meetings. The Bill itself and our knowledge of incorporated associations indicate that incorporated associations can exercise very broad powers, and through the excercise of those powers they have a very great influence on our whole society.

The more that people can take decisions into their own hands, the more they can influence their own lives and advance their own personal or collective interests and the more society can be driven forward in a positive and constructive fashion. Legislation concerning incorporated associations is one of the tools or mechanisms by which that can be achieved. The provisions in paragraphs *(a)* to *(j)* of clause 18 (1) outline the justifications for establishment of an incorporated body, including for religious, educational, charitable or benevolent purposes; for the purpose of the promotion or encouragement of literature, science or the arts; the provision of medical treatment; sport, recreation or amusement; establishing, improving or carrying on a community centre; for conserving resources; promoting the interests of students; for political purposes; for the purpose of administering schemes or funds for the payment of superannuation; and for the purpose of promoting the common

interests of persons who are engaged in or interested in a particular business, trade or industry.

Clause 25 outlines the powers of incorporated associations, and these are very broad, namely, that associations can acquire, hold, deal with and dispose of any real or personal property; administer any property on trust; open and operate bank accounts; invest moneys; borrow money; give security for the discharge of liabilities; appoint agents to transact any business; and enter any other contract that it considers necessary or desirable. That involves two planks, if you like: on the one hand, there is scope for the administration of the affairs of society by people acting in their private or collective capacities, quite outside the role of Government; and, on the other hand, there are the powers that these associations are given.

In observing associations exercising these powers, I am becoming increasingly worried by the lack of knowledge of meeting procedure, which is evident as one goes around the community, by the poor standard of chairmanship at some meetings, and by the lack of awareness that meeting procedure is designed basically for two purposes, namely, to facilitate conduct of the affairs of an association or the purpose of a meeting; and, secondly, to guarantee the rights of those attending a meeting and of those belonging to the association. They are the two principal purposes of meeting procedure, and we see those purposes exemplified in the Standing Orders of this House: first, to facilitate the conduct of business; and, secondly, to guarantee the rights of members (and, in our case, to guarantee the rights, therefore, of the people whom we represent).

I can provide the House with two or three examples of poorly run meetings from my recent observations. I refer to the annual general meeting of an organisation in my electorate which administers a vital service to the community and which is Government funded. Last year, at the annual general meeting of that association, there was no formal agenda, and when the time came for the election of officers and the presentation of reports the person chairing the meeting said that he doubted whether an election would be possible because he thought that no-one willing to hold office would come forward and, further, that the various people responsible for the reports would not be presenting them because they were not present that night—and, so, on to the next item of business.

I do not like to see members of Parliament coming the heavy at community meetings, and I waited as long as I dared for someone else to get up and call a point of order. But no-one did so, and no-one seemed in the least concerned. It was not until I had stood and emphasised the fact that the whole purpose of an annual general meeting was to elect officers for the ensuing year that anyone seemed to even question the fact that this would not be done. As for the presentation of reports, including financial reports, there was no demur from the membership of that organisation, which incidentally included a quite broad spectrum of representation, that the Chairman was going to deny the basic rights of the members of the organisation.

At other meetings of smaller community groups, in the past few years I have witnessed chairmen putting or seconding motions or failing to adopt proper procedures to ensure that motions were carried. A motion might be put but a chairman might not call for evidence as to who is supporting it or who is opposing it, or the chairman may not indicate whether or not a motion is carried. Thus, a meeting can meander along because the people present are not aware of meeting procedure and do not have sufficient confidence to challenge the chair, although they are dimly aware that the business is not being conducted as it should be.

Given the powers of association under this legislation and the purposes for which they are formed, this is a very serious deficiency in our community at present and something that I believe should be remedied. I acknowledge that it is difficult, if not impossible, to remedy the matter through this Bill, but I believe that the time has come (and in fact is well past) when a campaign of public awareness of meeting procedure should be instituted across the spectrum. It should be instituted in schools so that every student knows his or her rights when attending a meeting of any kind. That kind of information, that kind of education, like training in debating, once undertaken at school is never forgotten: one might not use it for three or four decades, but when the time comes and one needs it, one calls it to mind, and it can stand one in very good stead. For several generations that information has come too late.

I therefore believe that we need a community based campaign that will strengthen the grass roots democracy of this State. That campaign could be undertaken by service clubs, although it would be with reluctance, as I would be critical of the administration of meetings of some clubs. It could be carried by organisations dedicated to this very goal, such as Rostrum. I am not sure about what role the Corporate Affairs Commission should have as the registering body in this instance. Maybe even the minimum that is required is the circulation to all incorporated associations of the basic purposes and outlines of meeting procedure. The best constitution in the world will not guarantee a properly chaired meeting, because constitutions deal only with bits and pieces of meeting procedure, usually relating to elections and to the putting of resolutions. From discussions with colleagues and from one or two nods of agreement around the Chamber, I sense that my observations are not isolated, and that indeed this is an unrecognised and perhaps overlooked problem and one that certainly must be dealt with.

In due course the House will hear details of a report of a Select Committee that is currently being undertaken by the House of Assembly. Without presuming to comment in any way on the work of that committee, I think it is fair to say that, had there been a wider knowledge of meeting procedure and a better understanding that the rules of justice and fair play should always prevail from the chair, many problems that led to the establishment of this Select Committee may never have occurred. Perhaps I may have gone too far even in making that observation, but we are talking about extreme circumstances. However, who is to say that extreme circumstances will not arise simply because meetings are not chaired in such a way as to guarantee the rights of members?

I urge all members to do what they can. Members of Parliament can do a great deal by example, through encouragement, assistance and advocacy in their own districts, to establish standards of chairmanship and of meeting procedure, to encourage people to exercise their rights at meetings and generally do their best to ensure that the democratic rights that we enjoy in this House are reflected in the conduct of associations throughout the community.

I said earlier that I would give three examples. I have just recollected the third example that I consider to be quite extraordinary. I refer to a community meeting which was not in my district but which was in the Burnside area concerning the Grange vineyards. A motion was put from the floor that the President not be heard in his explanation of a motion on the notice paper. The motion was put with speed and, to my utter astonishment, because there were some extraordinarily well informed people on the floor of the meeting, no-one demurred. The Chairman of the meeting had no option but to carry the motion and the normal rights that the Chairman should have been able to exercise in

reporting on an event that was most relevant to the motion were just swept away.

Because of my reluctance as a politician to step in and intervene in the affairs of an association, I did not speak on that occasion, and I much regret it. I found it quite breathtaking that people who should have known better did not lift a finger to allow people to exercise their normal democratic rights. I am convinced that it was because of a basic lack of confidence that was vested in a basic lack of knowledge. If we are to make this State as effective, as prosperous, as secure and as influential as we would like it to be, we must have the affairs of the community run in accordance with high standards of meeting procedure.

I make that plea and urge all members to use whatever advocacy is within their power in their districts, and I certainly urge the Government, possibly through the Attorney-General as part of his legal education campaign that is being conducted in regard to awareness of the legal system and court procedure, to ensure that every South Australian, who already has access to all this information simply by going to a local library, is made aware of the importance of exercising that right to go to the library and understand meeting procedure and to accept office on the understanding that every person who accepts office will find out what that office involves in terms of proper conduct of an association's affairs. As I said, the issue is somewhat outside the scope of the Bill—although it is integral to the substance of the Bill—and it is a matter that should be addressed by the Government and the community in concert with the administration of this legislation.

Mr M.J. EVANS (Elizabeth): I support the Bill. Whilst it is not often that I find myself in complete agreement with the member for Coles, on this occasion her remarks have been particularly well directed towards the problem that the community at large does sometimes experience in the administration of meetings and the administration of associations. As the member for Coles has so correctly observed, associations have enormous powers—wide and sweeping powers—particularly under this Bill, and they are in a position to exercise considerable influence on the lives of many people in the community.

I must say that the District of Elizabeth, which I have the honour and privilege to represent in this place, has a substantial number of associations and clubs of a sporting, recreational and community interest nature and, therefore, this is a subject in which I have a strong personal interest.

While there have been substantial efforts over the years to reform the law relating to companies, two areas of incorporated bodies have seen little attention from Governments over the past decade. It is only in recent years that attempts have been made to reform the law that relates to those areas of incorporation. I refer to industrial and provident associations and associations incorporated under the Associations Incorporation Act. While companies have enjoyed substantial corporate reform, some of which will have been welcomed by companies and some of which will not have been welcomed (I suspect that all of it has been beneficial to the community at large), associations have certainly not enjoyed that same degree of attention from Parliament.

A number of attempts have been made to reform the law in this area, as the member for Mount Gambier indicated in his speech earlier this afternoon. However, I believe that we are now in a position where Parliament can make a substantial contribution to reform of the law relating to associations. It is important that members of the public should be able to combine together in common interest groups to promote those affairs in which they are interested. The member for Coles reiterated the purposes for which associations can be formed under the Bill, and I believe that it is most important that the public should appreciate the benefits which incorporation brings and the benefits which common actions as citizens in our community can bring as well.

With those rights go substantial responsibilities, and the Bill makes significant inroads by making associations accountable not only to their members but also to the community at large; and, therefore, those provisions of the Bill which relate, for example, to the lodgment of periodic returns and the auditing of accounts by associations are particularly important. We cannot have the situation of people accepting the rights and benefits which a Bill brings without also accepting the responsibilities which those rights must carry with them.

Therefore, I support fully those provisions requiring associations to provide appropriate accounts and returns with the Corporate Affairs Commission for scrutiny and audit so that the public can be kept fully and properly informed on the activities of the associations, and so that individuals are unable to manipulate large associations to their own benefits and ends, as may have been the case in some past instances.

The Bill contemplates, though, that associations may be run for the pecuniary profit of individual members. I believe there should be rare occasions when such a device should be resorted to. Obviously, there is adequate legislation; there is already provision under industrial and provident societies legislation for people to form profit making enterprises, and I believe that only in rare and extreme circumstances should Ministerial approval be given to allow an association to operate for the pecuniary benefit of its members.

After all, one of the reasons for the benefits that the Bill confers in regard to accounting provisions and the like is the fact that associations do not operate for the benefit, in the pecuniary and accounting sense, of their individual members, although members may of course in general terms profit from their activities; and, of course, that is not to be decried.

However, I would appreciate it if the Minister would consider the areas of the Bill which do provide for an association to trade purely for profit for its individual members with Ministerial consent but which do not appear, on first reading at least, to place a similar obligation on the association to account for those profits and have properly audited books where the association has less than $100 000 in gross receipts under the amendments to be moved by the Minister. If an association seeks and obtains Ministerial consent to operate at a pecuniary profit for its members, it should be caught by the accounting provisions whether or not it trades at a level of $100 000 or more. Perhaps the Minister can enlighten the House on the Government's intention with respect to the implementation of the pecuniary profit provisions of the Bill, and possibly at a later stage in this debate this can be considered in more detail. I would like to draw the Minister's attention to that general area of concern. Other than that, the Bill and the amendments proposed by the Minister will have my full support.

Mr S.G. EVANS (Fisher): I will be brief, because most of what I want to say has been said by the members for Mount Gambier and Coles. I still have some concern because of major changes being made in this matter. As a person who has encouraged about 30 or 40 community organisations to become incorporated as legal entities, I am concerned that there will be more humbug, in all probability for these groups. They are virtually all small community based organisations such as netball, tennis and cricket clubs. They were encouraged by me and perhaps others to become incorporated because, the way the legal system is going today,

everyone is suing everyone else at every opportunity for all sorts of claims regarding injuries or allegations of negligence.

The legal fraternity enjoys it and those who are successful enjoy it but it causes some friction in the community and discourages volunteers from taking on the responsibility for running those organisations. As it is now, if they are incorporated, the organisation can be sued. There was a typical case recently in New South Wales in which a rugby league club was sued as a result of a player being injured on the field. I believe that club was not incorporated at that time, and club members were sued for their personal assets.

The way in which the provisions of the Act are implemented by departmental officers depends on how strictly they carry them out. I appreciate that some clubs are quite large (with a turnover of perhaps $250 000) because of their holding a liquor licence or they have other means of raising money and they should have greater accountability to the community, than, say a netball club with perhaps 23 players. We must ensure that people who work in the Department in the future or a future Government do not take a different or more strict point of view than the Government took when it passed the legislation. When we make laws we must realise that we must not make it more difficult in future for people who wish to work in a voluntary capacity for a club or organisation.

I believe that the vast majority of small incorporated bodies do not adhere to every provision of the present Act. I think it is obvious that sometimes they make changes at an annual general meeting to their constitution and forget to inform the Department of the change within 28 days. I have been involved in one club which did not change its constitution until the following annual general meeting, not by direction of the Department but because they did not want to get into an embarrassing situation with the Department because they forgot to inform it within 28 days of the change.

Most of the moderate sized clubs have some connection with local government: they are either using local government land or they have some connection with local government in their operations and are responsible to local government to put in an audited balance sheet at the end of the financial year to show their accountability to that community. If we go down a path of forcing people, as was originally intended, to go to an auditor and pay a high fee to have the books done, we would be going down the wrong path. Quite often the person doing the books of a small club or association is a capable person and can carry out the responsibilities quite efficiently at no cost to the club.

Under the previous provisions, that sort of approach was unacceptable. I ask the Minister to outline his attitude on how the Department should view the operations of these many smaller and insignificant community organisations that are trying to protect their voluntary office holders, workers and members from being sued for something that might occur through no fault of theirs: the court might end up ruling that the club was not negligent, but the cost of going to court is so prohibitive that no volunteer would wish to be placed in that situation.

If the difficulty of becoming incorporated is such that it places too big an obligation on the volunteers in the operation of a club or organisation, then the decision might be that they will not become incorporated, and that will result in greater difficulty in getting volunteers because of the inherent risk of the volunteer being sued for their own personal assets.

We must remember that the vast majority of people do not like fronting up to red tape. If they are giving their services for nothing, they do not like being told all the time what must be done. It kills the whole concept of community service. I am making that plea now before this Act becomes operative, so that we might understand their feelings. I have no great grouch about what is before us except that, if someone wants to be dogmatic about every little detail in it, they could make it difficult for the many volunteers who give service to the community. The Minister is a legal practitioner—a person for whom I have some respect in that capacity—and the person who worked so hard and diligently on my side of politics (and I give him credit for it), Hon. Mr Griffin, is also a legal practitioner.

It is well known that lawyers see quite clearly what a person or a group of persons should do in the interpretation of the law but the opportunity for the person out there who has to front up to that law when giving a community service, his understanding of what is written and what he is responsible for is not easy in the vast majority of cases. It is not always the highly intelligent who take on community responsibility on the local school committee, the local sports club committee, or the development committee: quite often it is those who have perhaps not had as much luck as others have had in life and see this as a way of doing community service and making a contribution and being prepared to do it willingly. We must do nothing to deter such people.

The point made by the member for Coles about the number of people who understand committee procedure is worth nothing. I re-emphasise that many people serving on committees as secretaries, chairpersons, presidents, treasurers or whatever, do not fully understand all the responsibilities: they take it on only because no one else would take it on. I attended a meeting last evening of a local branch of Meals on Wheels. We could not get enough volunteers to take on all the responsibilities, so we had to split some of them. I give that example: in a community that has doubled its population in the last 15 years, we could not get enough volunteers because most of the increased population have other interests. It is not the rich or the highly intelligent who are members of those committees, although some members are, but most members are people who are on an average income and who have come up through the ranks to take these responsibilities.

The member for Coles said that we would need to start some form of education process, but that needs to be done subtly because, if the matter gets too complicated, many prospective volunteers will switch off and say that they cannot handle it. Let no-one say that that does not occur: it does. So, if the Department decides to issue an explanatory sheet detailing responsibilities, and if some of those instructions are in a semi-legal jargon, the prospective office holder will say, if he or she has a doubt about it, 'That's not for me. That's too complicated. I won't touch it.' Here, I am talking not about the bigger clubs that can afford to engage a lawyer or an accountant to advise them or have them involved because of glories associated with the clubs. I am talking about the others: the very core of the volunteer system in our society. That is, of course, if we all believe in the volunteer system. If we want to encourage it, we must ensure that the explanatory form is in the simplest possible terms and not a case of big brother saying, 'If you don't do this, you get six months or a fine or both.' After all, that sort of thing will frighten off prospective committee members.

Frankly, before I became a member of Parliament I would have taken the same approach. I am President of nine community organisations and an active committee member of about 15, and I would not want to get involved in a situation if I received a communication from the Department telling me that I must, I must, I must. That is the sort of thing that will put people off. I do not argue against the needs of the Bill to ensure that in the bigger operation there is no opportunity for a person to defraud a fellow member or other sections of the community. I have seen it happen

in what some people might regard as a small club, a darts club, but there was a large sum involved and someone got away with $6 000. I do not support that concept and the Bill goes a long way towards stopping that happening. However, it will never stop all of it because, wherever one goes, someone will always try to exploit the system and take down a best mate, a near neighbour, or whatever. When the chips are down, such people will line their pockets if the gap is left and sometimes a month can be long enough for them to shoot through because, as the law is today, it is not worth chasing for a few thousand dollars, as there are bigger fish in the sea and there are not enough law officers to chase the operator and bring him to heel.

I make a plea to the Minister to ensure that, while he is Minister, the explanatory notes going out to people detailing their responsibilities are in a form that does not offend and will be easily understood by those who have had a limited education without having to get a lawyer to interpret the instructions because, if that is necessary, they will switch off. The attitude will be that a club with a small membership and little money (perhaps lucky to have a credit balance of $50 or $100) will have such minute responsibilities that we need not worry about it so long as it has the necessary documentation in the early stages. I support the Bill at this stage and hope that the Minister will look favourably on the amendments that are to be moved by a colleague.

Mr GREGORY (Florey): I support the Bill, for a number of reasons. The concept of an Act that provides for the incorporation of associations provides protection for individuals who voluntarily form together in pursuance of mutual interests. It is necessary because, in the old days before there were such Acts, the management of such organisations was administered by trustees. All sorts of problem may be associated with that concept because, if someone dies and the remaining trustees are not too diligent in having the title of the property transferred, the association can be in great difficulties. Indeed, I recall an occasion on which an organisation of which I was a member had its trustees in Sydney and they were getting land tax and water rate notices and sending letters on to us in Adelaide wanting to know why they had to pay our bills. The incorporation of associations solves that problem and provides a legal protection for the individual and a corporate body for the organisation itself.

In the past, there has been considerable misuse of the current legislation, and there is potential for misuse that may or may not have been taken advantage of by unscrupulous people. Having been Secretary of certain incorporated associations, I understand the requirements of the Act and I believe that very few of the requirements can enforce anyone to do anything. I consider, however, that the fears expressed by the member for Fisher are unfounded. In all my dealings with the Registrar of Incorporated Associations and his staff, I have found them most helpful and they have provided all the guidance required so that the ordinary person in the street could incorporate an association if that was required, and have given help with all the necessary forms and information.

In the *Advertiser* of 1 June 1979, there appeared an advertisement concerning the notice of intention to incorporate an association. That advertisement stated that an application had been made to the Registrar of Companies for the incorporation of the Australian Red Cross Society (South Australian Division) Staff Association. At the time, I and other people were perturbed that that Staff Association had an agreement with the Public Service Association whereby it engaged the Public Service Association (South Australia) Incorporated to provide such industrial services for members as were required to meet the objects of the Australian Red Cross Society (South Australian Division) Staff Association, as defined in the constitution and the rules of the Association.

That statement referred to an industrial agreement that set out the title and certain matters that would normally be negotiated by an industrial organisation. What upset my colleagues and me at the time was that, to become incorporated under the terms of the 1956 Act, one had merely to apply to the Registrar, place an advertisement in the *Advertiser* and, provided that the rules of the Association met with the constraints of the Act and the regulations under that Act, the Association would be registered; once registered, that was the end of the matter. If the Association wanted to change its rules or to change its public officer from time to time, it was required to notify the Registrar. However, even if it did not, nothing happened. In fact, to my knowledge on a number of occasions the Registrar was informed of rule changes and the change of public officer months after a decision was made concerning such change, and the only effect was that if the rules were not registered it could be claimed, under the Local Court procedure, that the non-registered rules had no legal effect.

The thing that concerned us in the trade union movement was that, by becoming incorporated, the staff association had gained all the benefits and advantages of being incorporated. In other words, the officers are no longer subject individually to being responsible for the debts of that organisation. If something happened to it, they could use the benefits of the Associations Incorporation Act to avoid paying money out of their own pocket. I believe that that is right. However, in industrial matters the Industrial Conciliation and Arbitration Act provides a very rigorous course for people seeking to register an industrial association.

First, they are required to make an application. That application needs to set out the rules and membership of that organisation and, if the rules comply with the Industrial Conciliation and Arbitration Act and the model rules as prescribed by the regulations, the Registrar will proceed to consider that application for registration. Any registered association that has membership within that area has a right to object on the basis that they could conveniently belong to that association. Once an objection is lodged, the Registrar hears those objections. A rigorous examination goes on. The decision of the Registrar can be to register or not to register that association. Whatever the decision, it can be appealed against to the Industrial Court, again with a considerable amount of rigorous scrutiny, which means that industrial organisations are subject to a fair amount of scrutiny.

It also means that with those organisations, if the rules are oppressive, regressive or are being managed in such a way as not to conform to the objects and rules of that association, the matter could be taken up with the Industrial Court. Members of the House would be quite familiar with the litigation that goes on within unions in the Federal arena when some members feel aggrieved, to such an extent that the Federal Government is providing considerable funds to aggrieved members who want to take up these matters.

The Industrial Conciliation and Arbitration Act frequently requires the lodgment of returns relating to membership, members of the committee of management and the financial affairs of the organisation. The current Associations Incorporation Act does not provide for any of those things. For example, I am a member of the Royal Automobile Association of South Australia, as are a considerable number of other people in this State. If one looks at that Association's statement of income and expenditure for the year ended 30 June 1984, one sees that it had an income of $12 858 070 and expenditure of $11 539 243— a surplus of $1 318 827. That is a considerable amount of money spent or handled by the Association. The Association publishes a fairly detailed

annual report in *South Australian Motor*—the journal of the Association which is posted out to every member. The Act does not require that to be done. The Act does not require those returns to be lodged; nor does it require the organisation to be conducted in such a way that members are not oppressed or placed in regressive situations.

Another matter that really concerns me with the current Act is the ability of persons to wind up an incorporated association and, after they have paid all liabilities, to disburse the residual property amongst themselves. That could be done, and I believe that it has been done on several occasions, with some people benefiting markedly from the winding up of an association. The rules can be devised in such a way that decision making could be done by 10 or 11 members, with a considerable number of other people never being invited or asked to attend meetings or to vote. That is a problem with the current Act, but I believe that the Bill will overcome a number of such problems.

First, it will provide for a good degree of supervision of incorporated associations. I appreciate the concern of the member for Fisher for these small organisations which may feel bound up by red tape and consider that the situation is overwhelming. My experience with people in the Corporate Affairs Commission and the Industrial Commission is that, when one seeks their advice, that advice is freely given, and is of tremendous assistance. I do not see that as a problem. That supervision will be of great assistance to the community at large.

Clause 18 (3) makes quite clear that an industrial association cannot be incorporated except by leave of the Minister. Four industrial organisations were incorporated under the Associations Incorporation Act when we were having problems with the Red Cross Association. There is a fit, right and proper place for that, and it should not be in this area. Another clause provides for associations with gross incomes exceeding a certain amount to submit annual returns. That is correct. It is right and proper that an organisation such as the Royal Automobile Association of South Australia or the football club of which I am a member, along with other clubs that will be handling considerable sums of money, should be placing returns before the Registrar, or the Commission in this case, so that they can be examined, filed away and become part of the public record. Also it can mean that there is some supervision by the Commission to ensure that associations are acting within the terms of the Act and are not up to mischief in trying to subvert the terms of the Act.

I find clause 43 very interesting, as it stops the distribution amongst remaining members of residual assets of an incorporated association after it has been wound up. It can only allow for moneys to be disbursed according to the rules or by special resolution of the organisation that is winding up. I believe that that overcomes the problem whereby people can organise these things to benefit themselves. If my reading of the Act is correct, organisations are also required to provide triennial returns which contain administrative information of their association and which set out the dates of their annual general meetings, and so on.

Another initiative in this Act is the provision to allow members who feel they are being oppressed or who consider that the organisation is acting in an oppressive way towards him or her to take action. Some of us can remember the problems associated with the Netherlands Club, which used to be situated in Light Square. The members aggrieved at the actions of the committee took action in the Supreme Court and found that they could do nothing to direct the management committee of that organisation. Even though special meetings had been held and certain decisions taken, these people could ignore all these things because of the rules of that organisation. If the rules are oppressive, it means that the Local Court in this instance can make orders to protect the rights of members. I have been involved with associations which have had what I considered to be oppressive rules and which have taken actions that were not in the best interests of the organisation. Persistent work has ensured that the rules have been changed. In the Industrial area some organisations have had oppressive rules which have been changed.

In regard to regulations, the interesting feature is the power of the Governor to set out prescribed rules. The member for Coles commented about the inability of people attending meetings of incorporated associations with which she is associated in being able to conduct themselves with the normal democratic processes of public meetings and organisations which are supposed to have a democratic base.

I understand that, if the Commissioner of Corporate Affairs was to administer model rules, those rules would contain all the guidance that the member for Coles was seeking. This Bill is a step forward in democratising the very important voluntary associations that we have in this State. It will provide for the appropriate reporting to the Commissioner of Corporate Affairs of information of those associations, and it will mean that people will be able to go and examine many of the records of those organisations that will be on public file. This is an innovative step and is worthy of the support of this House.

The Hon. G.J. CRAFTER (Minister of Community Welfare): I thank all members who have contributed to this debate. This matter is, of course, of interest to all honourable members, having been debated in the community for many years. There is obviously a need for the reform of the law relating to the incorporation of associations. The question has been how that is to be carried out and how far the Government goes in attending to the affairs of association, given the wide variety of associations that exist in our community. They vary from very small organisations indeed to very large property and asset holding bodies, and yet they must necessarily be covered in this legislation.

There has been very wide consultation in the community now for a number of years, and particularly by this Government, to ensure that this legislation is understood by the community, particularly by the organisations that will be affected by it; so, all views have been taken into account.

The points raised by the member for Coles were indeed valid. The honourable member asked how far this legislation should go in interfering with or trying to regulate the internal affairs of such organisations. I would suggest that the yardstick which has been used is that this legislation should go as far as is in the public interest. I trust that that is evident in this Bill. Although the member for Coles said that she doubted that breaches of rules, and indeed the conduct of meetings, were covered in this legislation, I would like to bring to the attention of the House that a number of sections relate to the proper conduct of the affairs of association. For example, with respect to breaches of rules, and particularly the winding up procedures that occur when an association wants to conclude its existence (I refer to section 41, and so on, in the legislation), honourable members will find that there are references to the proper keeping of books of accounts, and the like.

With respect to public education, I could not agree more that there is a need for persons who accept offices in organisations to be aware of the responsibilities that are vested in them and to conduct meetings in accordance with at least some set of agreed rules, so that the conduct of that organisation can proceed properly and indeed democratically. However, I think that we have all come across organisations that have become particularly overbearing and bureaucratic. Indeed some chairpersons at meetings that I have attended

have allowed the rules to be interpreted in a most pernicious or stifling way and such use of rules can deter people from attending meetings or participating in organisations. I am sure that that is not a desirable use of rules or of meeting procedure. So, what is required is common sense.

I have no doubt that the Corporate Affairs Commission will undertake education programmes that are within its ability to do so, particularly now that this legislation has been amended in the way that it has and does provide some of those remedies to which I have just referred. However, there will always be a need within our community for education (whether it is conducted by organisations such as the WEA or TAFE colleges, or whether it is conducted by the service organisations as part of their normal meetings) in meeting procedure, rules, chairmanship, public speaking, and the like; the more of those types of courses and programmes that can be inculcated into the service organisations that exist in our community, the school programmes and the like, the stronger our community will be.

The member for Elizabeth raised some concerns that he had about the effects of a section of the legislation relating to those organisations which have as part of their structure some pecuniary interests and pecuniary taking. I will obtain that information for the honourable member and will try to relay that to him during the relevant section of the Committee stage.

As the honourable member for Mount Gambier indicated, the Government, in consultation with the Opposition in another place, has reviewed this Bill and agreed to a number of amendments. Those amendments have been circulated to members. I thank the Opposition for its indication of support for those amendments.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Interpretation.'

The Hon. G.J. CRAFTER: I move:

Page 1, after line 25—Insert new paragraph as follows:

(ab) an account of income and expenditure;.

The purpose of this amendment is to include in the definition of 'accounts' a type of account which is used frequently by incorporated associations; that is, it is intended to clarify that section.

Amendment carried; clause as amended passed.

Clauses 4 to 10 passed.

Clause 11—'Power of Commission to carry out investigations in relation to books.'

The Hon. G.J. CRAFTER: I move:

Page 7, line 35—Leave out 'Where' and insert 'Subject to this Division, where'.

Page 8, after line 20—Insert new subclause as follows:

(1a) Where an authorised person exercises a power under this Division to require another person to produce books that are recorded, kept and reproduced by electronic means, the other person may comply with the requirement to produce those books by providing a printed reproduction of the information contained in the books.

The first amendment is of a drafting nature and simply gives greater clarity to that section. The second amendment is a new subclause (1a), which seeks to clarify the situation where the records of an incorporated association which are required to be produced are to be kept on a computer and contained in hard copy form.

The Hon. H. ALLISON: The Opposition supports this amendment, which picks up a point made to the Opposition by one incorporated association pointing out that a great deal of its records were on computer and, with the power of the Corporate Affairs Commission inspector to take possession of books, including computing records, the association would have experienced considerable difficulty. While it is not likely to occur in very many instances, nevertheless the power of inspection is there, and the Opposition supports that. This amendment allows a printed reproduction of the information stored in the computer to be as good as the actual computer data itself.

Amendment carried; clause as amended passed.

Clauses 12 to 14 passed.

Clause 15—'Self-incrimination.'

The Hon. G.J. CRAFTER: I move:

Page 10, line 3—Leave out 'this section' and insert 'section 14'.

This amendment corrects a drafting error in the Bill.

Amendment carried; clause as amended passed.

Clause 16 passed.

Clause 17—'Interpretation.'

The Hon. G.J. CRAFTER: I move:

Page 10, line 10—Leave out 'section' and insert 'Division'.

This amendment corrects another drafting error in the Bill.

Amendment carried; clause as amended passed.

Clause 18—'Eligibility for incorporation.'

The Hon. G.J. CRAFTER: I move:

Page 11, after line 31—Insert new subparagraph as follows:

(ia) are intended to provide financial support to the association in a manner that is directly related to the objects of the association;

The member for Mount Gambier referred to this amendment in his second reading speech. It is in response to an approach by the South Australian Council of Social Services Incorporated, which reviewed the Bill as passed by the Legislative Council. The amendment will permit an incorporated association to deal with the public in relation to goods and services, where those transactions are ancillary to its principal objects, for the purpose of providing financial support for the attainment of those objects. I refer, for example, to goodwill stores and stores conducted by the OARS organisation. The purpose of the amendment is to ensure that such activities do not preclude an association from being incorporated or remaining incorporated under this legislation.

Amendment carried; clause as amended passed.

Clause 19 passed.

Clause 20—'Incorporation of association.'

The Hon. G.J. CRAFTER: I move:

Page 12, line 36—

After 'may' insert—

—

(a).

After line 38—Insert new paragraph as follows:

(b) with the consent of the Minister, decline to incorporate an association under this Act if, in its opinion, the incorporation of the association under this Act would not be in the public interest.

The purpose of these amendments is to confer a power on the Commission, exercisable with the consent of the Minister, to decline to register an association, if the Commission considers that it would not be in the public interest to do so. This provision was in the Bill as introduced in the Legislative Council but was deleted as a result of an amendment accepted by the Government. In accepting the amendment, the Attorney-General said:

However, I propose to accept the honourable member's amendment, because I accept the first part of it on balance, and it may be that on further consideration of the public interest question I may suggest to the Government that a provision be reinserted in the House of Assembly so that it can give further consideration to it.

That has now occurred. The Attorney-General has now agreed that these provisions should be included in the Bill because of instances where the permissive nature of the existing legislation allowed the incorporation of associations whose activities were against the public interest. In this area the Commission cannot act without Ministerial consent, in addition to which its decision is appealable under clause 50 of the Bill.

Amendment carried; clause as amended passed.

Clause 21 passed.

Clause 22—'Amalgamation.'

The Hon. G.J. CRAFTER: I move:

Page 14, line 36—After 'may' insert—

—

(a).

After line 38—Insert new paragraph as follows:

(b) with the consent of the Minister, decline to incorporate an association under subsection (4) if, in its opinion, the incorporation of the association under this Act would not be in the public interest.

This amendment is consequential on the amendment to clause 20 just passed by the Committee. It applies where two or more incorporated associations have resolved to amalgamate to form a new incorporated association. Under this amendment the public interest test will apply in the same manner as it would on initial incorporation.

Amendment carried; clause as amended passed.

Clauses 23 to 33 passed.

Clause 34—'Application of this Division.'

The CHAIRMAN: I draw to the Committee's attention that in the printing of this Bill, as received from the Legislative Council, in relation to clause 34, paragraphs *(a)* and *(b)* of subclause (1), and subclause (2) have been inadvertently omitted. Clause 34 is as follows:

34. (1) This Division applies—

(a) to an incorporated association that has a gross income in excess of the prescribed amount per annum;

(b) to an incorporated association of a class prescribed by regulation;

and

(c) to any other incorporated association to which the Minister has, by notice in writing served on the association, declared that the provisions of this Division should extend.

(2) The Minister may, as he thinks fit, rescind a notice served on an association under subsection (1) *(c)*.

(3) This Division does not apply in respect of a financial year of an association incorporated under the repealed Act that is the first such financial year of the association to end after the commencement of this Act.

(4) In this section—

'gross income' of an incorporated association means the total amount of the receipts of the association other than moneys received—

(a) by way of subscriptions;

(b) as gifts, donations, devices or bequests;

or

(c) from the realisation of capital:

'prescribed amount' means one hundred thousand dollars or such greater amount as may be prescribed by regulation.

The Hon. G.J. CRAFTER: I move:

Page 19, lines 40 and 41—Leave out 'a gross income' and insert 'gross receipts'.

Page 20, line 2—Leave out 'income' and insert 'receipts'.

Thank you, Sir, for that clarification. I also thank the member for Elizabeth for pointing out that error to Parliamentary Counsel and to the officers assisting this Committee. In relation to this amendment, it is considered that the expression 'gross receipts' is more satisfactory than is the term 'gross income' in this clause. The purpose of the amendments is to provide greater clarity.

Amendments carried.

Mr M.J. EVANS: I thank the Minister for his explanation, and I thank you, Mr Chairman, for your clarification of the sitution concerning this clause. That assists me greatly in understanding this provision, and it goes a long way towards answering the question I raised earlier. Can the Minister indicate whether, where an association under other provisions of the Bill is entitled by Ministerial dispensation to operate for the pecuniary profits of members, even though it may not have trading figures exceeding $100 000, it would be desirable in the public interest for such a unique association to be required to lodge accounts? Will the Minister indicate whether he supports that view so that, where Ministerial exemptions are given for an association which is to have a pecuniary profit, use will be made in approprite circumstances, at the Attorney-General's discretion, of the provisions which the Chairman has read out and which entitle a Minister to require an association to comply with this provision even though it does not trade at the $100 000 figure? Where an association has obtained the privilege of securing a pecuniary profit for its individual members, it should be required to lodge those accounts under the provisions that have now been correctly reinserted in the Bill.

The Hon. G.J. CRAFTER: The point raised by the member for Elizabeth is one which the Minister responsible for the administration of the Act would take into account in considering such an application. It would be wise to place such a requirement on the association in question, although I cannot speak for that Minister in each and every circumstance. I point out to the Committee that the likelihood of having to exercise that power would apply infrequently and it is hard to envisage such organisations arriving at such circumstances, but it is conceded that that could occur, and it would be prudent for the responsible Minister to make such a requirement.

Clause as amended passed.

The CHAIRMAN: Before calling on the next clause, I thank the Opposition for its co-operation in regard to the clause just dealt with.

Clause 35—'Accounts to be kept.'

The Hon. G.J. CRAFTER: I move:

Page 20, line 23—After 'Accountants' insert 'in Australia'.

The purpose of the amendment is to correct a minor drafting error.

Amendment carried; clause as amended passed.

Clauses 36 to 40 passed.

Clause 41—'Winding up of incorporated association.'

The Hon. G.J. CRAFTER: I move:

Page 24, lines 10 to 12—Leave out subclause (7) and insert new subclauses as follows:

(6a) The Commission may, in relation to the voluntary winding up of an incorporated association under this section, approve the appointment of a person to act as liquidator who is not a registered company liquidator.

(7) The Commissioner may, in relation to a winding up of an incorporated association by the Commission under this section, appoint a person (who may, but need not be a registered company liquidator) to act as liquidator.

The Bill provides that an incorporated association can be wound up in a similar manner to a company under the Companies (South Australia) Code. The Bill also provides that an incorporated association can be wound up on the certificate of the Corporate Affairs Commission issued with the consent of the Minister. The proposed amendments to clause 41 are designed to give the Commission flexibility in the appointment of a liquidator. The proposed amendment recognises that the appointment of a registered liquidator may well be costly, and that there may be circumstances where the appointment of a person who is not a registered liquidator could be advantageous to both creditors and members. This situation is recognised in the Companies (South Australia) Code, which authorises the Commission to register a person for the purposes of acting as a liquidator of a specified corporation.

The Hon. H. ALLISON: We support this amendment, which is largely a drafting one. It allows the appointment as liquidator of a person who is not a registered company liquidator. It is similar to the position of an auditor where the Government's Bill requires the appointment of a registered company auditor for companies with gross incomes in excess of $100 000. That was broadened to include any accountant who is a member of the Australian Society of Accountants or the Institute of Chartered Accountants of Australia, or any other person approved by the Corporate Affairs Commission. As the Minister has said, this amendment provides the sort of flexibility that is important.

Amendment carried; clause as amended passed.

Clauses 42 to 50 passed.

Clause 51—'Triennial returns.'

The Hon. G.J. CRAFTER: I move:

Page 28, lines 17 to 19—Leave out subclause (3) and insert new subclause as follows:

(3) An incorporated association that is required to lodge a periodic return in pursuance of section 36 may, at the end of a return period, comply with the requirements of this section by completing a return in accordance with this section and lodging that return as an annexure to the periodic return next lodged by that association.

Subclause (3) as it stands provides that an incorporated association, which is required to lodge a periodical (yearly) return with the Corporate Affairs Commission, is not required to lodge a triennial return pursuant to this clause. This provision creates an anomaly because a periodical return and a triennial return contain different information, and it is highly desirable that all incorporated associations should be on a common footing in respect of this requirement. The new subclause (3) not only seeks to remove this anomaly, but at the same time provides that the periodic return (where an association is of a kind required to lodge such a return) may be lodged with the triennial return. This proposed amendment should remove both the anomaly and the possible inconvenience of an association being required to lodge separate returns at different points in time.

Amendment carried; clause as amended passed.

Clause 52 passed.

Clause 53—'Prohibition of inviting public to invest moneys with association.'

The Hon. G.J. CRAFTER: I move:

Page 29—

Line 18—Leave out 'immediately before the first day of March, 1985.'.

Line 19—After 'association' insert 'on the first day of March, 1985'.

The purpose of this proposed amendment is to make for greater clarity in this provision, without altering its substance in any way.

Amendments carried; clause as amended passed.

Clauses 54 to 60 passed.

Clause 61—'Oppressive or unreasonable acts.'

The Hon. G.J. CRAFTER: I move:

Page 31, after line 46—Insert new subclause as follows:

(7) For the purposes of an application under this section, a breach of the rules of an incorporated association by the committee of the association may be regarded as constituting action that is unreasonable to members of the association.

This clause seeks to place members of incorporated associations on the same footing as members of companies, in that members of associations will now have a specific mechanism to approach the court, where the affairs of an incorporated association are being conducted in an oppressive or unreasonable manner. The proposed amendment seeks to expand this mechanism by providing that any breach of the rules of an incorporated association may constitute conduct which is unreasonable to members of that association.

Amendment carried; clause as amended passed.

Remaining clauses (62 to 67) and title passed.

Bill read a third time and passed.

ROADS (OPENING AND CLOSING) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 14 March. Page 3270.)

The Hon. P.B. ARNOLD (Chaffey): The Opposition supports this measure. We understand that it is a straightforward measure enabling the South Australian Planning Commission to initiate moves in relation to the opening and closing of roads. As the Minister has indicated in the second reading explanation, a problem has arisen in relation to the Planning Commission being able to take this action where it is operating within an authorised area of planning. Judges of the Supreme Court have recommended that this amendment be supported, and the Opposition sees no reason why this should not take place.

In considering this matter, however, the Opposition has had some concern in relation to the overall operation of the Roads (Opening and Closing) Act in relation to the time involved. Not only is there the eight week period during which the public must be notified of such action pending to give people ample opportunity to object if they so desire, but it can take another six months to finalise the matter.

I had an experience many years ago, if I remember correctly, with the provisions of the Roads (Opening and Closing) Act in relation to a piece of land I held. It took nine months to clarify that situation. I can well imagine the concern of some people, when a road closure is affecting their business, to get the proposal finalised with haste, whether it is in relation to building a house or to a business premise that is being held up as a result of the long delay.

I would be interested to hear the Minister's comments as to why this process is so lengthy and whether any action can be taken by the Government to speed up this process. I appreciate the need for the eight weeks so that the public can object to any proposal that is being put forward, but I cannot understand why it should take another six or nine months for it to be processed in the Department. That is totally unsatisfactory, and I would be interested to hear from the Minister why this is so and what can be done to overcome the problem.

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): I thank the honourable member for his support for the measure, and I very much endorse his remarks about the cumbersome aspects of the Act. The House will appreciate that the Government has fairly hastily prepared this measure and placed it before honourable members because of a specific matter that has arisen in relation to a road closure and that in fact we are considering some of the broader aspects of the legislation. Problems arise from time to time where there are objections to a road closure, and quite often local government is very loath to expedite a road closure order when there is only one objector to the whole proposition.

The Hon. P.B. Arnold: The delay is often just as great, even when there are no objectors.

The Hon. D.J. HOPGOOD: That relates to the fact that we have an Act that is in need of some close attention. I give a commitment that the Government is concerned about it and is considering broader amendments. What we have to be careful about is the fact that the Act is in the condition it is in because our legislative forebears felt that, when one is dealing with public property in this way and people's right to use what has long been recognised as an access, one has to go through certain procedures before that access is taken away from people. I give a commitment that the Government is concerned about the delays that sometimes occur in this matter. It was felt prudent at this stage not to address those matters in this Bill because it relates particularly to a decision of Mr Justice Millhouse in the Supreme Court. So, I hope that within the next 12 months or so the Government will request this House to consider the whole gamut of the Act.

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

RACING ACT AMENDMENT BILL (1985)

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

LONG SERVICE LEAVE (BUILDING INDUSTRY) ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2, lines 7 and 8 (clause 3)—Leave out all words in these lines.

No. 2. Page 2, line 13 (clause 3)—After 'subsection (3)' insert 'and substituting the following subsection:

(3) A person or body shall not be regarded as being an employer for the purposes of this Act if the person or body—

(a) employs a person as a building worker only for or in connection with the construction, improvement, alteration, maintenance, repair or demolition of a building or structure owned or occupied by the person or body;

and

(b) does not carry on the business of constructing, improving, altering or repairing buildings or structures for the purpose of their subsequent sale or lease.'

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendments be agreed to.

These amendments are related to each other and are of a drafting nature only. The words 'not being a building or structure that is to be in continuing occupation or use by that person or body' were intended to exclude from the definition of 'employer', first, a person who employs a building worker under a contract of employment to carry out on a continuing basis the maintenance or repair of premises owned or occupied by the employer. For example, a department store, a large factory, etc., may have a permanent maintenance-type building worker as part of its work force. Such a person would in any event be covered by the ordinary Long Service Leave Act.

Also, it relates to a person who is building or improving his own house or business premises and, rather than giving the work to contractors, employs building workers as employees, that is, under contracts of employment. It is not practicable to require such 'once-off' employers to come under the scheme of the Act. Paragraph *(a)* of the proposed new subsection (3) would exclude both such classes of employer. However, it is intended by the Government that 'spec' builders and renovators would come under the scheme and accordingly that is made clear by the words of paragraph *(b)* of the new subsection (3).

The Hon. E.R. GOLDSWORTHY: The Opposition will not fight over the amendments. It clarifies the Government's intention rather more than was in the original Bill. It is a strange situation where the Government proclaims its interest in doing something about the unemployed but is prepared to add to the on costs of this industry, which it is claimed is going through boom times, when every indication is that the building boom is over and that it will not be all that long before there is a marked downturn in it.

The Hon. J.D. Wright: I hope not, Roger.

The Hon. E.R. GOLDSWORTHY: I hope not, too, but there is no doubt that the signs are there. The peak has passed and the level of activity is declining. This legislation increases the on costs to a significant range of new employers when the Government says, tongue in cheek no doubt, that it is interested in doing something about creating more jobs. I never cease to be amazed at the perambulations and gyrations of the Australian Democrats in this Parliament. It is a source of puzzlement to me to observe the difficulty that my friend, the Hon. Lance Milne, for instance, amiable chap that he is, has in pursuing a consistent line. I will not talk about his colleague, who defies understanding. The Democrats proclaimed loudly to the populace that they would not let anything through that would add to costs in South Australia. Loudly and vociferously, it was proclaimed to the multitude by the balance of reason in the Upper House (but here they are; quite supinely—I read the debates because I wanted to see what happened to this legislation in the Upper House) that—

The CHAIRMAN: Order! I do not want to interrupt the honourable member but there is nothing in the amendments to remotely suggest anything to do with the Hon. Mr Gilfillan or the Hon. Mr Milne, or indeed anything about the debate that happened in another place. I ask the honourable member to come back to the amendments.

The Hon. E.R. GOLDSWORTHY: Those members voted for the Government's amendments and defeated the Opposition's amendment. That is how pertinent it is.

The CHAIRMAN: I will not allow the honourable member to pursue that argument.

The Hon. E.R. GOLDSWORTHY: This amendment had the support of those two aforementioned legislators.

The Hon. J.D. Wright: Don't be nasty.

The Hon. E.R. GOLDSWORTHY: I am not being nasty; I am being factual. I never cease to be amazed at the infinite flexibility—

The CHAIRMAN: Order! The Chair does not want to get into an argument with the honourable member, but there is nothing in the amendment to deal with those two honourable gentlemen in the Upper House. I ask the member to come back to the amendment.

The Hon. E.R. GOLDSWORTHY: Mr Chairman, I am about done. Our amendments were defeated in the Upper House, and I find that hard to take when the Government proclaims that it will not increase costs. We will not disagree with the amendment. The horse is out of the stable and has bolted. This amendment tidies it up a bit and perhaps puts a tighter rein on the horse. It is a source of great regret that the Bill has come back in this form.

The Hon. B.C. EASTICK: I join the debate only to add to the information which was alluded to by the Deputy Leader and which the Deputy Premier said he hoped was not factual. It is factual that the building industry showed a 19 per cent deterioration for the month of December over the month of November and a further 2 per cent fall in January over December. All the signs are there that the housing industry has peaked—

The Hon. J.D. Wright: People are on holidays.

The Hon. B.C. EASTICK: I am passing on the information to the Deputy Premier. No matter where he is reading this information in the paper in the near future—

The Hon. J.D. Wright: What about last December? You have to compare December with December.

The Hon. B.C. EASTICK: When comparing December with December, we find a massive downturn. The industry and all its organisations indicate housing has peaked and that there can be an expectation of a very depressed industry from July forward, notwithstanding that between now and 30 June the continuation of projects or work already in hand will keep the industry relatively buoyant. The order books are important and the orders are not on the books for the months beyond 1 July this year. So, what the Deputy Leader was saying is correct. There are grave doubts as to the viability of an industry which was fired up, which helped to assist in the recovery of Australia's economic circumstances in 1983-84, but which is showing signs of not being sustained beyond 30 June 1985.

Motion carried.

POLICE (COMPLAINTS AND DISCIPLINARY PROCEEDINGS) BILL (1985)

Returned from the Legislative Council with the following amendments:

No. 1. Page 4, line 2 (clause 8)—Leave out all words in this line and insert 'he is imprisoned or convicted of an offence punishable by imprisonment for a term of six months or more'.

No. 2. Page 27 (clause 49)—After line 14 insert subclauses as follows:

(4a) Upon convicting a person of an offence against subsection (1), the court may order him to pay to the complainant a reasonable sum for the expenses of or incidental to any investigation made under this Act as a result of the false representation.

(4b) Any amount received by the complainant under subsection (4a) shall be paid by him to the Treasurer in aid of the general revenue of the State.

No. 3. Page 28—After line 11 insert new clause as follows:

52a. (1) The Minister shall, as soon as practicable after the expiration of two years from the commencement of this Act, cause a review and report to be made upon the operation of the Act.

(2) The Minister shall, as soon as practicable after his receipt of the report, cause a copy of the report to be laid before each House of Parliament.'

Consideration in Committee.

The Hon. J.D. WRIGHT: I move:

That the Legislative Council's amendments be agreed to.

The amendment to clause 8 provides in part for the office of the authority to become vacant if among other things a person is convicted of an indictable offence. The amendment will remove any reference to the indictable offence and provide for vacancy of the office if the authority is imprisoned or convicted of an offence that is punishable by imprisonment for a term of six months or more. An indictable offence is dealt with before a judge and jury as opposed to a summary offence being dealt with before a magistrate. This is largely a procedural distinction and does not always indicate the gravity of the offence. Linking the removal from office of the authority with length of sentence is not opposed.

The amendment to clause 49 provides that it is an offence to make a false representation to the authority where this leads to the investigation of a complaint. The penalty is $2 000 maximum. The amendment will also mean that a person convicted may be required to make payment to defray costs. The third amendment provides a new subsection, requiring review of the operation of the authority after two years. I said in the first instance (as honourable members may recall) that I did not oppose that and that, if the Legislative Council saw fit to make an amendment in those circumstances, I would be happy to agree to it, and I do so now.

The Hon. B.C. EASTICK: It is refreshing to note that the Deputy Premier is prepared to accept the amendments that were made in another place. We are seeking to know whether they were Government amendments or amendments of the other place as a whole. While my colleague is inquiring about that, I point out that a great deal of effort has been put into refining this Bill. It is certainly very different from the Bill that was originally introduced; as a result of public debate, community acceptance of what was intended is much better.

The Police Association and all members of the Police Force have recognised that they are not to be left as Aunt Sallys, as was likely to occur under the Bill that was first introduced. The refinements that have been undertaken both in this place as a result of the input of the member for Murray and in the other place have been to the advantage of the community at large. I am interested to note that the Minister has accepted the amendments in the belief that they are Opposition amendments; certainly, two of the amendments are Opposition amendments. That would indicate that there has been further consideration of some perceived difficulty and that the matter has been resolved amicably. It would appear that that is the case in regard to the third amendment, but it may well be that the measures will pass into legislation without further contribution from this side, as my colleague must be having difficulty in determining the course of events in another place.

The Hon. J.D. Wright interjecting:

The Hon. B.C. EASTICK: Yes, I would think that he might be taking extensive instructions, which means that there will be a division and that the Opposition will seek to vote against the measures, but I would hate to do that if it was not necessary. The member for Mitcham has been following this matter with some degree of interest and I have no doubt he has likewise got a contribution he would like to make.

Mr BAKER: With an invitation like that I could hardly refuse. I am pleased that there have been three further amendments to the Bill. Of course, the Minister is well aware that, when the matter was raised in this House, one of the important issues that we believed had to be included in the Bill was the review option. For the edification of those people who have not had a chance to read the words, I point out that, after the expiration of two years from the commencement of this Act, there shall be a review and a report which will be produced before the Parliament. There are many parts of legislation—perhaps very well intentioned legislation—that we find, after the passage of time, are not working to the best interests of the Parliament and the people concerned.

The Hon. D.C. Wotton interjecting:

Mr BAKER: We are indeed very thankful that the Deputy Premier has seen the light and, whilst he refused us originally, I am glad that wisdom prevails with age. It is some days on since the matter was first debated. The other items, particularly the one which provides further protection to police officers who have been wrongly accused, are very worth while. The onus is placed fairly and squarely on the complaints authority to do the right thing, to be able to assess those complaints which come before it, and to take that action which is in the best interests of all concerned. There will be occasions when people are wrongly accused; there will be occasions when people are embarrassed and hurt and disadvantaged because of the actions of individuals who have no thought for their fellow man. The addition of clause 49 is a welcome addition to this Act. It provides further safeguards for those police officers, and we welcome it. The first amendment I am not particularly fussed about in determining the competence of a particular person to act on a tribunal. We thank the Minister for his indulgence and for seeing the light. I am sure the complaints authority will now be strengthened by these amendments and I have pleasure in supporting them.

Motion carried.

OMBUDSMAN ACT AMENDMENT BILL (No. 2)

Returned from the Legislative Council without amendment.

POLICE REGULATION ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

REMUNERATION BILL

Adjourned debate on second reading.
(Continued from 27 February. Page 2927.)

The Hon. B.C. EASTICK (Light): The Opposition intends to support this Bill to the second reading stage so that a series of amendments can be considered. The thrust of the Government measure is not in question. I believe that it is an ideal way of overcoming what is, and has been for very many years, a very thorny problem. An independent tribunal will take account of all of these high range salaries. I do not want to suggest that members of Parliament are necessarily on a high range salary when compared to the other salaries which will come into consideration—the salaries of statutory office holders and the members of the Judiciary.

If those areas of public concern can be separated from any consideration of interference or involvement by members of Parliament and placed fairly and squarely in the hands of a group of people charged with that responsibility, it must be an advantage to all concerned. Having said that the idea is supported by the Opposition, I must say that we find some of the drafting or the action taken by the Government in compiling this measure very strange. As I will seek to demonstrate later, particularly in the Committee stage, there is a great degree of overkill. In fact, there is a restatement of provisions which already exist in a number of the other Acts referred to in the supplementary Bill to be introduced shortly, that is, the statutory amendment legislation.

There has been a deal of public discussion as to how the salaries of judges should be determined in future. Certainly they are to involve a tribunal discussion in the longer term. However, special provision is made for judges which does not apply to members of Parliament, and there are special conditions which do not necessarily apply to statutory officers. This rather calls into question the statement made by the Premier in his second reading explanation, as follows:

The principal advantage of this approach is that it will enable the tribunal to co-ordinate salary relativities and the timing, basis and quantum of salary increases for these groups and hence to achieve equitable treatment for each group.

'Equitable treatment for each group' is certainly not equitable treatment, in the manner presented to us, as between the groups. However, we have found it necessary to consider these people—the Judiciary, statutory officers and members of Parliament—as one group having their salaries determined by a single tribunal. I believe that the Premier fell short of his responsibility to the public and certainly to the three groups being considered when he said that there would be 'equitable treatment for each group', because he did not indicate that there would be equitable treatment for all the groups being considered in this matter.

The problem of the Judiciary in this State was highlighted by an article that appeared in the *Advertiser* on 24 May 1983. It was written by the law reporter, Graham Hunter, under the heading 'South Australia's method of fixing judges' pay criticised'. It indicated that South Australia did not conform to an essential minimum standard of judicial independence. The person making that statement was none other than the Chief Justice of the State of South Australia, Mr Justice King. The statement, which was made in Rome at a conference, referred to the way that judges' salaries were determined. The report goes on:

Further judicial independence could adequately be ensured only by Governments' giving the Judiciary complete control over court buildings, facilities, staff and finances, he said. A copy of the Chief Justice's address to the International Bar Association conference was issued by the South Australian Supreme Court. Mr Justice King said he had co-ordinated an association project to produce international minimum standards for judicial independence.

One of the standards required the regular adjustment of judicial salaries and pensions by other than Governments—either independent tribunals or statutory formulas. 'In Australia, the general practice is for judicial salaries to be adjusted annually by an independent tribunal,' Mr Justice King told the conference. 'I regret to have to report that my own State of South Australia is an exception . . . judicial salaries are fixed by Executive Government (which) has been a constant source of friction . . . for some time. Indeed, the history of judicial salary fixing in South Australia is an excellent example of the dangers associated with Executive Government control of judicial salaries.

There can be no doubt that Executive Government control over judicial salary fixing is always at least an incipient threat to judicial independence.' The Chief Justice said that before 1973 in South Australia, judges' salaries were fixed by Parliament. In 1973, the South Australian Government had taken control so adjustments for inflation could be made more quickly. The intention was that South Australian judges' salaries would be 95 per cent of the average of those in New South Wales and Victoria and that that formula would be ratified by Statute.

'In fact the formula was never embodied in a Statute and was indeed abandoned subsequently by the Executive Government which retained control (of salary fixing). The result has been continuing friction between the Judiciary and the Executive Government and a steady decline in judicial salaries in relation to incomes in the rest of the community and to judicial salaries in other parts of Australia.'

[In April, the Premier, Mr Bannon, announced new salaries for the Chief Justice and puisne judges based on 95 per cent of the average salaries of judges in New South Wales, Victoria, Queensland and Western Australia. The Chief Justice's new salary is $76 851 and puisne judges $68 978].

'Total control'

In his address, Mr Justice King also called for the Judiciary to have total control of court buildings, staff, facilities and finances without reference to Executive Government. The Attorney-General, Mr Sumner, said yesterday he was 'very interested' in the Chief Justice's speech and would be 'happy' to discuss it with him when he returned from leave.

It had never been suggested that South Australia's arrangements for salaries and court facilities had affected judges' impartiality and independence. The Judiciary was not divorced from financial reality or responsibility. Salaries and facilities were provided by the taxpayer and Executive Government was responsible and accountable to Parliament for public expenditure. 'However, I advised the Chief Justice before he left that I would examine the question of fixing judicial salaries.' Mr Sumner said.

That was the position as it pertained in 1983, and there has not been a great deal of alteration other than this Tribunal's suggestion, which has arisen out of a review which was undertaken by Mr David Mercer, a former Chairman of the Public Service Board, and which is embodied in part in this Bill.

In comparing the salaries that judges presently receive, one notes the figures that I have just mentioned of $76 851 for the Chief Justice and $68 978 for the puisne judges, and the figures for judges in Western Australia, where on 1 January 1985 the Chief Justice was in receipt of $97 328 plus an allowance of $5 000; the Senior Puisne Judge was in receipt of $89 541 plus an allowance of $4 500; and a puisne judge was in receipt of $87 078, with an allowance of $4 000. The source of that information is the report on the remuneration of judges and masters of the Supreme Court, judges of the District Court and stipendiary magistrates in Western Australia.

In Victoria, the Chief Justice receives $93 376, with an allowance of $5 111; and the puisne judges receive $83 006, with an allowance of $4 147. That information was provided by the Secretary to the Chief Justice of the Victorian Supreme Court. In Queensland, the Chief Justice receives $94 725, with an allowance of $5 200; and the judges receive $84 200, with an allowance of $4 050. The source for that information is the Fifth Report by the Salaries and Allowances Tribunal of 1984. In New South Wales the Chief Justice receives $99 496, with an allowance of $5 904. The President (which is a position equivalent to a senior puisne judge) receives $93 797, with an allowance of $4 761; and a puisne judge receives $91 205, with an allowance of $4 761. The source for that information is the New South Wales

Statutory and Other Officers Remuneration of Government Employees of 1984.

Those figures differ greatly from those that apply to South Australia, but it does not necessarily follow that we in South Australia must be up with the Joneses. It has been suggested that a figure commensurate with 95 per cent of the salaries applicable in New South Wales and Victoria should be negotiated, but that suggestion has not been put in legislation. Therefore, that is not a matter which is the property of this House. If that is an agreement that was loosely entered into on some earlier occasion between the Government and the Judiciary to keep the Judiciary quiet, that may be the case, but it is not a matter that has been addressed by the House.

If the Judiciary is at great variance in the position in which it finds itself, the Judiciary could well present such a case to the Tribunal, when it is formed, and consideration could be given to any anomaly affecting members of the Judiciary *apropos* their brethren in other States, rather than the Government's providing an easy access to the Judiciary for a massive increase in salaries, which we would be authorising if we left the Bill in the state in which it is at present. I refer to an article by Greg Kelton, published in the *Advertiser* of 20 October 1984.

The Hon. J.D. Wright: He left us!

The Hon. B.C. EASTICK: He left us, but in this instance he was writing in relation to the stakes applicable to members of Parliament and the values pertaining to various members of Parliament. His article, under the heading 'Northern Territory MPs clear leaders in the political pay stakes', states:

> The 25 members of the Northern Territory Legislative Assembly, the smallest Parliament in Australia, are now the highest paid politicians in the country. The newly-elected Chief Minister, Mr Ian Tuxworth is the highest paid political leader in Australia, receiving nearly $3 000 more in base salary than the Prime Minister, Mr Hawke. This follows a Northern Territory Remuneration Tribunal determination this week to award Territory politicians an immediate 11 per cent pay rise. The determination, tabled in the Northern Territory Parliament without debate takes the base salary of Northern Territory Parliamentarians from $39 100 to $44 000.
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> By comparison Federal Parliamentarians receive a base salary of $41 802. The base salary for Queensland MPs is $41 466, in Queensland, $41 302, with Victorians getting $41 302 and those in New South Wales $39 558. The basic salary for MPs in South Australia is $37 500. The Premier, Mr Bannon, gets $81 055, while the Leader of Opposition, Mr Olsen, and Government Ministers get $62 575. The Northern Territory wage increase means Mr Tuxworth, who was elected to his new post on Monday, now has a base annual salary of $90 600.
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> This compares with Mr Hawke's base wage of $87 838. It is only considerably higher office and electoral allowances which preserve Mr Hawke's status as the politician who receives the most remuneration in the nation. The total Prime Ministerial wage and allowance package is $124 219.

Of course, on top of that we have motor vehicles, the Lodge, Kiribilli House, the consideration of air travel, and first class accommodation, all of which have been supported in relation to the position of the Leader of the country, as it is on a State basis in relation to the Premier of the day and others who have Ministerial rank. The Opposition believes that because that information is available (and I have simply read to the Committee information that is publicly available; there is additional information that a tribunal can obtain from the official sources), that there is every opportunity for the Tribunal to give due consideration to the relative position of the various groups for which it is to determine.

An honourable member: What if they are locked in?

The Hon. B.C. EASTICK: If they are locked in, there is still in the first instance the opportunity for the anomolies position to be resolved.

The Hon. J.D. Wright interjecting:

The Hon. B.C. EASTICK: The view is—it may well be open to some conjecture and eventually to some further legal argument here or in another place—that whilst it locks people in after the correction of an anomolous circumstance, it does not prevent the anomoly being corrected in the first instance by the Tribunal in its first consideration of the various groups.

The Hon. J.D. Wright: The Bill affords the Tribunal the right to do something. Your amendment restricts the right—

The Hon. B.C. EASTICK: It restricts in the sense, as the Minister has presented the document, that it would allow those same matters to be considered later rather than on the first occasion. If the Minister was willing perhaps in the final discussion to consider the anomolous circumstances being corrected in the first instance but not thereafter, there may be some common ground if there is not common ground in what is provided by the Bill, plus the amendments, directed to the attention of the Committee by the Opposition.

We think that the public at large believes that there must be a reining in of escalating salary increases. We believe that the tribunal system is one that would allow the public interest to be adequately considered and that the public could be completely happy with a tribunal determination within the limitations that we seek to place on the Bill so that it is not as open-ended as that provided by the Government. There are some technical alterations that we will debate in due course. One of them might not be determined as technical by some, but I mention it now: that is, the fact that any respondent group appearing before the Tribunal may be represented by counsel.

We believe that that is quite unnecessary. We are talking about people who occupy very senior positions in the State and who are capable of standing on their own feet and presenting their point of view. If people of that ilk are represented by counsel, the Tribunal will want to be represented by counsel. Members of the public who wish to make representations, particularly in relation to MPs salaries, or who seek to be heard in relation to other salaries that the Tribunal considers, will then also want to introduce their own counsel. That will then become an unnecessary and expensive exercise that we believe the people of this State should not be forced to wear.

I come back to the point where I started, that we believe that there should be an equality, but that it should be across the board to all those who will have their salaries and allowances determined by the Tribunal. We cannot accept the position that exists at present that some people may be seen to be more equal than others. It is a fact of life that is quite foreign in normal circumstances to members who sit opposite me. It certainly came through loud and clear over the weekend in relation to a number of measures that were reported on at the ALP State Convention, yet here we have the Government saying to us that the Judiciary is something special and that we will consider it differently from others. We believe that the Judiciary is something special and does stand alone in a very real sense, but we do not believe that discriminating in their favour by means of the measure the Government seeks to use in this Bill is necessarily advantageous to the State. Indeed, it will destroy the real purpose of the measure before us, which we are prepared to support subject to the alterations we deem to be necessary to its carriage.

Mention has been made of the action taken in one other State, Western Australia, where a measure was submitted in 1975 that really only addressed the position of members of Parliament and not the other areas that we are dealing with in this Bill. The Commonwealth introduced its legislation in 1973. It has been amended a few times, but has worked quite well. It has shown that there is a tribunal method which is satisfactory in these circumstances and which is untrammelled by intrusion by the Government of the day. That is as it should be. That is a measure to which

we give full support, but we do not support some of the refinements that the Government seeks to provide.

Mr M.J. EVANS (Elizabeth): I support this Bill in principle as does my colleague the member for Semaphore. We believe that there is a clear need for this kind of legislation. The groups dealt with in the Bill—members of Parliament, office-holders of Parliament, Ministers of the Crown, the Judiciary and senior public servants—clearly hold positions of great authority and it is essential that their salaries be determined by an independent tribunal. Presently the salaries of the Judiciary, as the member for Light said, are fixed by the Executive. That is an unsatisfactory position which this Bill addresses and, in my view, it provides an adequate remedy although the question of an equitable base from which we are to start in relation to judicial salaries is something that must be further considered.

Although I do not support the details of what the member for Light said, I agree that extra consideration must be given to the starting point of salaries for the Judiciary. We will turn to that at a later stage. Similar provisions to those contained in this Bill have worked well at a Commonwealth level, and are operative interstate. I believe that those provisions have been successful in providing the degree of independence for the determination of salaries of those in the community who normally set the standards. It is not appropriate that those people should set the standard of their own remuneration, and that is what we are seeking to avoid. However, I believe that we must address matters that relate directly to the independence of the Tribunal.

This is one area where I consider the Bill, as presently drafted, to be somewhat deficient. The Tribunal members are appointed for three-year terms and may well be reappointed. There is some potential for their independence to be placed under threat because, as any member of the community might expect, someone whose position is up for reallocation will certainly have that in mind. I do not consider that it is likely that a member of the Tribunal would be directly affected by it, but in this case we are seeking to establish a group that must be beyond any reproach or accusation that it lacks independence from the Executive. I believe that amendments must be considered in this light: to strengthen the independence of the Tribunal from the Executive so that the public and community at large can be certain that the Tribunal operates in that way.

In addition, the group that maintains the accountability of this Parliament in respect to salaries of the members and office-holders of the Parliament is the general public and taxpayers at large. Because of their role I believe that they, not only as electors every three or perhaps four years (if another measure is carried), have a right to determine not only the Government and members of this place but also to make representations relevant to the salaries of the members of this place. Of course, the Tribunal can take into account those representations as it sees fit. We should give this area more detailed consideration.

The Government of the day should clearly have the right to intervene before the Tribunal and state a case in relation to the public interest, not in respect of ordinary salaries, but as the Minister already has in relation to ordinary salaries before the Industrial Court, so that the Minister can make a public interest declaration in relation to the salaries of the Judiciary, senior public servants, or members of Parliament. As the Bill is presently drafted, the Minister will have no right and only the class of people whose salaries are to be determined will have the right to make representations to the Tribunal. This House should address that matter in more detail.

While there is little, if any, disagreement that all the groups we are considering in the Bill should be bound by the general provisions of the national wage case formulas, the guidelines enumerated by the Full Commission and more clearly expressed in clause 23 of the Bill concern the question of the equitable base, which I would like the Government to address more clearly. Obviously, in the case of members of Parliament, the equitable base has been fixed, for better or worse, by previous determinations of the old Tribunal, and was subsequently amended by statutory instrument by the Parliament. I believe that Parliamentarians have declared their own equitable base and naturally must now live with it. As the Minister is well aware, the Bill provides that the equitable base shall stand as it is. I fully support that provision.

However, in relation to members of the Judiciary, and even in the case of public servants, we must further consider the equitable base to ensure that there is a degree of restraint by those groups as well, and not only by members of Parliament. Those groups are community leaders and it is important that they should restrain their wage demands to those available to the ordinary men and women in our community.

[*Sitting suspended from 6 to 7.30 p.m.*]

Mr M.J. EVANS: Before the dinner adjournment, I was about to conclude my remarks. In summary, I indicate my support for the general principle of the Bill, foreshadowing as I have one or two areas where a minor amendment might improve the basic text of the Bill. I also indicate that some further consideration must be given to establishing the appropriate equitable base for members of the Judiciary. Obviously, as the member for Light said, we do not need to be a pace setter in this area and keep up with the Joneses. Certainly, it would appear that high judicial salaries in New South Wales have not exempted its judges from every degree of independence that might be desirable, so that is not the only matter that must be taken into account. Quite certainly, the equitable base has to be established fairly once and for all so that the proceedings of the Tribunal can take precedence and in future properly regulate the salaries of those who hold high office in the State. I commend the Bill to the House on that basis.

Mr GUNN (Eyre): I am pleased to have the opportunity of making one or two comments on this Bill. If ever a matter seemed to draw out of the woodwork instant experts in the field of setting salaries, it is when a tribunal or other group starts talking about the salaries to be paid to members of Parliament. In particular, if newspapers are looking for headlines, they seem to excel when members of Parliament salaries are being discussed. I hope that this measure will once and for all create a situation where common sense can prevail. Unfortunately, some people in the community believe that members of Parliament should be on call, active, well informed, able to travel around the country, reasonably dressed and able to provide adequate information to their constituents, but should not be paid a great salary. If anyone stops to think they will realise that members of Parliament, if they are to carry out those functions, must be paid reasonable salaries and allowances.

In determining the salaries of judges, members of Parliament and other statutory officers, I hope that the Tribunal will reach a sensible balance. The previous arrangement appeared to break down—for what reason I do not know. The public had an opportunity of giving evidence to the Tribunal. I represent a large electorate, and I assure the House and members of the public that it is a very expensive exercise. Members must be in a position to get themselves organised and move quickly, hire motor vehicles, buy information and various other things, and that is not cheap. As

possibly the highest paid backbencher in the Parliament, if one takes into account my allowances, I know that I could not do all that I do if I did not have access to some private salary.

The Hon. Jennifer Adamson interjecting:

Mr GUNN: Yes, I do represent 80 per cent of the land mass of the State, although I have the same number of constituents as do other members, bearing in mind the tolerances that operate.

The Hon. J.D. Wright: It's just that they're harder to find; that's all.

Mr GUNN: Yes, they are harder to find. Like the member for Mallee, it took me until 2 o'clock this morning to get back to the city so that I could take my place in the House today. In a democratic society members of Parliament must be in a position to carry out their duties and to do that they must have decent salaries. We should not be pace setters or the highest paid group in the community. However, it annoys me when certain journalists set themselves up as protectors of public finances.

I would like an exercise carried out to ascertain the salaries of those editors, and of that editor in particular, how often their salaries are determined and who determines them. If those people are to sit in judgment and make the sort of irresponsible comment that they made on a previous occasion, they should bear that sort of analysis. I know that it is not popular for one to make that kind of comment, but it is about time that members of Parliament faced up to the realities of the situation; unless we are prepared to do that, people will run away from their obligations and in future they will not be able to provide the sort of service that the public demands from them. The public is demanding more and more from members of Parliament and, if members are to be in a position to make themselves available (as I believe they should), they should receive appropriate salaries and allowances. I become annoyed when ill-informed people, like certain sections of the media, make judgments that they are not in a position to make.

I do not want to say more than that. I will continue to do my best for those whom I represent, but I point out that when a member runs out of money he has to stop. The member for Mallee would know the sort of expense that is involved in driving motor cars on rough roads. I believe that the time is coming when members of Parliament who represent very large districts will have to be given some help: they will have to have a driver, because is it becoming physically impossible to get from point A to point B in the time available.

I sincerely hope that the measure works as anticipated. I believe that judges should not be treated any differently from anyone else in the community: they should have to justify their salary, bearing in mind that they receive many benefits to which other members of the community are not privy. I support the Bill and I hope that it works effectively. I hope, too, that it gives members of the public who are concerned the opportunity to give evidence before the Tribunal. I sincerely hope that the Tribunal, in considering the matters that come before it, will act responsibly but not as a pacesetter, ensuring that members of Parliament are not treated any differently from any other section of the community. All anyone wants is for members of Parliament to be treated the same as other people. I hope that members of the Tribunal will not run away from their responsibilities and bow to pressures with which certain irresponsible sections of the community try to influence them at times.

Mr LEWIS (Mallee): I will not delay the House for long, but I want to place on record my view in relation to some people in the broader community who consider that those who are charged with the responsibility of administering justice, making the laws, administering them or implementing the policies as senior executives in the Public Service are overpaid. There are those members of the public who are jealous or who for some other reason regard people in these positions of public responsibility as being unnecessarily and unduly overpaid simply because they receive more than the average weekly income or the average annual income are fools.

The House—indeed the broad community—needs to know that at least I and other members of this place regard that view as being completely inadequate and indeed bankrupt of any principle whatever in determining where the relativities lie in the real world of the institutions that give and assure them of the freedom to express that opinion. There are a good many places throughout the world, many nations, in which those people, if they dared to say, leave alone write, as much would find their personal freedoms restricted, if not removed, for the rest of their life. They should be grateful that they live in a democracy. Those people best able to perform the services required for all our benefit should be encouraged in their roles in the courts, the administration and the Parliament, not denigrated and discouraged.

I do not know whether or not they are intellectual runts, whether they have egos bigger than brains or whether they are just jealous of others in that position. Whatever it is that motivates them it certainly is not the best interests of society. If we are to allow the people who serve in the positions that I refer to, including myself, to be so poorly paid as to attract those less capable and to make jobs (such as selling things or otherwise providing professional advice) more attractive careers in life than this calling, they will deserve the kind of Government and justice they then get and it will not be long before it will not be democratic. Since I have been here, indeed before I even came here, I have read with disgust the kind of way in which particularly members of Parliament have been denigrated for the sake of sensationalism.

Not only members of Parliament do I include in that category, but all the people included in the measures before us now. We need to bear in mind that in the broader community anybody with half a wit can make a damn sight more money, if that is what they live for, than they could by serving here or in the Public Service or in the Judiciary. When I learned, for instance (an example anecdotal, admittedly), that a young man of 29 (to whom I was speaking last Sunday week), trading in real estate, made a before tax profit in the 12 months to June last of more than $200 000, then if it were for money alone I wonder why the devil I work the way I do in this place; it would be in my judgment no more difficult for me to do that. It is not a calling or a service which interests me but in terms of reward it is indeed more appealing.

I however, support the amendments proposed by the Opposition to ensure that not only members of Parliament but also the other people who are the subject of this Act ought to be constrained and subjected to the same provisions as are members of Parliament, so that it is impossible for journalists or any other agency within society to single out and denigrate members of Parliament as a group from amongst those the subject of this legislation. I think we are lacking in self-esteem and spine if we proceed with the legislation in its present form. Whatever any senior public servant or member of the Judiciary is justified in receiving as an increase in reward for the service they provide in their respective responsibilities for the continuation of an organised democratic society is no more or less a part of the same system of values which should apply to members of Parliament. I would therefore urge all members to ensure that there is one common set of criteria applied by the Tribunal to all parties which are affected by it so that society

will know quite clearly that we regard this as a part of the whole of the democratic institution which ensures that our free society can exist in perpetuity.

Mr GREGORY (Florey): I support the Bill and I do so for a number of reasons, but the principal reason for supporting it is that I believe that there needs to be some form of wage justice for people who are mentioned in the Bill. It seems that the salaries of these people are subject to a fair amount of conjecture and a not very scientific way of determining what the remuneration ought to be.

I would think that, if the heads of the departments mentioned were measured against those people who hold similar positions in private industries such as manufacturing or commerce, we would find that their perks would be far greater, their offices more luxurious and their salaries larger. There seems to be a tradition that people who are in public office and manage large departments should do it for less than those in comparable jobs in private industry. I am constantly reminded of a comment made by a fairly eminent Australian industrialist, Sir Peter Abels, who, in commenting on restricting the wages of the people who worked for him, said that, if one pays peanuts, one gets only monkeys. Sir Peter Abels believes in paying labour what it is worth, and that applies from truck drivers who work for him up to those at the highest level. He pays people what they are worth and, as a result, attracts the best people. We need to do that in government.

Despite the noises from members opposite, we have a number of Government departments which employ thousands of workers because there is no conceivable way that any of them can be hived off. As a result, they will be with us for ever. I believe that these people should be paid correctly. The Bill clearly sets out how the Remuneration Tribunal will make its determinations. Much has been said about the position of judges. We in South Australia have been unfortunate in that we have had only one eminent jurist—the previous Chief Justice, John Bray. South Australia has yet to have a jurist appointed to the High Court. I would like to think that, if we were paying our judges the same amount as is paid in the Eastern States, perhaps more skilled and able barristers could be attracted to the South Australian Judiciary and perhaps some of our judges would eventually achieve office in the High Court. However, if we continue to pay less than is paid in the Eastern States, barristers will have to decide whether to suffer a marked decrease in income if they decide to accept a position on the bench.

I am not suggesting that the Tribunal should award judges an income similar to that earnt by these barristers, but suitable compensation should be paid. I refer to the provision in relation to appearance before the Tribunal personally, by counsel or by other representative. I think it is quite important that that provision remains in the Bill. I think it would be ridiculous to have the President of the Industrial Court, the Chief Justice of the Supreme Court, judges of the District Court or industrial magistrates appearing before the Tribunal personally and arguing about their own remuneration. It is far better for these people to employ counsel or a representative. The whole concept of the Bill is for comparative wage justice.

Much of my working life has been spent insisting that workers in South Australia who work under a certain classification and class of employment should be paid the same as their counterparts in departments and workshops in other States. I did not think that it could be justified to say we are a low-wage State and workers should receive less. I did not believe that that was fair or credible. I hope that in this matter the Tribunal will apply principles which will eventually see that people in this State are paid the same remuneration as that paid in other States.

It is very important that the public ought to be able to make submissions to the Tribunal on their views on what the classes of people mentioned in the Bill are paid. Members will note that the Tribunal consists of three people who have experience in industrial relations, the determination of remuneration for officers engaged in the service of the Crown or at a senior level, and the determination of remuneration at executive or senior levels in commerce and industry. If members think for a moment about the sort of people who may be appointed to this Tribunal, they could realise that these people would approach this matter in a very commonsense way and that the person off the street who wants to make a submission would be assisted and would be able to make one, as rough as it might be. The Tribunal would listen to it and conduct itself in an inquisitive rather than in an adversary way, so that it could question and assist that person making the submission.

In my experience of tribunals of this nature, even the most inexperienced people would find that such a tribunal would assist them in making their submissions. The Tribunal may not take much notice of it, but it would ensure that the people concerned made their submissions as well as possible, and it would listen to them.

The essential points in this Bill are, first, that the people of South Australia have a right to make submissions and, secondly, that the Tribunal will take into account the general principles and guidelines in relation to determination, as are observed and applied by the Industrial Commission of South Australia. Those who have experience in that area will know that comparative wage justice and the wage guidelines at the moment are all taken into account, which will continue for a long time.

The Judiciary should be paid what it is worth because, if we want to have good jurists eminent in their field, we need to pay the money. We also need to make the position very clear so that ordinary people in our community can feel comfortable when they approach the Tribunal. I support the Bill.

Mr RODDA (Victoria): I rise to support the Bill. In doing so, I am reminded of a charge that was laid on me as the baby of this House 18 years ago. Before I address myself to that matter, however, I notice that the Tribunal will be empowered to make determinations involving members of the Judiciary and of Parliament. The Bill confers on the members of this Tribunal a responsible and, indeed, serious obligation. I listened to the member for Florey, who has just resumed his seat, and we all know that the honourable member has had long experience in the Trades and Labor Council. I endorse what he has had to say.

However, I return to the remark made concerning me as the baby of this House 18 years ago. The Hon. P.H. Quirke, who retired from this Parliament after 27 years of service, having served as a Minister of the Crown and given extremely distinguished service to this State, was appointed to a certain position in retirement. I cannot recall what it was, but he said that he was humble and most grateful for that position because his retirement pension was insufficient for him to maintain the standard of living that was in keeping with what he was expected to do. He told me that as the baby of this House I had a sacred duty to see that members of Parliament henceforth did not suffer the humiliation that he was suffering. Anybody who knew Bill Quirke knew that what he said was what he meant. He certainly said it in terms that only Bill Quirke could use.

But he did say that very sincerely. When I came into Parliament in 1965, the Hon. Frank Walsh was Premier, and his Government set up a tribunal (I think chaired by the late Mr Justice Travers, who had formerly been a member of this House), establishing a system which has continued

until now but which will be repealed by this Bill. This has always been a vexed question, and the words of Bill Quirke always ring in my ears at times when there is a salary increase. The headlines that one is putting one's hand in the public purse are not kind to members on either side of the Parliament.

I have not heard all of the debate, but at this stage I can say that I will be leaving the Parliament after the next election, whenever that will be. I think I can say that I am not singing for my supper, because what has happened to me has happened. It is right that people from all walks of life and all political factions should come into this place, and I include Independents and members of minor Parties as well as members of major Parties, irrespective of their station in life—whether they be millionaires or wage earners. Irrespective of a person's background, once elected to this place that person is a member of Parliament and is charged to undertake a duty, if need be, 24 hours a day, seven days a week. That is the crunch line that people lose sight of: it is a seven days a week job if one wants to survive in Parliament.

My colleague has made the comment that none of us likes to leave the place—it grows on us, and we are not here for the money. I will have to leave (the die is cast), although it is in John Bannon's hands as to when that will be. I must say that there are pangs of regret about one's leaving. However, all members at some time have to leave this place, at which time there are great regrets.

The point at issue concerns what the State is going to pay its members of Parliament. That is the burning question that is quite misunderstood by people outside this place. This determination is the sacred duty of the tribunal, namely, to provide wage justice, as aptly framed by the member for Florey. We are in magnanimous company here, with judges, who give up very many years of their lives to study and pass exams and who work hard in the legal profession. 'Many are called but few are chosen,' I think someone said, speaking of members of Parliament. Members of the Judiciary command high salaries, and that is possible only while they are fit and able to continue. The community depends on the Judiciary, as it depends on the people who are elected to this place.

As my late friend the Hon. Bill Quirke said, 'No member should leave the Parliament in a pecunious and humiliated position,' in terms that only Bill Quirke could use. That is the position in which he found himself, and he was grateful to the Hon. Des Corcoran, a former member of this place, who saw fit to appoint him to a position which gave him the opportunity to live in a way in which he was expected to live. When members of Parliament leave this place they are not just cut off; they are expected to do certain things.

Also, members contribute 11 per cent of their salaries to the Parliamentary Superannuation Fund, and I doubt that any of us quibble about that. True, the method of qualification is short, but in the time that I have been here there have been some very sad experiences involving members having had only so many days to go to qualify but having failed to do so and receiving only the reimbursement of their contributions. Certainly, that must have been embarrassing for them.

As a member who will be leaving this House, I want to leave a message. Indeed, a charge was placed on me as the baby of this House 18 years ago that there should be recognition for all members of Parliament, irrespective of their station, to be adequately compensated for the work that they do here and for the time that they spend at their duties. Members of Parliament are not asking for overtime: they merely seek adequate recompense for the very long hours.

Heaven knows, there is not one member of this Chamber who does not sincerely give his or her all, whether it is on Saturday, Sunday or whether the sun is up. It is an around the clock job. I have been called out at all hours of the night, and I know that has happened to many of my colleagues. Members of Parliament are often criticised for the long hours required to pass legislation, but I am sure that in 20 years time members in this place will be burning the oil at midnight to come up with the best solution for the problems encountered by people privileged to live in this State. As the member for Mallee said (and his view was endorsed by the member for Florey), if you pay peanuts you get monkeys. I will finish on that note: in the 20 years that I have been here (and this applies to both sides of the House) it has been a great pleasure to work with people who sincerely have the interests of all others in their hearts. I support the Bill.

The Hon. J.D. WRIGHT (Deputy Premier): I thank honourable members for their contributions and support because, in the main, they have all supported the Bill, although with some reservations. Nevertheless, it is reasonable to say that the Bill is supported with proposed amendments. It is important to bear in mind that the difference between this salaries tribunal legislation and that presently existing is that, rather than being exclusive to members of Parliament, the new legislation includes judges and senior public servants; that is, public servants at the top of the ladder, such as heads of departments. That is the major difference in the groups added to the legislation.

The lead speaker for the Opposition said that there was no dispute about setting up the Tribunal. One could gather from those comments that the Opposition in general is in support of adding those groups to be covered by the legislation. The honourable member referred to overkill. I am not sure what he meant but, if I understood him clearly, the comment was indicative that he was talking about not adding groups to the actual legislation—it was a reference to the open ended way in which the judges' salaries are included in the legislation while salaries for politicians and senior public servants are not so dealt with.

There is a very good reason for that. Members will recall only too well that last year the Parliamentary Salaries Tribunal awarded an 18.9 per cent increase to politicians about which they decided their own fate and finally decided to extend those increases over a period of 12 months before they became applicable. The Parliament made that decision in light of the fact that the Parliamentary Salaries Tribunal had determined that politicians had not had a catchup. That was the very sound reasoning behind the Tribunal's decision at that time and it was correct—nobody can deny that. Certain newspaper articles stated, and certain journalists tried to make out, that there was something wrong with that decision, but it was a correct one in accordance with the catch p and fundamental principles laid down by the wage indexation guidelines. There was nothing wrong with that decision. However, because of public pressure created by the media (not by the public) politicians were forced to take drastic action and to reduce that salary increase. I place on record that we reduced that increase by 6 per cent that we will never ever get—we lost 6 per cent of that increase because of that decision.

The Hon. B.C. Eastick: It could have been handled a little differently from the outset.

The Hon. J.D. WRIGHT: Whatever the circumstances, we have lost that 6 per cent and the amounts payable for the period during which we did not receive those increases because of newspaper pressure. I only make that point to lead to my next point, which has validity in relation to the Opposition on this occasion drawing away from the facts. The judges were not in a Tribunal circumstance during that period. Therefore, there was no award made by the Salaries

Tribunal for judges for a catch up, nor has there been by anybody. That is the key to the whole question and why on this occasion this legislation allows judges a one-off catch up provided they can establish entitlement to that catch up before a tribunal.

The Hon. Jennifer Adamson: How can you be sure that it will be a one-off?

The Hon. J.D. WRIGHT: The Tribunal guidelines and the wage indexation guidelines guarantee that. It has been a one-off catch up situation for everybody, whether politicians, judges or tradesmen. The Executive arm of Government could, had it chosen to do so, have moved to a situation that the Liberals when in power moved to three years ago of taking an average of 95 per cent of judges' salaries around Australia and it could have done that by Executive decision, if it had so desired. I do not think there would have been much public outcry about that happening because I think that our judges are well accepted within the community as they are well accepted in this place, there is no doubt about that.

The Government thought, in its wisdom (or otherwise—I think in its wisdom), that it was time that everyone who was in that sort of situation—politicians, senior public servants, judges and the like—had the opportunity to go before a tribunal rather than the executive arm of Government passing out wage increases whether justified or not. I do not think that that is the point—the point is that some body, some body of persons, ought to have the right of veto or the right to increase the wages of these people. Where is the most likely place to go? Clearly it is to a Salaries Tribunal. They exist all over the world and are not just common to Australia. In fact, when I was in New Zealand recently the highest salaries tribunal in that country handed down decisions that affected the wages of judges, politicians, statutory leaders and the like.

The Government was trying to set standards by which judges and senior public servants could be placed in exactly the same situation as politicians placed themselves a long time ago. The member for Light read out a long list of salary differences and arrangements in other States. I jotted down some of the figures that I thought were pertinent to the South Australian situation. The Senior Judge in Queensland gets $100 000 a year; the New South Wales Senior Judge gets $99 000 a year—

The Hon. Ted Chapman: Are you saying that they get too much?

The Hon. J.D. WRIGHT: No, I am not. For the benefit of the honourable member who was not in the House at that time I am illustrating what the member for Light read out to the Parliament so that when he reads this speech tomorrow he will be aware of the figures. The New South Wales Senior Judge gets $99 000, plus a $5 400 non-taxable allowance. Compare that with the $80 000 paid to judges here and one will find that they have not got that catch-up. That is the difference—some $24 000, at least. If the formula had been followed—and it was not the Labor Party's formula but was created by the previous Government (95 per cent average of the other States)—one would find that it would take the salary of the Senior Judge now to—

The Hon. B.C. Eastick: You've been in charge for 2½ years.

The Hon. J.D. WRIGHT: I said that we have not done it. I make no apologies for not doing it, because the Government changed the philosophy of that.

The Hon. B.C. Eastick: Well, don't blame us.

The Hon. J.D. WRIGHT: I am not blaming anyone. I am merely illustrating what was happening when the Liberals were in power. They are the facts and one cannot run away from that. If the 18.9 per cent that the politicians received is added to the $80 000-odd it comes close to 95 per cent of the average salary for judges in New South Wales, Victoria and Queensland. That is what the Government was allowing the Tribunal to do—to create a catch up in these circumstances.

The Hon. Ted Chapman: The more you say, the sicker I feel.

The Hon. J.D. WRIGHT: The honourable member will never get over losing that 6 per cent, I know that. Neither will the rest of us. None of us likes losing money. But I wanted to make that point. The member for Light also said, 'Why should we be up with the Joneses?' I wrote those words down. But why should our judges be at a disadvantage to judges in other States when they perform very similar, if not the same, duties?

The Hon. Ted Chapman: Perhaps for the same reasons we were disadvantaged when compared with our counterparts in other States.

The Hon. J.D. WRIGHT: That is where the honourable member is wrong. We were stupid enough to take it off ourselves, and that is our problem. The Tribunal gave it to us and we took it off ourselves.

The Hon. Ted Chapman: Yes.

The Hon. J.D. WRIGHT: That is how stupid we were. We had a decision in our favour and took it off ourselves. If the judges are awarded something by this Tribunal and take it off themselves, they should not be judges and should give it away. They would be foolish if they got that decision and took it off themselves, as we did. We were stupid. Nevertheless, that is another story that I will not go into. Another thing that needs to be taken up concerns the member for Light's comment that creating such a Tribunal would be giving easy access to a wage increase.

The honourable member can check *Hansard* tomorrow and will find that that is what he said. He used the words 'easy access' in regard to wage increases through the Tribunal. That was a denigration of the Tribunal because, after all is said and done, the judges or senior public servants putting up this case have to justify the catch up, so I do not know how it could be easy access. The sort of responsible people one would put on this Tribunal would not be able to be hoodwinked by anyone in those circumstances.

The only fundamental difference between members opposite and on this side of the House is the method by which the judges are to be awarded their increases. I suggest that the argument of the member for Light would restrict judges from getting anything other than CPI increases. That is fair enough for politicians because we have had an 18.9 per cent increase. It is fair enough for senior public servants because they had a 3.8 per cent increase last year bringing them up to the going rate. For those two categories there is no argument, and the Bill says that those categories are restricted to CPI increases. That is not so with judges because they have never had a catch up entitlement. I would almost say that I know of no other category within the community that has not had the catch up or some part of it. I have just said that politicians did not get it all so I must be careful about what I say.

In 99 per cent of cases people have had what is considered a catch up but judges have not. If we pursue the Bill and accept the amendments on file, we would restrict judges from the opportunity to move in that area. I am surprised that the Opposition would want to do that, particularly in light of the fact that the Opposition has experienced the wage difficulties of last year. Along with the Government, it was under extreme pressure at that stage. This Parliament should not be putting judges under that same pressure, but should be putting them under the same conditions and opportunities with the same avenues of having wages assessed as everyone else.

Everyone is entitled to a tribunal of some sort, whether it be the Industrial Commission, a wages tribunal or whatever. In the final analysis a referee must make the decision. With its amendments the Opposition is trying to force this Parliament to make a decision that judges have no right to a catch up. I am very surprised and shocked at the situation. Obviously, the Government cannot agree with it.

The Hon. B.C. Eastick: You're not trying to impress anyone, are you?

The Hon. J.D. WRIGHT: I was trying to make clear that we would not support the Opposition's amendments.

The Hon. Michael Wilson: You said you were terribly shocked.

The Hon. J.D. WRIGHT: I am shocked. I am shocked that the Opposition could tie in judges or any category of employees, public servants or—

The Hon. Jennifer Adamson: Why not? I can understand, but I am not convinced.

The Hon. J.D. WRIGHT: The honourable member does not want to be convinced. That is always a difficulty—if you do not want to be convinced you shut out everything else. I will not go over everything again for the benefit of the honourable member as she can read it in *Hansard* tomorrow. Do honourable members want me to go over the whole thing again?

Members interjecting:

The Hon. J.D. WRIGHT: I have ordered my taxi for 11.30 p.m. or midnight, so there is plenty of time. I found no difficulty with the contribution of the member for Elizabeth. He supported the Bill. In my view he examined the fundamental principles properly and he informed the House that he would support the Government in those areas. However, he has indicated a number of amendments which I believe are sensible and which will be debated further. I have no real quarrel with the contribution of the member for Elizabeth.

I thought that the member for Eyre spoke very well indeed. His contribution was very rational and honest and one of which a great deal of notice should be taken by everyone in the community. The honourable member spelt out in very close detail the extent to which he has to manage his affairs and pay his own way in regard to travelling over his very large district. However, he did not get to the crucial point of the difference between the views of the two Parties—the judges' salaries.

I thought that the member for Mallee made one of his finest speeches—until about the last 40 seconds, when he spoilt it. However, for the first six or seven minutes of his speech the honourable member spoke with a great deal of passion and sense. I advise honourable members who did not hear him to read his speech tomorrow, because it was very eloquent and well managed, in my view. However, like the member for Light, the member for Mallee drifted away. He, too, wanted to lock in the judges.

Mr Lewis: I wanted to lock in the politicians.

The Hon. J.D. WRIGHT: No, the honourable member wanted to unlock the politicians—it is quite the reverse.

The Hon. B.C. Eastick interjecting:

The Hon. J.D. WRIGHT: The member for Mallee wanted to unlock the politicians but lock in the judges. He must be consistent. Instead of 10 out of 10, I give him 7 out of 10: I marked him down a little. Nevertheless, the first part of his speech could be used quite effectively in the electorate not only by that honourable member but also by other members. There is not a great deal of difference between the views of the Parties on this Bill. There are seven amendments with which we have to deal: one or two amendments are quite serious, but I do not find a great deal of difficulty with the others. I thank honourable members for their thoughtful contributions and for their support where it was forthcoming. I would like to have one more attempt at appealing to members to reconsider their opinion in regard to the judges, because the Liberal Party's decision is entirely wrong.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—'Membership of the Tribunal.'

The Hon. B.C. EASTICK: Will the Minister say what type of person will be appointed to the Tribunal? Obviously, the community will judge whether these people can be totally independent. The Opposition certainly believes that they should be totally independent. Has the Minister any person or persons in mind? Will he consult with any groups in the community, for example, the Employers Federation, the United Trades and Labor Council, or any other organisation that might be able to nominate people who are recognised in their field of operation and who fulfil the qualifications set out?

The Opposition has no argument with the general criteria laid down for the appointees, but the Minister may be prepared to confide in the Committee, something of the type of person for whom he is looking and the degree of consultation that he intends to undertake.

The Hon. J.D. WRIGHT: Finding the Chairman or the three person body is not proving as easy as one might have hoped. One must be extremely careful about appointing anyone who may subsequently be affected by any decision that is made. My original thoughts, of course, were simply to find a judge and other qualified people in the industrial relations arena, be it a Commissioner of the court or someone who has served in the Public Service industrial relations area, or someone in the Public Service Board area.

Mr Lewis: Like Mr Mercer.

The Hon. J.D. WRIGHT: That is an example. Mr Mercer is on it already, as the honourable member would realise.

Mr Lewis: He's a pretty good bloke.

The Hon. J.D. WRIGHT: Yes, but we are not discussing character, are we? We are talking about the sort of qualifications that one may have rather than personalities. I will talk to the honourable member about Mr Mercer in private at any time he likes, because Mr Mercer is a very good friend of mine. That is the difficulty that has been crossing my mind and that of the Government. Collectively, we would be looking at a group of people who have had that sort of experience and knowledge but who will not be placed in a situation at any stage where any decisions made by those people could have an effect on themselves or on someone very close to them. One could, I suppose, for the Chairman in any case, go interstate. I am not suggesting that we would do that but, if we wanted to keep it completely isolated—

The Hon. B.C. Eastick: You mean that you want an import to offset the export which was announced at news time tonight?

The Hon. J.D. WRIGHT: I did not hear about any export in the news tonight.

The Hon. B.C. Eastick: Like $1 million.

The Hon. J.D. WRIGHT: I do not know what the honourable member is talking about. I did not make any announcements today. Was my name used in connection with it?

The Hon. B.C. Eastick: No. Not the Minister's name—just the organisation that he represents.

The Hon. J.D. WRIGHT: I am not suggesting that that will be the end result, either. I am just illustrating to the member that there are some difficulties about trying to choose people for these situations. I think that he is sensible enough to understand that. The honourable member can be

assured that a very great deal of thought will go into the choosing of those people for the Tribunal.

The Hon. B.C. EASTICK: The Deputy Premier did mention the word 'judge'. I take it that he would really be referring to someone who had been a judge but was not a current judge. We would find ourselves in a great deal of difficulty permitting such persons to fit into the criteria if they were still likely to receive the benefits of the decision. I take it that the Deputy Premier was referring to a former judge.

The Hon. J.D. WRIGHT: I thought I referred to someone who had been a judge. I did not say 'a judge at the time'; otherwise he would be determining his own salary.

The Hon. B.C. Eastick: I just wanted to be quite sure. I didn't come across that. It may well have been said.

The Hon. J.D. WRIGHT: If I did not say that, that is what I meant to say: somebody who had been a judge. Obviously we could not have a judge sitting on a tribunal that was determining judges' salaries.

Clause passed.

Clause 6—'Terms and conditions on which members hold office.'

Mr M.J. EVANS: I move:

Page 2, lines 18 to 21—Leave out subclause (1) and insert subclauses as follow:

(1) A member of the Tribunal shall be appointed for a term of office (not exceeding seven years) specified in the instrument of his appointment.

(1a) A person who has completed a term of office as a member of the Tribunal is not eligible for reappointment.

The reason for my amendment has been enunciated by several speakers this evening. The Tribunal must be not only independent; it must be seen to be independent. I believe that a member of the Tribunal who is appointed for only three years, as originally indicated in the Bill, does not have a sufficient degree of apparent independence. Whatever his real position may be, it is how the public perceives the position that is important. By providing for a term up to seven years as specified in the instrument of appointment and by barring a member from reappointment when their term of office expires we can create the same degree of independence that is enjoyed by judges in other positions and certainly by people who preside over industrial courts who are appointed until 65 years of age or for life in the case of Federal appointments. Although that would not be desirable in this case, I believe that, in order to guarantee the independence of members of the Tribunal, it is appropriate that they should be appointed for a longer period and that they should not be eligible for reappointment.

The Hon. J.D. WRIGHT: The honourable member's point is, among other things, that, as Tribunal members will set the salaries for people who are selected to be on the Tribunal in the first place, it could be perceived by the public that the Tribunal could be influenced by its knowledge of the possibility of reappointment. I do not say that I agree with that, but that is the point made by the honourable member. To overcome this, the proposal is to make Tribunal members ineligible for reappointment. If this amendment were accepted, it could be argued that a period longer than three years should be stipulated for appointment to the Tribunal. The member for Elizabeth has suggested five or seven years, with a preference for seven years. He suggests a period not exceeding seven years with non-eligibility for reappointment. There are certain favourable aspects to this proposal. However, against the proposal it can be stated that the Bill in its present form follows the pattern of similar legislation in other jurisdictions, for example, in New South Wales, Western Australia and Queensland, where there are identical appointment term provisions; and the Commonwealth provides for a five year appointment on its remuneration tribunal. However, the Bill as it stands also provides for eligibility for reappointment.

Having said that, I do not think there is any compelling reason why the honourable member's proposition cannot be accepted by the Government. I thought about this a fair bit. I suppose, when it is all said and done, seven years is a fairly long time to serve on a tribunal. I do not think there would be any great difficulty in getting suitable people to accept appointment to a tribunal of this nature if they knew it was for seven years with no eligibility for reappointment. My difficulty in the first instance when the honourable member drew the amendment to my attention was, that, if we made it five years, we might not attract the type of person that we want. I think that if we extend it to seven years—and that is the honourable member's proposition—suitable people could be found. In those circumstances, I am prepared to give it a go and see how it works. I will not be here in seven years from now to change it if it does not work. If it does not work, members should not blame me—they should blame the member for Elizabeth.

Mr Lewis: He will still be here.

The Hon. J.D. WRIGHT: Yes, and so will the member for Mallee, who is only a young man.

Mr Lewis: We thought that we could get you a job on the Tribunal.

The Hon. J.D. WRIGHT: I would take it, if you offered it to me tonight. I would give you a good go. I am not quite sure that I am qualified for the position. In the total context of the present proposition of seven years, the Government is prepared to accept it, and I hope that it works. I believe that it probably will work.

The Hon. B.C. EASTICK: The Government has capitulated very easily. The Opposition would not have accepted the amendment in the form in which it is presented. I might have given some consideration to its being five years, but not seven. I certainly would not have accepted subclause (1a), which prevents a person from having a second term of office.

Consider the scenario that, of the three member board, almost at the same time one decides for personal reasons to resign, one takes an appointment that is impacted by the benefits of the Tribunal, and the other dies. Then, one would have a completely new Tribunal created at the one time or very near to it.

There has always been a tremendous advantage in tribunals of this nature having some continuity of service so that there is some knowledge of what has taken place and why. Whilst it may be on the records, it is a matter of recovery from the records, either from a public servant who is secretary to the tribunal and can recall, or not infrequently from a person who has served on the board, committee or whatever. I do not accept the proposal put forward by the honourable member in this way. I could accept five years: I do not believe that seven years is a realistic figure.

The Hon. J.D. Wright: Why would you accept five and not seven? I would have thought the other way around.

The Hon. B.C. EASTICK: Seven years is far too long. If we look at five we are looking at a period that is not infrequent for a contractual position. One gets contracts for longer periods, I know, but five years is more realistic. If one is looking for senior people who might be appointed in their 50s and who might retire at 60, one is binding them for a longer period. Five is a more acceptable figure: that is a gut feeling and is not based on any positive evidence.

The other point is that the inclusion of subclause (1a) completely destroys the value of the original provision in the Bill. I am not averse to the original subclause (1) being redrafted, but so as to leave the original view that the member may be appointed for a further period. That is the only argument that I have with the proposition, but I ask

the Minister, notwithstanding that he has given some indication to the member for Elizabeth that the Government is not unduly fussed by what the honourable member is putting forward, to reconsider the attitude.

I am happy to offer the Committee, if that be the wish, an alternative amendment (that is, an amendment to the amendment), and it would be to delete 'seven' and apply 'five' in subclause (1) and to delete subclause (1a), which destroys the value of continuity. A further subclause (1a) would have to be offered to pick up the balance of subclause (1) in the Bill as presented, which is, 'On the expiration of the term of appointment, be eligible for reappointment.' I am genuine in saying that continuity could be of inestimable value in an area of activity which will not be easy to fulfil and which will have some public profile, even though the genuine interest would be that it goes about its job in a quiet and meticulous form, fulfilling a vital role for senior personnel in the public sphere.

The Hon. J.D. WRIGHT: It is not my amendment, but I want to make sure that the honourable member knows why I accept it. The subclause says 'up to seven years'. It does not say that it has to be seven years. It could be one, three or four years. If someone happens to die during that person's term of office, a new member does not have to be appointed for an entire new term. For example, if a person dies after serving four years, another person can be appointed for the remaining two or three years, or whatever is desired. I think that flexibility is fair. The sorts of matters raised by the member for Light have been taken into consideration.

Appointments can be made for any term up to a maximum of seven years. It may be that the maximum term of appointment of seven years will never be used. Perhaps to get the chairman that one is looking for, one may have to make an appointment for seven years, or whatever the case might be. I think there is a fair amount of manoeuvrability as it is. If appointments were for seven years with no flexibility, I could agree with the member for Light's argument, but, because there is a maximum and a minimum term involved subject to requirements, I think there will be no problems.

Mr M.J. EVANS: I thank the Minister for his additional elucidation of the purpose of this amendment. I agree with his comments. The provision of a term not exceeding seven years does permit all the degree of flexibility required. I must say that the horrendous scenario that was conjured up, with all members leaving the Tribunal together might well apply to terms of office of any other organisation, and that conceivably that could have occurred under the original proposal in the Bill. In any event, one can always conjure up a scenario where people resign, die or are elected to Parliament, for instance, simultaneously or within months of each other under any period of term of office.

I think that this proposal has an advantage in that it gives the Government flexibility involving a term of up to seven years, if that is required. For example, if the Chairman is aged 60 and wishes to be appointed for five years, he can be so appointed until his 65th birthday. If it were desired to stagger appointments, the initial appointments could be for seven years, five years and three years, respectively, if necessary, to provide that degree of continuity. I imagine that that might even be the case, but of course that is up to the Government when making the appointments.

I believe quite strongly that, in order to ensure that the people who are fixing the salaries of those who make appointments to the Tribunal are not looking over their shoulders with respect to their next appointment, the bar to reappointment is indeed quite appropriate. The proposed maximum term of office of up to seven years is an adequate period for a person to serve on this type of tribunal. The people selected will probably be prominent in public life, and they may have other things to do with their lives aside from determining salaries of members of Parliament or the Judiciary. One term of up to seven years is probably quite adequate. This will also permit a fresh viewpoint to be taken of subjects under review at a later time. It does guarantee the perceived independence of these people, because they will be completely independent of those who make the appointments, bearing in mind that those who make the appointments are those whose salaries are determined by the measure. On that basis, I commend the amendment to the Committee.

The Hon. B.C. EASTICK: The Deputy Premier has failed to refer to subclause (1a), which prevents a person being appointed for a second term of office. I believe that reappointment could be a reasonable expectation for a person who had done his or her job well and who was prepared to be reappointed, whether for a maximum term of seven years or for two, three or five years, as the case may be. Will the Minister comment on subclause (1a)? The other point I make (it involves a matter which was also pertinent to clause 5) concerns membership of the Tribunal. The Deputy Premier mentioned that a former judge (like a former member of Parliament or public servant) could benefit from the existence of the Tribunal.

Wage indexation applies to their superannuation. Therefore, it really binds out everyone who has been in the service of the Crown and the State and who is likely to benefit as a result of that employment by way of superannuation. If they have been there for only a short term it is a different matter. Thus, one looks over the border for people with those qualifications who are not directly tied into the South Australian scene. I suppose the argument could be advanced, for example, that if the Judiciary of South Australia was to receive 95 per cent of the average of the amounts paid to the Judiciary elsewhere in Australia, and if a person who was a former member of the Judiciary from across the border was benefiting from the superannuation benefits in that other State, we would be on the merry-go-round and binding ourselves out of obtaining persons who would be likely to so benefit.

I do not want to develop that point any further unless the Deputy Premier likes to rejoin on that issue. It is important that it be on the public record that that difficulty is recognised, because it is also likely to apply to people who have had that experience interstate. Will the Minister respond in respect of the person's not being eligible for reappointment?

The Hon. J.D. WRIGHT: I keep telling the honourable member that it is not my amendment.

The Hon. B.C. Eastick: You accepted it.

The Hon. J.D. WRIGHT: And I have given the explanation to everything that the honourable member asked.

The Hon. B.C. Eastick: Not on that one.

The Hon. J.D. WRIGHT: I did, very early, but the honourable member could not have been listening. I read from the document, as follows:

> The member for Elizabeth's point is that, as the Tribunal members, amongst other things, set the salaries of people who select them to be on the Tribunal in the first place, it might be perceived by the public that the Tribunal could be influenced by this knowledge and the possibility of reappointment. To overcome this, the proposal is for no eligibility for reappointment.

I advise the honourable member to check *Hansard*. I have answered the three matters that were raised. In regard to clause 5 and the membership of the Tribunal, I do not dispute anything that the honourable member said. I agree. The more one looks at it the more difficult it is to find people to exclude totally in regard to not having some common interest at some time. That is why I have refrained

from giving a direct answer concerning the category or class of person. I pointed out to the member the difficulties involved in finding such a person.

Amendment carried.

The Hon. B.C. EASTICK: I move:

Page 2, after line 26—Insert paragraph as follows:

(ba) he is appointed or elected to an office in relation to which the Tribunal has jurisdiction to make a determination under this Act;.

It could be believed that this is overkill, but one can read the circumstances in which the person may be excluded. Subclause (3) *(e)* refers to removal from office under subsection (2), but that subsection does not provide that he is to be removed because he has been appointed to the Tribunal. Subsection (2) provides:

The Governor may remove a member of the Tribunal from office on the ground of misconduct or neglect of duty.

It is drawing a fairly long bow to say that accepting the appointment would be a neglect of duty. The Government has seen fit elsewhere in the Bill to be particularly cautious about what it is presenting. I refer, for example (and will not debate the point further at the moment), to the whole of clause 22, which shows an abundance of overkill when it states:

Notwithstanding any other provision of this Act, no determination shall be made by the Tribunal reducing the salary of a member of the Judiciary.

I will come to the reason for that in due course. Because we have this element of overkill I strongly recommend that the Minister accept this amendment as a necessary inclusion to the Bill.

The Hon. J.D. WRIGHT: I have no objection to this amendment. It merely adds another category to the situation. If it has that safeguard, well and good.

Amendment carried; clause as amended passed.

Clauses 7 and 8 passed.

Clause 9—'Sittings of the Tribunal.'

The Hon. B.C. EASTICK: I move:

Page 2, lines 36 to 38—Leave out paragraphs *(a)* and *(b)* and insert 'by the Chairman of the Tribunal of his own motion or at the request of the Minister'.

The Bill as it is drawn states that a sitting of the Tribunal may be convened by the Chairman of the Tribunal or the Minister. I cannot accept that it is in the best interests of independence if the Minister (that is, the Executive Government) is to become involved with the Tribunal in such a way. I can accept that there is every reason why a Minister may desire to point out to the Tribunal that he would like it to sit—that is, to request the Tribunal to sit. However, it will still be the responsibility of the Tribunal as to whether it accepts the Minister's request or not. However, to write into the legislation, as is done here, that the Tribunal may be convened by the Minister is quite a distance from what was initially intended in presenting this measure.

I seek to leave out paragraphs *(a)* and *(b)* and insert the words 'by the Chairman of the Tribunal of his own motion or at the request of the Minister'. Those words are not uncommon in similar circumstances and fulfil the purpose for which the Minister presented the original draft; they remove the untenable (to members of this side) intrusion of the Executive into the activities of the Tribunal.

The Hon. J.D. WRIGHT: I do not have any great difficulty with this amendment. The advice to Government in the first place was that it may be as well for the Minister to have the right to call the Tribunal together. The honourable member is now attempting to place that fairly and squarely in the hands of the Chairman of the Tribunal while still giving the Minister an opportunity to request a meeting of the Tribunal. I could not imagine circumstances occurring when, on request of the Minister, the Chairman will refuse a hearing: that would be quite unlikely. No Minister would be so irresponsible as to request a hearing of the Tribunal without a reason. I am sure that there would have to be an equally good reason for any Chairman of the Tribunal to refuse a reasonable and sensible request by the Government of the day. In those circumstances, I do not think that the amendment is unreasonable, and the Government is prepared to accept it.

Amendment carried; clause as amended passed.

Clause 10 passed.

Clause 11—'Evidence and submissions.'

Mr M.J. EVANS: I move:

Page 3, after subclause (2)—Insert subclause as follows:

(2a) Before the Tribunal makes a determination affecting the remuneration of Ministers of the Crown, or members or officers of Parliament, the Tribunal shall—

(a) by notice published in a newspaper circulating generally throughout the State, invite written representations from members of the public who may desire to make representations on the subject;

and

(b) consider any written representations made in response to the invitation.

I move this amendment because I believe that the public, as the people to whom the members of this House are finally accountable, have the right to make written submissions in relation to the salaries of members of Parliament. It is the role of the Government of the day to intervene in the public interest in relation to the Judiciary or senior public servants and place matters relating to public interest before the Tribunal. In the case of members of Parliament, however, there is no higher authority to which resort can be had than to the electorate. It is reasonable that the public should have the right to place views before the Tribunal so that that measure of accountability can be seen by the public to be had. The Tribunal need only take written submissions and, if it wished, using its powers as a Royal Commission, take oral evidence if it believed that it was desirable in any particular circumstance.

I believe that it is appropriate to require the Tribunal to take written evidence at this stage and leave it to the discretion of the Tribunal to proceed beyond that if it feels that is desirable. I commend this amendment to the Committee so that the public at large (the electorate—those who pay our salaries and elect us to this place) have the right to make their views known in relation to the salaries of members of Parliament. Naturally, I would expect some views to be forever contrary to the pay rise and some views, as have been indicated by members opposite in worthy contribution to the debate, would suggest that a higher salary for members of Parliament was appropriate. It is not unreasonable that those views be heard by the Tribunal.

We must take account of the fact that this Bill will persist even beyond the national wage case guidelines. While the guidelines persist and clause 23 is operative there will be little scope for the Tribunal, the public, or anyone else to make changes to the remuneration of members of Parliament. This Bill will continue beyond that clause and I believe we should have that view to the future. This clause provides access to the public to make comments in relation to the salaries of members of Parliament—a right they deserve to enjoy.

The Hon. J.D. WRIGHT: This amendment would allow the Tribunal, if it saw fit, to advertise two weeks before it sat for the public to tender written submissions; then if the Tribunal subsequently wished it could allow any such interested persons a right to explain their submissions in an oral presentation to the Tribunal. If any specific provisions were to be included, then members of the public would have a right to make submissions, with the Tribunal having a discretion to determine whether or not public submissions

were appropriate. The fear is that the Tribunal could sit on, with time wasted on irrelevances from anyone who wanted to exercise his or her right to make a submission. Having said that, I concur with the member for Elizabeth: people who want to make a contribution to the Salaries Tribunal should have a right to do so.

I do not take that right from the public. In the past we have been well aware of people who have made submissions to the Tribunal, some with a great deal of sense and others with great arrogance. The proposition put forward by the member for Elizabeth at least protects the Tribunal from having to put up with people who are not sincere in their attitude and who go along for the purpose of trying to interfere with the work of the Tribunal or to delay its work so that it cannot make a judgment about politicians' wages. I am convinced that the provision as put forward by the member for Elizabeth will prevent that from occurring and will protect the Tribunal so as to allow it to do the work it is required to do. In the circumstances, I am not over-keen on it, but I am not prepared to say that it should not happen. It is worth giving a go and, in those circumstances, I accept the amendment.

The Hon. B.C. EASTICK: The Opposition is quite happy with the attitude expressed by the Government and would have supported the amendment whether or not the Government did. It should not be construed that the Opposition will go along with the second part of the amendment.

Amendment carried.

The Hon. B.C. EASTICK: I move:

Page 3, lines 11 and 12—Leave out subclause (3) and insert:

(3) A person whose remuneration is under consideration in proceedings before the tribunal—

(a) may appear personally in those proceedings; or

(b) may be represented in those proceedings by a person who has a common interest in the result of those proceedings.

The amendment allows us to determine the Government's attitude to one vital matter, namely, whether counsel are to be permitted to appear in any proceedings. The subsequent amendment is an extension of counsel appearance in part. I will not canvass that matter. The Opposition believes that people who will be having their salaries determined by the Tribunal are in such a category of employment that they are competent to and capable of making representations on their own behalf should they so desire, or through a representative who is one of their number.

From my experience in this place of the Parliamentary Salaries Tribunal, which is to be repealed, I know that there have been representations by a member of Parliament, albeit one who has a counsel role in one sense but who was a representative and participated to the benefit of other members. That applied to members on both sides of the political fence. Before the Hon. Mr McRae became Speaker he appeared on behalf of a group of members, and the late Hon. Mr Potter from another place represented the members of his political persuasion. There were also representations by the late Mr Coumbe and other members, and I believe that their representations, two of those members having been counsel, were made as participants and not in their professional role.

While it might be unusual to expect the Judiciary to make representations on its own behalf, it is not inconceivable that that may occur. I said in the debate this afternoon that Chief Justice King, a former Attorney-General in this place, made representations on behalf of his brethren in the public press, albeit that he went to Rome to do it. However, he did it and he made sure that it was released from the Supreme Court, Adelaide, so his views on salary justice were known. We believe that the same circumstances could arise not necessarily in the press, nor under the byline involving Rome, but there would be ways and means for the Judiciary, members of Parliament and statutory officers to make their views known to the Tribunal.

I understand that statutory officers do not fit together as a whole as do the Judiciary or members of Parliament: that is, they do not make up a conglomerate group. It may well be that they find themselves in the position of having to seek individual representation. Yet, on the other hand, those people will be in various salary classifications—EO4, EO5 or EO6—and representations could be made on behalf of such a group by one of their number without any difficulty. We could see the spectacle of Tribunal proceedings with counsel appearing for one side and the Tribunal then finding it necessary to safeguard its position by also being represented by counsel. If other people are able intervene or if the public can have representation they may also want counsel to put their point of view.

It could become a nightmare. The Government, with its recent involvement with the Splatt Royal Commission and other Royal Commissions, knows the problems faced here and in other States with Royal Commissions, and would fully appreciate how the costs associated with legal representation escalate so as to make it a financial nightmare, not only for the State but also for the organisation that conducts the hearing. On that basis, the Opposition is quite firm that there is no place in the system for representation by counsel. We have nothing against counsel, but there is no place for representation by counsel for people who are capable of standing on their own feet and representing their beliefs or views. I therefore ask the Minister to accept the Opposition's proposal.

The Hon. J.D. WRIGHT: I must confess that I do not have any great strength to oppose this proposition. I found it somewhat difficult to come to put ourselves in this position without consulting about the matter with a judge, or judges for that matter, appearing before a tribunal. The strongest argument I could use in relation to this would be that it would be almost untenable to consider that situation. I have not been able to check what happens in other States. I do not feel inclined to accept the amendment. As I say, I think it is untenable to ask judges to make representations. The honourable member says that there is no room for counsel, but any other body that wants representation in any other court or tribunal has, to the best of my knowledge certainly, the right to get counsel. In fact, this Parliament does itself. Once one gets into the area of refusing people the right to representation, one is crossing—

The Hon. B.C. Eastick: Not the right to representation: representation by counsel.

An honourable member: Of their choice.

The Hon. J.D. WRIGHT: But of their choice. This amendment would force that body to represent itself. That is the difficulty I have, particularly in the case of asking judges to make representations on their own behalf. They may be better advocates than they can employ. Take a man such as Justice Olsson, for instance, who has been in the Industrial Court for some 10 or 12 years. Although he might be very good at it, I still think that a principle is involved in forcing him to do that. I think that, if one wanted to do that, that is one's own business. If one did not want representation and chose to do something on one's own, I would not be happy about that.

This evening I will have to oppose the proposition. If it is of any assistance to the honourable member, I am prepared to talk to the Attorney-General about the matter. He in turn can have appropriate discussions and perhaps something can be looked at in another place. I will come back to the right of people to be represented, and I think that is very hard to break away from. I do not think that it would be

proper in the circumstances this evening to force on any body the necessity to represent itself.

The Hon. B.C. EASTICK: I am perfectly happy to accept the undertaking which has been given by the Deputy Premier. He is a man of his word and has never been proved to be otherwise. I know that the matter will be discussed and, if necessary, the situation will resolve itself in another place. We do have *quasi* court and tribunal situations where counsel are not permitted for either party. Whether it is in welfare or the small claims courts—these are a little bit more than small claims, if the members of the Judiciary are to be satisfied—there are certain circumstances where counsel have been specifically written out of the legislation. On that basis, and having regard to the stature of the people who are to seek a benefit, the Opposition believes that they should not be permitted. That discussion will occur in another place, and I anticipate that it will be discussed here by way of any amendment from the Upper House.

Amendment negatived.

Mr M.J. EVANS: I move:

Page 3, after line 12—Insert subclause as follows:

(4) The Minister may intervene, personally or by counsel, in proceedings before the Tribunal for the purpose of introducing evidence, or making submissions, on any question relevant to the public interest.

It seems to me that for this Tribunal to function effectively it must work in a situation where more than one point of view can be put forward. At the moment, except in relation to members of Parliament where a public view is put forward, the Bill provides only for that class of person who themselves are to receive the pay rise to make a submission before the Tribunal. There must be a possibility for an alternative view to be put or indeed for that view to be supported. I believe it is essential that the Minister, who represents the Government of the day and therefore the majority will of the people of the State, should have the opportunity to put before the Tribunal evidence that he adduces to be in the public interest. The Minister has that right in relation to industrial tribunals in the State.

It is only appropriate and reasonable that the Minister, representing the Government of the day, should be able to bring before the Tribunal evidence in relation to matters affecting the public interest which will help to inform the Tribunal and which will ensure that a point of view other than that simply of those who are seeking to have their remuneration varied is brought before the Tribunal. It is for the reasons of fairness and equity that I ask the Committee to accept the amendment.

The Hon. J.D. WRIGHT: The Government accepts the amendment.

The Hon. B.C. EASTICK: The Opposition does not accept the amendment. I will not canvass the aspect involving counsel, because that will be discussed later. If we are honestly interested in providing an independent Tribunal, the least that the Government—be it a Minister or someone representing him—has to do with the whole activity the better it will be. There are other ways for such information to be gained by the Tribunal. In fact, it is bound by clause 11, as follows:

(1) The Tribunal is not bound by the rules of evidence but may inform itself in any manner it thinks fit.

(2) Before the Tribunal makes a determination affecting the remuneration of a particular person, or persons of a particular class, the Tribunal shall allow that person, or the persons of that class, a reasonable opportunity to make submissions orally or in writing to the Tribunal.

There are ways in which the Tribunal will afford itself of information without its independence being seen to be influenced or attempted to be influenced by the activities of the Minister. That is the very reason why under clause 9 we sought to write out the Minister as the person who may convene the Tribunal. That would have provided the independence with no vestige of involvement by the Executive in the activities of the Tribunal, apart from the normal servicing role; it would certainly not be a daily role or a role such as that envisaged by this amendment. The Opposition opposes the amendment.

The Hon. J.D. WRIGHT: Surprise, surprise! I should have thought that the Opposition would have had its own amendment, or that it could have indicated where it stood on this clause. Not having heard from the Opposition on this matter during the second reading debate and not receiving an amendment to this clause, I gained the impression, based on past events, that the Opposition would have wanted the Minister to have the right to intervene. The member for Light may need to be reminded of a certain period, and the member for Torrens knows what I am about to say.

When the Liberal Party was in Government and the member for Davenport was the Minister for Industrial Affairs, he certainly intervened in a Salaries Tribunal case. I am sure that I am right about that. I would have thought that, to be consistent with that activity, the Opposition would be in favour of this amendment. As the member for Elizabeth pointed out, rightly, the Minister has the right under the Act to interfere in any other tribunal in South Australia.

The Hon. B.C. Eastick interjecting:

The Hon. J.D. WRIGHT: I do not think that he would be stupid enough to come in on a personal gain basis: it would probably be for the reverse reason, which the member for Davenport was probably trying to do. I do not think for one moment that the member for Davenport was trying to influence the Tribunal for personal gain or pecuniary interest—I would not make that allegation for a moment—but there may be circumstances in which the Minister may need to be called into such a case.

Often, a case is proceeding and there is no intention either by the Minister or by the Government generally, or by advice, that the Crown needs to interfere, but something all of a sudden happens to influence the decision to go the reverse way. Merely because one carries this amendment giving the right to the Minister to do so does not necessarily mean that he will be there boots and all on any case or in each case. I can conceive of only very rare occasions when the Minister would even want to go in. Certainly, in my capacity as the Minister I would not want to go in: I would rather stay out. But there may be circumstances, as the member for Elizabeth pointed out, where it would be necessary.

The Hon. B.C. EASTICK: Sometimes, experiences can be capitalised on to make sure that one does not make the same mistake twice.

Amendment carried; clause as amended passed.

Clauses 12 to 17 passed.

Clause 18—'Report, etc.

The Hon. B.C. EASTICK: I move:

Page 5, line 21—After '*Gazette*' insert 'within seven days after it is made'.

The Opposition appreciates the fact that the decision will be gazetted, which is natural, but no time limit is indicated by the original Bill. I have moved the amendment so that there can be no suggestion that during or after or at some later stage any particular decision of the Tribunal was held up for some political purpose. Any such argument subsequently would do damage to the image of the Tribunal. The Opposition is therefore of the view that there should be a time limit.

The Hon. J.D. WRIGHT: The Government accepts that.

Amendment carried; clause as amended passed.

Clauses 19 to 21 passed.

Clause 22—'Salary of members of the Judiciary not to be reduced by determination of the Tribunal.'

The Hon. B.C. EASTICK: I ask the Deputy Premier or the Premier why they included clause 22. I ask that question against the background that it is already in the Supreme Court Act that the salary of the Judiciary may not be reduced. I move forward very briefly to the Bill that we will discuss immediately after this one: the Statutes Amendment (Remuneration) Bill.

In relation to the Electoral Act, the Highways Act, the Industrial Conciliation and Arbitration Act, the Local and District Criminal Courts Act, the Ombudsman Act, and the Supreme Court Act, 1935, to which I have already referred, provision currently exists to prevent any of the officers concerned from receiving a reduced salary during their terms of appointment. That being so, surely the inclusion of clause 22 is injecting into the legislation an over-abundance of caution in this regard. Did this provision get left in by mistake? Is it really necessary? Would the Statutes be not better served by withdrawing it to avoid an obvious duplication of reference to this matter?

The Hon. J.D. WRIGHT: That provision has not been left in the Bill by mistake. It has been included on the advice of Parliamentary Counsel. Clause 14(2) provides that:

> The Tribunal shall, in determining the renumeration of members of the Judiciary, have regard to the constitutional principle of judicial independence.

This clause is a saving clause for the Judiciary, consistent with the constitutional principle of its independence. That is a long-standing principle of the Judiciary, which has been in existence for as long as I can recall. This provision simply spells out, as is the case in other Acts, that the independence of the Judiciary must be considered and must be taken into account when dealing with salaries or with any other matter. This is a fundamental principle that has applied for as long as I can recall. There is nothing ulterior about this matter.

The Hon. B.C. EASTICK: I do not dispute the Minister's comments. The Opposition fully appreciates the principle of independence of the Judiciary. However, clause 22 provides that:

> Notwithstanding any other provision of this Act, no determination shall be made by the Tribunal reducing the salary of a member of the Judiciary.

A salary reduction is not permitted under the Supreme Court Act, the Industrial Conciliation and Arbitration Act, or any of the various other Acts to which I referred a short time ago.

The Hon. Michael Wilson interjecting:

The Hon. B.C. EASTICK: Yes, and it is not in any way involved with clause 14. However, if there is so much protection in relation to the Judiciary, why is there not protection of the Commissioner of Highways, the Ombudsman, the Auditor-General, or the Electoral Commissioner because, as I have pointed out, they are each specifically mentioned in the various Acts under which they are responsible and which give them a guarantee of employment, in circumstances that do not permit a salary reduction during their term of office? Why the Judiciary, and not the other appointees, provision for whom is made in other Acts?

The Hon. J.D. WRIGHT: The simple answer to that question—if there is a simple answer to it—is that the provision is in the Supreme Court Act, and this applies traditionally, as I have already pointed out. The honourable member did not dispute that, but he is not satisfied with it. Indeed, I can move, and I will even accept any other category that the honourable member believes should be included.

The Hon. B.C. EASTICK: The Opposition will not be party to a farce. The Deputy Premier now offers to the Opposition an opportunity to make even more farcical the circumstances perpetrated by section 22, which is already in the Supreme Court Act.

The Hon. J.D. WRIGHT: The honourable member raised analogies; he gave four or five examples. He should check *Hansard*. If this legislation is good enough for judges, then it should be good enought for others. I agree with the honourable member. I am giving him the opportunity to include any other category, and I cannot be fairer than that. If the honourable member will not move it, I will. I cannot be fairer than that.

The Hon. B.C. EASTICK: I have already spoken three times on the clause, Mr Chairman, and seek your guidance on answering this question.

The CHAIRMAN: The member for Light has run out of time. He has spoken three times, yet there is no motion to amend the clause before the Chair.

Mr RODDA: On a point of order, Mr Chairman, the member for Light is leading the debate for the Opposition. I hope this precedent is covered by Standing Orders.

The CHAIRMAN: There is no point of order. The member for Light has been recognised as the lead speaker for the Opposition; he has spoken three times to the clause but there is no motion to amend the clause before the Chair. I can only put the clause.

The Hon. J.D. WRIGHT: I undertake to discuss this matter with the Attorney-General and see whether this clause is satisfactory in another place. That will resolve the problem. This is not my legislation. I am handling it for the Attorney-General, and debate should have been finished half an hour ago. I undertake that the matter can and will be considered by the Attorney-General in another place.

The Hon. MICHAEL WILSON: I congratulate the Deputy Premier on his change of heart. He unduly took umbrage a while ago, and I was going to have something to say. I am pleased to see the Deputy Premier's attitude on this clause, indicating that he will further discuss it. The member for Light merely asked why the clause was necessary and cited other examples. The Deputy Premier came back and suggested that we include everybody else in the clause. That was not the point at all, and the Deputy Premier knows that. However, he has seen the error of his ways and is prepared to look at it and the Opposition is quite happy about that.

Clause passed.

Clause 23—'Limitation on powers of Tribunal with regard to members of Parliament, etc.'

The Hon. B.C. EASTICK: I move:

> Page 5, lines 37 and 38—Leave out 'affecting the salary payable to a Minister of the Crown, or a member or officer of the Parliament'.
>
> Page 6, line 5—Leave out 'Ministers of the Crown and members and officers of the Parliament' and insert 'persons whose remuneration is capable of determination by the Tribunal under this Act'.

The Opposition has made its position quite clear publicly and in this House that it believes that all categories of persons who are to be adjudicated upon by the Tribunal should be included in clause 23. The argument as to whether the catch up position for the judges is quite out of reach under the anomalies clauses or provisions is that we are of the belief that the Tribunal ought right from the word go be responsible for determining salaries from this time on of all persons embraced by the Bill.

The first of my amendments seeks to leave out the words 'affecting the salary payable to a Minister of the Crown, or a member or officer of the Parliament'. The other amendment moves to leave out at page 6, line 5, the words 'Ministers of the Crown and members and officers of the Parliament' and to insert 'persons whose remuneration is capable of determination by the Tribunal under this Act'.

Comments made during the second reading stage, and to some degree during the passage of other clauses of the Bill, have, I believe, satisfactorily argued our position. I do not wish to argue it any longer, except to say that this clause is particularly vital to the Opposition and I ask the Minister to accept the amendments.

The Hon. J.D. WRIGHT: I dealt with this matter at some length in my reply to the second reading debate. I have heard the honourable member and other members speak in relation to this matter, but have not changed my mind. I reiterate that to carry the amendments in their present form would be denying judges the same rights as those extended to members of Parliament through their Tribunal and to heads of departments through the various ways channels by which they receive remuneration increases. Both those categories have enjoyed an 18.9 per cent catch up that judges have not enjoyed. The Government could have made an executive decision about this matter, had it so desired, and created a new wage concept of 95 per cent of average, which was the Liberal Party's philosophy while in Government. However, it did not do that, because it wanted to move to a Tribunal situation.

The Government cannot (it would be quite wrong and indecent for the Government to do so) move to a Tribunal situation without taking into consideration the opportunity for judges to have a catch up situation. The member for Coles interjected while I was speaking during the second reading debate and asked how it was possible for there to be one catch up only. The wage indexation guidelines cater for that: they are quite clear, as are the fundamentals and principles involved—it can only be a one off catch up. The Tribunal will have a chance to deal with this matter, and I do not know whether it will give the judges an 18.9 per cent increase, or whether it will give them anything, but the Government will not stand by and deny the judges the opportunity to make such an application. I cannot accept the amendments.

The Hon. B.C. EASTICK: If in due course the Government wins the day in regard to this matter and there is public indignation relative to the benefits that accrue to the Judiciary, I hope that the Government, from the Minister down, will not seek to lumber the Opposition with the odium in the public mind associated with what we believe is, in effect, an Executive decision and not a decision that will be the province of the Tribunal we are seeking to set up.

The Hon. J.D. WRIGHT: I would like clarification of that statement. Is the honourable member saying that the catch up situation should have been made by the executive arm of Government and not by the Tribunal and that, if the Tribunal subsequently makes such a decision, the Government of the day will stand accused if it tries to attach the odium of that increase to the Opposition? Is that what I understood the honourable member to say?

The Hon. B.C. Eastick: That is correct.

The Hon. J.D. WRIGHT: I have made it very clear twice now, and will do so a third time, that the Government could have, by Executive decision, quite simply gone to the average of the 95 per cent of the three States I mentioned earlier (New South Wales, Victoria and Queensland). It chose not to do that but to go to the Tribunal situation. Having done that, it must, in fairness to the judges, give the Tribunal the opportunity to adjust those wages to an equitable base. I find it very difficult to come to terms with the Opposition on this because I can recall, from our own hectic wage days, that it was just as keen to get an equitable base as the Labor Party was. Here we are getting ourselves in a position of denying one category, one class people, the opportunity of getting an equitable base. I cannot come to terms with that situation. How the honourable member could determine, or even suggest, that it would be the attempt of this Government to attach any odium to the Opposition is beyond my comprehension, because the Opposition has made clear, both publicly and in this forum, that it does not support the right of judges to get an equitable base by the very fact of the amendment that has been moved.

The Hon. B.C. Eastick: That is not the truth and you know it.

The Hon. J.D. WRIGHT: I do know it. That is the point. I am not talking about a winning or losing situation, as the member for Light is. I am talking about a proper, just situation. If a just situation does not arise for the judges to get an equitable base then the odium would certainly lie with the Opposition and not with the Government. So it is not likely that the Government would be trying to give any credit to the Opposition for its role in this part of the legislation, because the Opposition is opposed to what we are trying to do.

The Hon. B.C. EASTICK: The position is quite clear: the Government is seeking to use the Tribunal or the Tribunal legislation to provide a benefit for one class of the group which is to be in receipt of benefit as a result of the Tribunal's existence. The Opposition is still of the belief that there is the opportunity for the Tribunal to find, on behalf of the judges, in an equitable fashion. The Minister shakes his head again, and he has continued to do that right throughout the debate. That is a difference of opinion between the Government and the Opposition.

As to the degree of the catch up or the result, we will not set about and argue: suffice to say that adopting this course of action and leaving it for the Tribunal to find on behalf of the judges, when clearly the Government is determined that the judges will be found for—if I can expresss it in that way—is to seek to lumber the whole of the Parliamentary system, which includes the Opposition, in a course of action which will not have popular public appeal in respect of one group in the community which is to benefit potentially a lot more than others.

I have very clearly placed on the record that the Opposition will not accept any attachment of blame for the odium which will undoubtedly come to the Government for allowing one group within the community—in this case the Judiciary—to benefit way above the rest of the community and that one group of people will henceforth be part of the Tribunal system.

The Hon. J.D. WRIGHT: That could not be put more clearly. The Opposition has made a political decision on this matter.

The Hon. Michael Wilson: Who has made the political decision?

The Hon. J.D. WRIGHT: The Opposition has made the decision that it does not want any odium of the increase for judges. It is prepared to deprive the judges of their rights to any increase at all. The honourable member, if he is going to be honest on this occasion, must admit that, if the amendment he proposes is carried, there can be no catch up: it is as simple as that. Every other person in the community has had the opportunity of catch-up. Even if the Government's proposition is carried, there may not be a catch-up—that is entirely up to the Tribunal—but, at least if the Government's proposition is carried, the Tribunal has the opportunity to examine the catch up.

If the Opposition's amendment is carried, either here or in another place it would deprive one class of people of the opportunity for a catch up. Anyone who knows anything about wage indexation, knows that guidelines, concepts, fundamentals or principles all matter. It is no good sitting down and saying that it does not know it, because the Opposition does know it. Clearly the Opposition has made

a political decision to attempt to embarrass the Government so that the odium stays with the Government and is not shared with the Opposition at all. If that is the game to be played over this piece of legislation, let us go back and talk about the 95 per cent: that is the percentage that the Liberal Government, when in power, made a decision to apply to judges. That clearly is the decision.

The Bannon Government is not prepared to pick up that issue and has taken the proper view that access ought to be given henceforth, not only on this occasion but for the rest of history. I do not know why, for the life of me, judges have not previously been afforded a Tribunal. Irrespective of what comes out of this, within the context of the words used by the member for Light as to whether the Opposition wins or the Government wins, there will be a Tribunal. That is the important and fundamental thing to come out of this legislation. It may be that the Opposition's proposition is carried in the Upper House. I do not know, as I have no idea what the Democrats are doing. I am sure that no-one would knock back the Tribunal, so the worst that can happen is that a Tribunal will be created and this sort of argument and Executive decision will not have to be made again by Governments but by an independent tribunal where it ought to be made.

The Hon. MICHAEL WILSON: I put on record that, when the Minister says that the catch up will not apply if the member for Light's amendment is accepted, that is not so. The Government has within its own means the power to give judges the catch up. The Minister has already talked of the Tonkin Government's 95 per cent formula. If the Government was being honest, it could have granted the judges the catch up and then introduced this legislation where all parties to it would be placed on an equal basis, as my colleague from Light has tried to achieve with his amendments. Do not let the Deputy Premier say that under these amendments it would be impossible for the judges to have a catch-up, because that is in the hands of the Government.

The Hon. B.C. Eastick: As an anomaly.

The Hon. MICHAEL WILSON: Indeed. The Government still has the power to correct that. So do not let the Deputy Premier try to pull the wool over the eyes of members of this Committee by trying to convince them that if they accept the amendments moved by the member for Light the catch up will not apply.

The Committee divided on the amendments:

Ayes (18)—Messrs Allison, P.B. Arnold, Baker, Becker, Chapman, Eastick (teller), S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis, Mathwin, Meier, Olsen, Oswald, Rodda, Wilson, and Wotton.

Noes (22)—Mr Abbott, Mrs Appleby, Messrs L.M.F. Arnold, Bannon, Crafter, M.J. Evans, Ferguson, Gregory, Groom, Hamilton, Hemmings, Hopgood, Keneally, and Klunder, Ms Lenehan, Messrs McRae, Payne, Plunkett, Slater, Trainer, Whitten, and Wright (teller).

Pairs—Ayes—Mrs Adamson and Mr Blacker. Noes—Messrs Mayes and Peterson.

Majority of 4 for the Noes.

Amendments thus negatived; clause passed.

Progress reported; Committee to sit again.

ADJOURNMENT

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

That the House do now adjourn.

Mr M.J. EVANS (Elizabeth): I wish to draw the attention of the House to a serious problem concerning the administration of justice in my electorate. It does not concern the Police Force or the Judiciary, as they are also the victims, along with those of my constituents who are unfortunate enough to have to attend at the Para Districts courtroom or the Elizabeth Police Station.

The Police Force members at Elizabeth and the members of the Judiciary who undertake their duties at the Para Districts Court do so under the most serious disabilities. The buildings are very much outdated and inadequate. They belong to an era long past when but a small handful of people lived in the area and long before it became the regional centre for the administration of justice in that area.

The buildings simply are not up to the standard required for the administration of justice in this State. The facilities available to the magistrates, the legal profession, and those who come before the courts either as defendants or witnesses should simply not be used for such serious business in these circumstances. I congratulate the police and court officials for being able to undertake their work to such a high standard in such unfortunate circumstances.

However, perhaps the worst feature of all relates to the juvenile court. There is a waiting room large enough to accommodate perhaps five people at a push. The entrance is directly from the street, which faces the large, modern, and well patronised regional shopping centre located at Elizabeth. As there is almost no ventilation in the waiting room, the door must be left open on hot days.

However, it would be obvious to this House that far more people are called to appear before the court than would ever fit into the waiting room. This is especially so when we consider that, in many cases, the parents of the juvenile defendants appear with their children. Accordingly, they are left with no alternative but to stand in the open outside the entrance to the court and in full view of the public. Is this how we protect the confidentiality of the Juvenile Court system? Remember, these children are presumed innocent until their guilt is established by the court, yet they are forced to place themselves on show before passing shoppers in some terrible parody of the eighteenth century legal system.

I would also like to draw the attention of the House to the position of the so-called temporary courts located on a vacant field adjacent to the city centre. Because of the distance between courts, the public and members of the legal profession are often left in a state of confusion as to just where they are to appear. However, once they get there, they begin to wish they had not found it. These courts are contained in the old Demac or Samcon system buildings and would have been appropriate for a short period of use only. However, most residents of the area have lived with these structures for so long that they have forgotten when they were first installed.

They are used for a number of purposes, including the hearing of adoption cases. Such matters are the cause of much stress and concern for the parties involved, and to have to conduct this sort of business in these prefabricated and austere buildings no doubt adds considerably to the stress. However, I am sure that plans are in hand for the upgrading of the police and court facilities at Elizabeth and I look forward to hearing about them in detail from the Government soon.

I am well aware that the Attorney-General and the Minister of Emergency Services would not wish to see the people of the Elizabeth and Munno Para area continue to have such substandard facilities for any longer than the current economic situation would require. In this context I would like to congratulate the Government on the construction of the Holden Hill Police Station. Indeed it is a magnificent complex, and I was recently privileged to attend the opening.

The building is functional and effective, and I am sure that the residents of the area and the local member concerned

must be very proud of the structure. I look forward to the day when a similar structure is opened in the Elizabeth area and the associated court complex which should be constructed on the site now occupied by the temporary court structure is opened. However, I must now turn my attention to this question of where the money is coming from and where it has gone in the area of court administration in the past. It would be very remiss of me if I did not mention the Sir Samuel Way building in this context. This magnificent building houses a number of judicial functions in circumstances of the greatest splendour.

As a past member of the staff of the Public Buildings Department I had the opportunity to look around this edifice prior to its occupation by the courts. There is no doubt that the Sir Samuel Way building represents the greatest example of wasteful extravagance that this State has ever seen—and this from a Liberal Government which proclaimed its abhorrence of waste and extravagence financed from the public purse. The public areas are themselves most opulent, although this could be tolerated if it was the extent of the extravagance and its was at least to be enjoyed by the public at large. However, behind the smoked glass bullet proof windows on alternate levels we find the best judicial accommodation otuside that allowed for the High Court in Canberra—itself a national architectural monument.

This 'Moore's Mahal' cost this State a large amount of money at a time when funds were difficult to obtain and the interior decoration alone must have cost a small fortune. Let me assure the members of this House that Elizabeth would not still be waiting now for its new court and police complex if members opposite had exercised more restraint when they extended the court accommodation available in Adelaide. A few examples will suffice. The judges conference lounge leaves the Cabinet room for dead, and the combined judicial library areas put our Parliamentary Library to shame. The security is so intense, and I would suggest so expensive, that it must be harder to break in to the judges area than it is to break out of Yatala.

I do not deny the judges of this State a degree of comfort (and certainly this evening we have provided for their financial comforts). However, I do condemn the decisions of the previous Government which so distorted the allocation of finance in this area that suburbs like Elizabeth will be denied even basic facilities for years because of the money which was wasted on this one project. In conclusion, I appeal to the Government to give the most urgent consideration to upgrading the court and police station facilities at the Para Districts complex as soon as possible, and I make a special plea for urgent remedial action in relation to juvenile court room accommodation. Problems in that area are particularly strong, and I believe the young people of that area are deserving of much better facilities than they have at present.

Mr BAKER (Mitcham): Tonight I wish to address the Friendly Transport issue. At the outset I assure the House that I do not intend to involve myself in the affairs of the adjoining district. However, the actions of the Labor Government in this affair transcend electorate boundaries and can only be viewed—

The Hon. G.J. CRAFTER: I rise on a point of order. I understand that this matter is currently before the Supreme Court. Therefore, I would have thought that comment on it in this place was *sub judice.*

The SPEAKER: Order! So far, I have merely heard the honourable member say that he wishes to refer to a transport matter. I think that is what he said.

An honourable member: No, he named the company.

The SPEAKER: Could the honourable member repeat his opening remarks so that I can make a ruling?

Mr BAKER: Yes, Sir. I mentioned the name of a particular company. I said, 'Tonight I wish to address the Friendly Transport issue'. There is no secret that I am referring to a particular company that operates—

Members interjecting:

The SPEAKER: Order! Can the Minister assure me that the matter is before the court?

The Hon. G.J. CRAFTER: My only evidence of that relates to matters which I have read in the newspapers and other documents which are not directly within my Ministry. I understand that West Torrens council has lodged an appeal against a planning decision and that that matter is currently listed for hearing before the Supreme Court.

The SPEAKER: Obviously, the Chair is in a difficult position. If such a situation exists, the remarks or any debate about the matter are clearly out of order. The sensible proposal that I now put to the member for Mitcham is that while he may refer to actions of the Government he may not refer to any matters that are currently before the court.

Mr BAKER: Thank you, Mr Speaker. I will start again. Tonight, I wish to address the Friendly Transport issue. At the outset, I assure the House that it is not my intention to involve myself in the affairs of an adjoining electorate. However, the actions of the Labor Government in this affair transcend electoral boundaries and can be viewed only as totally reprehensible.

The Labor Government has not only failed abysmally to fulfil its obligations to the residents of Black Forest but also irreparably damaged the relations between State and local government through its pre-emptive action to take away the planning powers of a local authority, namely, the West Torrens council. The rash and irresponsible action in this case is rooted in political expediency, fuelled by an overwhelming panic of the possible electoral backlash for its failure to relocate Friendly Transport. I am well aware of the disruption caused by Friendly Transport.

The SPEAKER: Order! This is where the problem arises. The honourable member has transgressed the ruling in the last remarks that he made. The remarks immediately before that were in order, but I ask him to tread a very narrow path.

Mr BAKER: Thank you, Sir, for your guidance on that matter. I will attempt to be succinct and avoid the problem as much as possible. On two occasions in the past year I have had to wait while semi-trailers have backed out into the traffic on South Road. For the surrounding residents, life has undoubtedly been intolerable. Problems of noise, disruption and family safety would be paramount in their minds. Anyone who has viewed the operations of Friendly Transport can only conclude that the company must be shifted to more suitable premises. But what has this Government done in its 2½ years in office?

It is useful to remind members of this House of undertakings made by the Premier of this State. On 18 February 1982, John Bannon, the then Leader of the Opposition, said in a letter to an Unley City Councillor:

> It is our view that the current location of Friendly Transport Limited poses a major safety problem to vehicular traffic on South Road and surrounding sites. I confirm that in Government, subject to the provisions contained within the Land Acquisition Act and an assessment from the Valuer-General's Department, we would make funds available to compulsorily acquire the property.

I remind the House that that was in February 1982, well over three years ago.

No-one can truly judge his motives in writing the letter, but perhaps it was in the interests of achieving the election of his colleague the member for Unley. Now, with an election approaching, he is fighting a rearguard action to ensure that the same issue does not result in the honourable member's defeat. For his part, the member for Unley gave certain

undertakings that Friendly Transport would be moved within a short time. It is like many promises made by this Government: they have been broken with monotonous regularity.

If the Premier was truly concerned about the welfare of Black Forest residents and the safety of motorists using South Road, why did he not take up the compulsory acquisition option, as promised in 1982? Further, why did the Premier not negotiate with a number of councils on suitable alternative siting? Why did the Premier not immediately ensure that appropriate access was provided by the Highways Department at the preferred site? Why was only one option pursued by the Government? I humbly suggest that the Government, typically, did not do its homework. It did not fully consult those involved or attempt to understand the deep feelings in West Torrens. Because of the nature of its operations, Friendly Transport will cause a certain amount of disruption—

The SPEAKER: Order! The honourable member will again resume his seat. The honourable member has again strayed into the preserves of the Judiciary, and I again ask him to leave that path.

Mr BAKER: Because of its very operation, Friendly Transport will cause a certain amount of disruption in any built up area of Adelaide. Can anyone seriously suggest that the company would be welcomed with open arms in such areas?

The Hon. G.J. CRAFTER: I rise on a point of order.

The SPEAKER: Again, the problem is highlighted. It seems to me that, in addressing the problem of the location of the company concerned, the honourable member is touching on the very issue that the Judiciary must deal with, and the path is getting narrower and narrower.

Mr BAKER: Black Forest residents will heave a huge sigh of relief when they finally see the last semi-trailer leave. Years of anxiety will end. Unfortunately, that day has not arrived yet. Because of the Government's mishandling of this matter, the very partnership between State Government and local government is in tatters. A South Australian council is being used as a political chopping block. That the residents of Black Forest will have to continue to wait for justice perhaps typifies the disdain with which the Government treats the people of South Australia.

Mr HAMILTON (Albert Park): What a load of garbage from the member for Mitcham. In the short time that I have available to me I want to address myself to something that I think is positive. I refer to strata title arrangements and the problems that Albert Park residents have experienced. Recently one of my constituents contacted me and stated that he is the secretary of a strata title corporation, involving four units under strata title. For each unit there is an electricity tariff meter. However, in the courtyard adjacent to the complex lighting is provided for all the strata title holders, which lighting is connected to a separate meter. My constituent is concerned that each time the meter is read the people in the units are charged the minimum amount of $30 for that supply of electricity, despite the fact that in most instances the account would not have reached $20.

Therefore, I wrote to the Minister, asking him to investigate the matter. I believe that the people to whom I have referred and indeed other residents of South Australia in similar situations would be well advised to seek redress through the Minister or have that sort of lighting connected to one of the meters of a strata title holder rather than pay the minimum $20 just for the reading of the meter and the use of a small amount of electricity. The Minister tonight advised me that he is investigating this matter and that he will bring down a report. I hope that it is favourable and that positive action will be taken in relation to my constituents. I think that many pensioners in similar situations and, indeed, other people who are careful with their money will appreciate some relief in relation to this matter.

I refer to another matter that is of concern to my constituents in Albert Park, namely, the matter concerning the hydrotherapy pool. On 4 October 1979, if my memory serves me correctly, at the opening of a workshop for the Alfreda Rehabilitation Centre, a request was made to the then Premier (Hon. David Tonkin) for $300 000 for a hydrotherapy pool. I was appalled by the response from the then Premier, who was in the company of a select group of people who had worked hard for the Queen Elizabeth Hospital and the rehabilitation unit and who responded in a rather egotistical manner, 'I have learned three new words since becoming Premier: the first two are "how much" and the third is "no".' I was absolutely horrified by the then Premier's lack of compassion and I pursued that matter with the utmost resolve.

Before being re-elected to office in 1982 I spoke to the then shadow Minister of Health (Hon. Dr Cornwall), who visited the unit and gave an assurance that money would be forthcoming. Indeed, upon our being returned to office he honoured his undertaking and I am now pleased to say that the concrete has been poured for that pool and it will not be many months before that pool can be used by the many people in South Australia in need of hydrotherapy facilities. I congratulate the Hon. Dr Cornwall, my colleague in another place, on the compassion he has shown to those people in the community who require hydrotherapy. Many people need that facility in the western suburbs of Adelaide.

I applaud and commend the Hon. Dr Cornwall for what he has done in that matter—he has put his money where his mouth is—and this project will be of tremendous benefit to people not only in our western suburbs but throughout South Australia. This matter leads to another issue that was recently bought to my attention concerning people undergoing open heart surgery. I understand that between five and seven people a day go through Royal Adelaide Hospital's cardiac unit for open heart surgery, and it has been suggested to me that these patients would benefit from access to a hydrotherapy treatment facility. Therefore, I hope the Government will look at this project seriously.

I refer to specialists who believe that hydrotherapy treatment is beneficial to people who have undergone bypasses and open heart surgery. Given the track record of the Minister of Health, I know that he will consider the matter carefully, because the operations involved are big. As a person who has undergone a similar operation, I know the pain that people go through, and I hope that this facility will be provided to those many South Australians who are in need of that service. When I recently visited a friend at Royal Adelaide Hospital I was advised of a person who came from Thailand to undergo open heart surgery. Originally, that person intended to go to the USA but the cost of the operation there was $48 000, whereas the cost in South Australia was $4 000. So much for the criticism from the Opposition. Once again Opposition members are not here—it is shocking—and this is the second time in the last two bloody weeks.

The SPEAKER: Order! The honourable member should withdraw.

Mr HAMILTON: I am sorry, Mr Speaker, I withdraw. I feel angry that the Opposition has not even the decency to represent its constituents in this Chamber. Opposition members are wandering out probably down by the lift waiting for the bells to ring so that they can scamper home. It is an outrageous situation and Opposition members should be condemned. This situation has arisen twice in two weeks. What sort of Government would the Opposition be? They are not even here in Opposition—let alone be here in Gov-

ernment. What are we out for? This is a disgraceful situation. In the six years that I have been in this House I have never seen such a situation before.

Not one Opposition member is present—not even a shadow Minister. One would think that there would be at least one Opposition member. Where is the Opposition Whip? Not worth a cold pie! The situation is outrageous. So much for the Opposition's sincerity in looking after the community that Opposition members claim to represent. How many members are present on this side of the House? About a dozen sincere and concerned members, concerned about what is happening in their electorates—but not one member of the Opposition is present. This has happened twice in two weeks. What a disgusting and outrageous situation! I have never heard of this happening before. I will certainly do some checking into this matter. The other issue I will raise in the time left to me—look at this, 14 members present on this side.

Mr Groom: They've tossed in the towel.

Mr HAMILTON: I think so. They might be running a book out there, but I think it is outrageous that this should happen. Since 15 September 1979, when I came into this place, we have always had someone in this Chamber during grievance debates, but tonight there is not a soul on the other side of the Chamber. Where is the future Premier, as he calls himself? Not a soul on the other side! We have everybody here on our side, but where is the alternative Government? Not one of its members here! Perhaps if we yell out loud enough 'Are you there, John?' he would like to come back into the place. Where are they? Perhaps they are outside. Where is Roger? Not a soul here—what a disgraceful situation!

We have our Premier here and our Ministers, but there is not one shadow Minister, or the shadow Premier, present. I wonder what they are doing. As I said earlier, they are probably down waiting to press the lift button so that they can jump into their cars and tear home—so much for their concern! They would not even come in and listen. I am no Rhodes Scholar, but they might have learnt something from members on this side of the Chamber had they stayed, but tonight, as was the situation two weeks ago, there is nobody present on the other side of the House. This is an outrageous situation! I hope that the media picks this up and shows up members opposite for what they are. Not one member of the Opposition is present in this place. They are not interested. They could not give a damn! So much for the unemployed, the disabled and the disadvantaged in the community!

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

Motion carried.

At 10.22 p.m. the House adjourned until Wednesday 20 March at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 19 March 1985

QUESTIONS ON NOTICE

LIBRARY VIDEO TAPES

375. **Mr LEWIS** (on notice) asked the Minister of Local Government: in which six country libraries are video tapes made available through funding to the South Australian Film and Video Library, how many tapes are available to those libraries, and what are the titles?

The Hon. G.F. KENEALLY: The following public and school/community libraries in country areas will participate in the pilot programme of lending video tapes:

Berri Public Library
Millicent Public Library
Port Pirie Public Library
Victor Harbor Public Library
Burra School/Community Library
Ceduna School/Community Library
Leigh Creek School/Community Library
Yorketown/Warooka School/Community Library

The number of libraries has been increased to eight, after consultation with local councils. It was decided to expand these libraries because it was expected that videotape use would be higher in country areas due to the lack of other competing facilities.

A total of 30 thematic topics has been chosen, each running approximately 90 minutes. It is proposed that 15 of these programmes, each in the VHS and Beta formats, will be placed in half of the selected libraries and the other 15 in the remaining libraries. I attach a list of the suggested titles.

1. Cooking:	'The World of Cooking' Series		(Coronet—Focal)
	'France: An Alpine Menu'	28 Min.	(Coronet—Focal)
	'Hong Kong: A Cantonese Menu'	28 Min.	(Coronet—Focal)
	'Italy: A Venetian Menu'	28 Min.	(Coronet—Focal)
2. Travel:	'The City Series'		(LCA)
	Peter Ustinov's Leningrad	50 Min.	(LCA)
	Germaine Greer's Sydney	30 Min.	(LCA)
3. Travel II:	'Superliners: Twilight of an Era'	59 Min.	(National Geo-Key Book Series)
	'England's Thames'	28 Min.	
4. Egyptology:	'Preserving Egypt's Past'	28 Min.	(National Geo-Key Book)
	'Egypt: Quest for Eternity'	59 Min.	(National Geo-Key Book)
5. Music:	The Fifth Symphony	36 Min.	Granada
	'The Bolero'	27 Min.	(Pyramid. EMA)
	'W.A. Mozart'	26 Min.	(Anvic Films)
6. Adventure:	'Wind Raiders of the Saraha'	52 Min.	(National Geo-Key Book)
	'Flight of the Gossamer Condor'	28 Min.	(Shedd Productions)
7. Comedy:	'The Music Box'	32 Min.	Nostaligia Films Vic.
	'A Home of Your Own'	50 Min.	Bell & Howell
8. Films for Children:	'Winnie the Pooh & The Honey Tree'	22 Min.	(Disney-Focal)
	'Mole & The Car'	16 Min.	(Focal)
	'A Shopping Expedition'	17 Min.	(EMA)
	'Really Rosie'	25 Min.	(West Woods)
	'Where the Wild Things Are'	6 Min.	(West Woods)
9. South Australia:	Days I'll Remember in S.A.	22 Min.	(SAFC)
	Bound for the Alice	15 Min.	(SAFC)
	The South Australians	50 Min.	(SAFC)
10. Australia:	Bullocky	14 Min.	(Film Australia)
	The Railway	28 Min.	(Film Australia)
	Leisure	14 Min.	(Film Australia)
	G'Day Sport	29 Min.	(Film Australia)
11. Australia—The Past:	Burke & Wills	50 Min.	(B.B.C.)
	Our Living Past	30 Min.	(B.P.)
12. Cars—The Golden Age:	The Veterans	27 Min.	(B.P.)
	The Vintage Years	27 Min.	(B.P.)
	The Golden Age of the Automobile	30 Min.	(L & S)
13. Classic Short Stories:	Ramson of Red Chief	27 Min.	(Video Channel)
	Bernice Bobs Her Hair	48 Min.	
	Butch Minds the Baby	25 Min.	
14. Sport—1. The Games:	The Games of the 21st Olympiad	94 Min.	(BFBC)
15. Sport—2. The Games:	The Brisbane Commonwealth Games	90 Min.	(ABC) (Video Classics)
16. Sport—3. The Centenary Test:	The Centenary Test: 1977	72 Min.	ABC
17. Computers:	Its Happening Now	25 Min.	BBC
	One Thing After Another	25 Min.	BBC
	Lets Pretend	25 Min.	BBC
18. Animals:	Australia's Animal Mysteries	50 Min.	(National Geo-Keybooks)
	Manimals	28 Min.	Focal
19. China:	Xian	54 Min.	(Uni. of Calif.)
	100 Entertainments	30 Min.	(Film Australia)
20. World Cultures & Youth:	Igor & The Dancing Stallions	25 Min.	
	Ming Oi The Magician	25 Min.	(Coronet-Focal)
	Kurtis The Stunt Boy	25 Min.	(Coronet-Focal)
			(Coronet-Focal)
21. A History of the Australian Cinema:	Sunshine & Shadows	90 Min.	(ABC)
22. Classics Dark & Dangerous:	The Island	29 Min.	LCA—Video Classics
	Mrs Amworth	29 Min.	
	The Mannikin	29 Min.	
23. Sci-Fi:	All Summer In A Day	25 Min.	LCA—Video Classics
	Electric Grandmother	32 Min.	
	The Ugly Little Boy	26 Min.	

24. Up Up & Away:	Quest For Flight	23 Min.	Avatar
	Sky Dive	15 Min.	Pyramid
	Spacebourne	17 Min.	Pyramid
	Icarus	14 Min.	Film Australia
	Experimental	13 Min.	Focal
25. Claymation:	Rip Van Winkle	29 Min.	(Billy Budd)
	Martin The Cobbler	30 Min.	
	Claymation	18 Min.	
	Closed Mondays	8 Min.	
26. Pastimes:	BMX Bicycle Motorcross	10 Min.	Adams & Adams
	Floating Free	11 Min.	Pyramid
	Magic Rolling Board	16 Min.	McGilvrary Freeman
	The Soapbox Derby Scandal	26 Min.	—
	Sea Flight	11 Min.	Pyramid
	Kites	28 Min.	Compass Film
27. Creatures of the Sea:	In Search of the Bowhead Whale	50 Min.	NFBC
	About Sharks	12 Min.	National Geo-Key Book
	Nightlife	12 Min.	Contemporary Films
28. Animation:	Zea		NFBC-EMA
	Bead Game		
	Why Me		
	Sand Castle		
	Crac		
	Special Delivery		
	Every Child		
	Tchou-Tchou		
	Chairy Tale		
29. Insects and Animals:	Save The Panda		
	The world of Insects		National Geographic
30. Adventure:	Treasure		National Geographic
	The Volga		

MOTOR VEHICLE INSPECTION

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

1. How many and what types of motor vehicles, including motor cycles, were inspected at the Government Motor Vehicle Inspection Garage at Regency Park in the 12 months ended 30 June 1984 and the six months ended 31 December 1984?

2. What were the most common complaints and problems detected?

3. What is the cost for each type of vehcile for the first and subsequent examinations?

4. Has the programme of defecting unroadworthy vehicles been assessed as a road safety factor and, if so, what were the results. Will regular campaigns be held in 1985 and, if so, when?

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

1. Precise statistics were not recorded for the 12 months ended 30 June 1984, but it is estimated that some 11 000 inspections were carried out at Regency Park. For the six months ended 31 December 1984, 5 842 inspections were carried out comprising:

Defected vehicles (including motor cycles)	3 496
Buses and taxis	1 011
Road trains	112
New Government passenger cars	241
New Government commercial vehicles	5
Modified vehicles	458
Vehicles referred by Police Department	357
Vehicles referred by Department of Consumer Affairs	30
Vehicles assessed for load rating	27
Miscellaneous	105

2. The most common problems with defected vehicles were tyres and rims, lighting, brakes, steering and suspensions.

3. The following fees are charged:

	$
Defected vehicle (first inspection)	20.00
Defected vehicle (second inspection)	15.00
Inspection of bus or country taxi	7.50
Inspection of new Government vehicles	16.90 hour

4. Road safety researchers in many parts of the world have found that vehicle defects or failures probably contribute as either causal or severity increasing factors in up to 14 per cent of vehicle accidents. The 'Adelaide In-Depth Accident Study 1975-79' found that vehicle defects were possible causative in 5.3 per cent of accidents. The Division of Road Safety is currently negotiating with the Federal Government to conduct a joint rural accident study as an extension of the current rural study being conducted for the Division by the NH and MRC Road Accident Research Unit. The joint study will attempt to assess the contribution of vehicle defects to rural accidents.

The Government believes that defecting unroadworthy vehicles is an effective road safety measure. It is intended that police officers, as part of their normal duties, will continue to defect vehicles which they consider to be unroadworthy. In addition, during July the Police Department will mount a specific campaign against unsafe vehicles.

TOURISM GRANTS

414. **The Hon. JENNIFER ADAMSON** (on notice) asked the Minister of Tourism: what loans and grants have been provided to local government for tourism facilities and major tourist projects since the Government came to office and what was the date, amount, purpose and recipient of each?

The Hon. G.F. KENEALLY: The information sought by the honourable member requesting a list of Tourism Development Subsidy Scheme Grants and Tourist Road Grants is attached. Also attached are details of assistance provided to private developers by way of Government Guarantee Scheme and the Establishment Payment Scheme.

Tourism Development Subsidies provided since 6 November 1982:

L.G.A.	Project	Date of Approval	Amount of Approval $
D.C. Tatiara	Keith Poolside Caravan Park—New Ablution Block, Sullage System.	13.1.83	24 000
D.C. Meningie	New Lake Albert Caravan Park at Meningie.	29.1.83	160 000
C.T. Moonta	Moonta Bay Caravan Park—Redevelopment Concept Plans.	17.1.83	10 500
C.C. Kanyaka/Quorn	Quorn Tourist Information Bay.	4.11.83	3 000
C.T. Brighton	Kingston Park Foreshore Caravan Park—Redevelopment	22.9.82	50 000
D.C. Barmera	Barmera Tourist Information Bay.	25.10.82	3 000
D.C. Beachport	Beachport Tourist Information Bay.	26.10.83	3 800
D.C. Berri	Berri Tourist Information Bay (2).	4.11.83	5 500
D.C. Ridley	Lookout at Walkers Flat.	1.11.82	1 250
D.C. Mannum	Lookout at Coolcha.	15.4.83	2 800
D.C. Paringa	Lookout at Headings Cliff.	19.10.83	13 500
D.C. Millicent	Handicapped Toilets at Millicent.	9.12.81	1 425
D.C. Kanyaka/Quorn	Handicapped Toilets at Quorn.	22.3.83	2 000
D.C. Coonalpyn Downs	Public Toilets at Tintinara.	16.3.83	15 000
D.C. Waikerie	Riverfront Power Supply at Waikerie.	22.9.83	1 375
D.C. Clare	Clare—Christisan Park Picnic Facilities.	21.11.83	2 100
Various South East Councils	Tourist Road Signs.	2.9.81	699
Various Adelaide Hills Councils	Tourist Road Signs.	18.8.83	7 000
C.T. Port Augusta	Port Augusta Visitor Centre—Consultants Study.	18.8.83	3 000
C.T. Mount Gambier	Lady Nelson Park—Consultancy	15.6.83	3 059
	Construction.	15.6.83	100 000
D.C. Robe	Robe Interpretive Centre.	3.9.81	3 306
D.C. Pt. MacDonnell	Mount Schank Development.	22.12.81	2 014
Fort Glanville Historical Society	Purchase Uniforms and Equipment.	27.3.82	6 787
Australian Railways Historical Society	Purchase 6 Steel Cars.	24.11.83	33 000
Pichi Richi Railway Preservation Society	Restoration of Railway Car 90.	23.7.83	10 000
D.C. Pt. Broughton	Artificial Fishing Reef.	8.11.83	4 300
C.T. Port Lincoln	Porter Bay Marina Project—Land Assessment.	25.8.83	500
C.T. Glenelg	Glenelg Tourist Information Complex.	28.3.84	45 000
D.C. Cleve	Arno Bay Caravan Park—Roadways.	28.11.83	16 000
D.C. Yankalilla	Normanville Caravan Park—Redevelopment.	28.3.84	25 000
		21.8.84	90 500
C.T. Port Augusta	Tourist Information Bay.	6.3.84	3 000
D.C. Murray Bridge	Tourist Information Bay at Murray Bridge.	2.4.84	7 100
D.C. Meningie	Meningie—Public Toilets.	25.1.84	18 000
D.C. Port Elliot/Goolwa	No. 19 Beacon Boat Ramp—Consultancy.	7.12.83	2 600
D.C. Port Augusta	Port Augusta Visitor Centre—Consultancy.	16.4.84	1 810
C.T. Renmark	Bus Parking Bay.	1.7.84	4 000
D.C. Hawker	Hawker Caravan Park—Handicapped Facilities.	17.12.84	3 200
D.C. Karoonda/East Murray	Karoonda—Ensuite Caravan Facilities.	13.8.84	2 000
D.C. Wakefield Plains	Port Wakefield Caravan Park—New Ablution Block.	5.2.85	30 000
Moonta National Trust	Moonta Mines—Narrow Gauge Railway.	4.1.85	6 000
C.T. Port Lincoln	Kirton Point—Fishing Industry Interpretive Facility.	11.1.85	5 500
D.C. Robe	Robe Historical Interpretation Centre Displays.	19.9.84	16 000
Porter Bay Development Co.	Porter Bay Consultancy.	15.10.84	3 675
Department of Tourism	Murray Bridge—Option for Purchase of 'Oscar W' Paddle Steamer.	26.11.84	3 000
Department of Tourism	Port Augusta Information Centre—Option for Land Purchase.	31.7.84	2 500
D.C. Kapunda	Kapunda Tourist Information Bay.	4.12.84	1 500
D.C. Le Hunte	Minnipa Tourist Information Bay.	16.11.84	2 500
D.C. Le Hunte	Wudinna Tourist Information Bay.	5.12.84	10 000
D.C. Millicent	Millicent Tourist Information Bay.	4.12.84	3 375
D.C. Robe	Robe Tourist Information Bay.	10.10.84	2 500
D.C. Beachport	Woakwine Cutting Tourist Lookout.	13.11.84	9 250
D.C. Lincoln	Coffin Bay Boat Ramp—Public Toilets.	8.1.85	11 000
D.C. Mt. Barker	Hahndorf Oval—Public Toilets, Sewage Disposal.	29.1.85	20 000
D.C. Mt. Remarkable	Port Germein Public Toilets.	5.2.85	15 000
D.C. Paringa	Bert Dix Memorial Park—Public Toilets.	8.1.85	8 000
C.T. Renmark	Plushes Bend—Public Toilets.	8.1.85	3 700
C.T. Renmark	Renmark Avenue—Public Toilets.	8.1.85	7 500
C.T. Renmark	Price Park—Public Toilets.	18.2.85	3 000
D.C. Tanunda	Bethany Reserve—Public Toilets.	13.8.84	11 750
D.C. Tumby Bay	Tumby Bay Foreshore—Public Toilets.	27.8.84	9 000
D.C. Yankalilla	Delamere—Public Toilets.	13.8.84	11 000
D.C. Lincoln	Litter Bins for Coastal Reserves.	17.12.84	1 300
D.C. Loxton	Loxton Riverside Reserve—Irrigation System.	14.8.84	1 750
D.C. Crystal Brook	Crystal Brook—Picnic Facilities.	8.1.85	3 500
D.C. Crystal Brook	Ponding of Crystal Brook Stream.	4.1.85	5 000
D.C. Elliston	Waterloo Bay—Picnic Facilities.	5.2.85	2 000
D.C. Hawker	Hawker—Tree Planting Programme.	30.1.85	16 500
D.C. Dudley	Penneshaw Jetty Reserve.	11.9.84	142 000
D.C. Barmera	Lake Bonney Consultancy.	22.8.84	5 000
Marine and Harbors Department	Cape Jervis—Roadworks for Ferry Terminal.	7.12.84	5 000
		TOTAL:	1 068 925

Tourism Development Subsidies provided since 6 November, 1982:
TOURIST ROAD GRANTS 1982/83—APPROVED BY MINISTER OF TRANSPORT 16.10.82

Council	Road	Amount
		$
D.C. Victor Harbor	Waitpinga Beach Road—Construction and sealing.	17 000
D.C. Kingscote D.C. Dudley	Seal Bay Road—Upgrading.	40 000
D.C. Elliston	Sheringa Beach Access Road.	4 000
D.C. Lincoln	Tulka to Sleaford Bay Road—Reconstruction and Re-sheeting.	10 000
D.C. Tumby Bay	Thuruna Road—Reconstruction.	3 500
D.C. Paringa	Headings Cliff Road—Reconstruction. Lock 5 Road—Reconstruction.	8 000
D.C. Lacepede	Road to The Granities—Reconstruction.	12 500
C.T. Moonta	Port Hughs Foreshore Connector Road—Reconstruction.	4 750
D.C. Burra Burra	Tregony and Truro Streets, Burra—Sealing.	14 750
D.C. Warooka	Corny Point Lighthouse Road—Reconstruction.	8 500
D.C. Kingscote	Seal Bay Road.	40 000
D.C. Robe	Beacon Hill Road and Lookout.	28 500
C.C. Mt Gambier	John Watson Drive 2 Year Programme (Year No. 1).	10 000
D.C. Streaky Bay	Point Labatt Road.	15 000
D.C. Lincoln	Tulka/Fisheries Bay Road.	20 000
D.C. Barossa/D.C. Light	Chateau Yaldara provision of Culverts over North Para River.	14 000
D.C. Pt Elliot and Goolwa	Murray Mouth Lookout Access Road and Car Park.	23 100
D.C. Waikerie	Leonard Norman Drive.	17 500
D.C. Le Hunte	Mt Wudinna Rock Road.	7 400
D.C. Elliston	Venus Bay Access Road.	77 000
D.C. Crystal Brook	Bowman Park Back Access Road.	5 000
D.C. Dudley	Frenchmans Terrace, Bay Terrace, Penneshaw.	41 500
D.C. Murray Bridge	Schubert Farm Access Road.	8 000
D.C. Kingscote	Seal Bay Road—Final Allocation of $100 000 commitment.	20 000
C.C. Mount Gambier	John Watson Drive 2 Year Programme (Year No. 2).	10 000
D.C. Mannum	East Riverfront Road (Special Allocation).	20 000
D.C. Elliston	Venus Bay Access Road 4 Year Programme (Year No. 1)—previous commitment.	80 000
C.T. Wallaroo	Wallaroo Foreshore Road.	70 000
D.C. Le Hunte	Wudinna/Mount Wudinna Rock Turnoff.	16 900
D.C. Port MacDonnell	Cape Northumberland Road Car Park 2 Year Programme (Year No. 1).	16 000
D.C. Warooka	Daly Heads Road—2 Year Programme (Year No. 1).	9 000
D.C. Tumby Bay	Trinity Haven Access Road 2 Year Programme (Year No. 1 Stages 1-4).	13 000
D.C. Kanyaka-Quorn	Arden Vale Road.	12 500
D.C. Mount Remarkable	Alligator Gorge Road.	10 400
	Mambray Creek Access Road.	7 000
D.C. Yorketown	Coast Road Goldsmith Beach/Troubridge Lighthouse 2 Year Programme (Year No. 1).	6 000
D.C. Victor Harbor	Access Road Rosetta Head.	13 000
D.C. Morgan	Hogwash Bend Road.	12 500
D.C. Paringa	Lock 5 Road.	17 700
D.C. Saddleworth and Auburn	Clare/Watervale Scenic Drive (Sections).	6 000

Tourism Development Subsidies provided since 6 November 1982:

Government Guarantee Scheme Bank Loans	Date of Approval	Amount of Loan
		$
P. & D. March Enterprises—Philanderer III	12.7.84	600 000

Tourism Development Subsidies provided since 6 November 1982: (Date Payments Made)

Establishment Payments Scheme Grants	Date	Amount
		$
Marla Bore Hotel/Motel	December 1982	36 000
Buffalo Restaurant—Glenelg	December 1982	63 000
Jubilee Caravan Park—Mount Gambier	September 1983	39 908
Glendambo Hotel—Glendambo	January 1984	42 000

HOUSING TRUST LAND

417. **Mr BECKER** (on notice) asked the Minister of Houseing and Construction:

1. How many blocks of land have been sold by the South Australian Housing Trust in the metropolitan area in the past 12 months and what was the location and price of each?

2. Why was the land sold and not built on?

The Hon. T.H. HEMMINGS: Seventy-eight vacant allotments have been sold by the South Australian Housing Trust within the metropolitan area from 1 January 1984 to 18 February 1985. The location, price and reason for sale of each allotment are listed below.

As shown by the schedule, a major reason for selling allotments in the metropolitan area is to encourage the integration of public and private housing. There have been a number of instances where public criticism has been made of the lack of integration of Trust and private development. The sale of a proportion of allotments is one method of achieving this integration.

The Trust intends as a general rule to offer for sale 20

per cent of allotments in new land subdivisions. In addition, the Trust has given undertakings to local residents or their representatives to sell the following allotments:

(a) 12 allotments at Novar Gardens
(b) 14 allotments at Seaton
(c) 10 allotments at Surrey Downs

For the member's information, recent auctions have suggested that there is considerable public interest in acquiring serviced allotments within Trust land divisions and that the proximity to public housing development does not have an adverse impact on price levels.

The schedule also includes allotments sold to community based organisations to establish facilities and a few allotments unsuitable (by reason of topography or dimension) for Trust housing.

In addition, the Trust has been selling vacant land for its design and construction programme. Under this scheme the Trust sells and transfers land to a builder subject to an agreement whereby the builder undertakes to construct dwellings to his own design but in accordance with agreed specifications. The Trust undertakes to purchase the development when complete, provided it complies with the agreement. Benefits from this scheme include stimulating further activity and employment within the building industry and providing a greater variety of house design within a Trust development.

District	Lot No.	Street	Price $	Comments
West Lakes	100 & 101	Bartley Tce.	No monetary consideration	Corp. City of Woodville
Christies Beach	Pt. Sec. 634 Pt. Lots 24,5 Pt. Lot 1, Pt. Lot 25	Dyson Road	25 000	Commisioner of Highways for road purposes.
Seaton	Lot 3 (Lge. block)	Frederick Road	80 000	Christian Family Centre
Elizabeth East	Lot 114	Midway Road	13 500	Not suitable
Rostrevor	Pt. Lot 341	Cnr. Koonga Ave. Bonvue Road	28 200	Not suitable
Evanston East	Lot 345	View Cres.	7 800	Not suitable
Elizabeth Vale	Lot 5	Upton Street	14 000	Not suitable
Elizabeth Park	Lot 4	Yorketown Road	No monetary consideration	Exchange of land for reserve purposes Elizabeth Council
Elizabeth Downs	Pt Lot 58	Cnr. Haldine and Barritt Street	No monetary consideration	Exchange of land for reserve purposes Elizabeth Council
Elizabeth East	Lot 231	Midway and Seavington Roads	No monetary consideration	Exchange of land for reserve purposes Elizabeth Council
Elizabeth East	Pt Lot 2	Midway and Halsey Roads	No monetary consideration	Returned Services League. Land unsuitable for housing
Meadows	Lot 4	Battunga Road	5 500	Not suitable
Elizabeth Vale	Lot 4	Upton Street	18 000	Not suitable
Salisbury Downs	Lot 184	Rotterdam Road	8 000	To improve land division of adjoining owner
Torrensville	Lots 10, 267, 268	Haward Ave.	26 960	Min. Water Resources River Torrens beautification
Hackham West	Lot 11	Honeypot Road	No monetary consideration	Land Exchange Noarlunga Council
Grange	Lot 82	Trimmer Pde.	40 000	Not suitable
Gawler	Lot 2 & Pt Lot 21	Todd Street Barnet Street	No monetary consideration	Exchange of land for reserve purposes Gawler Council
Noarlunga Centre	Lot 30	Seaman Road	No monetary consideration	For road purposes Noarlunga Council
Elizabeth South	Lot 3	Ridley Road	17 500	Not suitable
Fulham Gardens	Lot 100	Grange Road	48 500	Sold to achieve a mix of private and public housing.
Fulham Gardens	Lot 101	Grange Road	45 000	
Fulham Gardens	Lot 102	Grange Road	53 000	
Fulham Gardens	Lot 107	Messenger Court	54 200	
Fulham Gardens	Lot 108	Messenger Court	53 700	
Fulham Gardens	Lot 109	Messenger Court	55 000	
Fulham Gardens	Lot 110	Messenger Court	54 000	
Grange	Lot 2	Sylvan Way	30 000	Design and Construction Programme
Grange	Lot 3	Sylvan Way	32 000	Design and Construction Programme
Grange	Lot 70	Rapson Street	28 256	Design and Construction Programme
Morphett Vale	Lot 24	Doctors Road	16 500	Design and Construction Programme
Morphett Vale	Lot 69	Doctors Road	15 500	Design and Construction Programme
Morphett Vale	Lot 309	Doctors Road	16 500	Design and Construction Programme
Morphett Vale	Lot 72	Doctors Road	15 000	Design and Construction Programme
Morphett Vale	Lot 312	Doctors Road	15 500	Design and Construction Programme
Morphett Vale	Lot 63	Hogg Avenue	16 500	Design and Construction Programme
Morphett Vale	Lot 30	Ellis Avenue	17 000	Design and Construction Programme
Morphett Vale	Lot 47	Ellis Avenue	16 000	Design and Construction Programme
Morphett Vale	Lot 238	Charlotte Drive	16 000	Design and Construction Programme
Morphett Vale	Lot 132	Freeman Avenue	18 500	Design and Construction Programme
Morphett Vale	Lot 451	Beverley Street	16 500	Design and Construction Programme
Morphett Vale	Lot 204	Clive Street	20 000	Design and Construction Programme
Morphett Vale	Lot 99	Padget Street	20 000	Design and Construction Programme
Morphett Vale	Lot 26	Flight Street	16 500	Design and Construction Programme
Morphett Vale	Lot 50	Hogg Avenue	16 500	Design and Construction Programme
Morphett Vale	Lot 51	Hogg Avenue	16 500	Design and Construction Programme
O'Sullivan Beach	Lot 22	Baden Terrace	16 500	Design and Construction Programme
O'Sullivan Beach	Lot 217	Wakelin Road	16 500	Design and Construction Programme
O'Sullivan Beach	Lot 187	Yangara Road	16 000	Design and Construction Programme

District	Lot No.	Street	Price $	Comments
O'Sullivan Beach	Lot 188	Wyong Road	20 000	Design and Construction Programme
Christie Downs	Lot 335	Columba Street	15 000	Design and Construction Programme
Christie Downs	Lot 359	David Crescent	16 000	Design and Construction Programme
Christie Downs	Lot 1	Haseldene Drive	15 000	Design and Construction Programme
Christie Downs	Lot 2	Haseldene Drive	14 000	Design and Construction Programme
Novar Gardens	Lot 5	Links Road	26 000	Design and Construction Programme
Novar Gardens	Lot 7	Links Road	26 000	Design and Construction Programme
Novar Gardens	Lot 23	Links Road	26 000	Design and Construction Programme
Novar Gardens	Lot 16	Links Road	36 000	Design and Construction Programme
Novar Gardens	Lot 21	Links Road	26 000	Design and Construction Programme
Novar Gardens	Lot 36	Jacklin Road	24 000	Design and Construction Programme
Novar Gardens	Lot 49	Jacklin Road	24 000	Design and Construction Programme
Novar Gardens	Lot 50	Jacklin Road	24 000	Design and Construction Programme
Novar Gardens	Lot 51	Jacklin Road	24 000	Design and Construction Programme
Craigmore	Lot 33	Admella Court	15 700	Design and Construction Programme
Craigmore	Lot 43	Baldina Crescent	16 000	Design and Construction Programme
Craigmore	Lot 64	Bundarra Court	15 700	Design and Construction Programme
Craigmore	Lot 74	Bundarra Court	15 600	Design and Construction Programme
Craigmore	Lot 80	Bundarra Court	15 800	Design and Construction Programme
Craigmore	Lot 96	Bundarra Court	15 800	Design and Construction Programme
Craigmore	Lot 98	Bundarra Court	15 700	Design and Construction Programme
Seaford	Lot 113	Seaford Road	19 000	Design and Construction Programme
Seaford	Lot 176	Argosy Street	18 500	Design and Construction Programme
Hallett Cove	Lot 172	Shamrock Road	21 000	Design and Construction Programme
Hallett Cove	Lot 88	Ingomar Court	21 000	Design and Construction Programme
Sheidow Park	Lot 524	Adams Road	20 000	Design and Construction Programme
Sheidow Park	Lot 579	Merriwa Road	20 000	Design and Construction Programme
Trott Park	Lot 221	Heysen Drive	20 000	Design and Construction Programme
Trott Park	Lot 305	Tucker Court	20 000	Design and Construction Programme

WORKERS COMPENSATION

454. **The Hon. D.C. BROWN** (on notice) asked the Minister of Labour: What were the total premiums collected for workers compensation by the Department of Labour from all Government departments and statutory authorities in each of the years 1982-83 to 1984-85?

The Hon. J.D. WRIGHT: Total premiums collected for workers compensation by the Department of Labour from all Government departments and the statutory authorities of Amdel and IMVS for the years 1982-83 to 1984-85 are as follows:

1982-83—$9 795 139
1983-84—$15 152 826
1984-85—$17 397 834

Other statutory authorities are not participants in the Government Insurance Fund.

COUNCIL REVENUE

466. **Mr BAKER** (on notice) asked the Minister of Local Government:

1. Is any financial assistance provided by the Government to individual local government authorities to offset losses of revenue associated with State Government properties exempt from council rates?

2. Is there any provision in the formula for disbursal of Federal funds to local government authorities to reflect rates forgone on Commonwealth and State Government properties?

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

1. Rates are paid on commercial premises owned by the South Australian Government and leased or rented to other parties. No specific payments are made to councils in lieu of non-payment of rates on other Government properties. Payment of rates on non-monopoly Government trading undertakings is being addressed in the review of the Local Government Act dealing with council revenue.

2. The South Australian Local Government Grants Commission methodology used to determine the distribution of general revenue assistance to councils in South Australia does make provision for rate exempt properties. The Commission determines the distribution of funds in part according to the revenue raising capacity of councils. The revenue raising capacity of councils is assessed on the value of rateable property. The value of non-rateable properties is excluded.

BANKRUPTCIES

430. **Mr BECKER** (on notice) asked the Premier—

1. How many persons and business were bankrupted in the past 12 months and how do these figures compare with the previous two years?

2. How much money is involved in each category?

3. What are exempted household goods in case of personal bankruptcy and is the Government satisfied such items are fair and reasonable for the bankrupt to keep and, if not, what action can the State take to improve the list?

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

1. During 1984 there was a total of 710 bankruptcies in South Australia. This compares to 871 in 1983 and 892 in 1982, according to the Official Receiver's Office.

2. In 1982-83 there were 910 bankruptcies, the total value of assets involved was $1.3 million in South Australia and liabilities were valued at $14.9 million.

3. There is not a strict rule on goods that are exempted household goods in case of personal bankruptcy. Basically, they are essential household items such as bedroom furniture, lounge, refigerator, etc. Each case is considered individually. If, for example, the household has a number of expensive items such as antiques, they would be carefully looked at.

CORPORATE FUND RAISING APPEAL

450. **The Hon. D.C. WOTTON** (on notice) asked the Minister of Housing and Construction: Which line in the 1984-85 Budget provides for the $150 000 donation made to the Corporate Fund Raising Appeal recently launched by the National Parks Foundation of South Australia?

The Hon. T.H. HEMMINGS: The question assumes that the Government's donation was from funds already earmarked for national parks purchases. This is not so, as was made clear in the Premier's speech at the launching of the appeal. The $150 000 is in addition to funds earmarked for these purposes in the 1984-85 Budget.

AMBULANCE SERVICES

470. **Mr BAKER** (on notice) asked the Minister of Tourism, representing the Minister of Health:

1. Has the Government accepted all of the recommendations in the Report of the Select Committee into Ambulance Services and, if not, which particular recommendations will be set aside?

2. When will enabling legislation be introduced into Parliament in response to the report?

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

1. The recommendations in the Report of the Select Committee into Ambulance Services were categorised into:

Legislative
Policy
General

The Government has endorsed those recommendations requiring legislative action, and Parliamentary Counsel has received drafting instructions.

The remaining recommendations will be considered by the Government once the legislation is enacted and the Ambulance Board established.

2. During the current Parliamentary session.

POLICE COMMUNICATION TOWER

471. **Mr BAKER** (on notice) asked the Minister for Environment and Planning: Has any action been taken to verify the existence of the alleged Aboriginal sacred site in the area originally proposed for the police communication tower at Mount Barker, and has an anthropologist examined the available evidence and, if not, why not?

The Hon. D.J. HOPGOOD: Yes. The study is expected to commence in the next two weeks. A consultant archaeologist acceptable to all parties, including the Aboriginal people, has been engaged to undertake the work. Aboriginal people will assist him. The consultant will present his report to a senior anthropologist in the South Australian Museum.

LOCAL GOVERNMENT VOTING SYSTEM

475. **Mr BAKER** (on notice) asked the Minister of Local Government: On what exact basis will the Minister review the impact of the new voting system for local government elections and when is it intended that such a review shall take place?

The Hon. G.F. KENEALLY: At the conclusion of the 1985 municipal elections the statistics will be gathered by the Department of Local Government and the Local Government Association on voter turn-out, number of councils which were involved in municipal elections, percentage of voter turn-out to total enrolments and many other statistics relating to the conduct of the election. This should provide an overview of the response of the public to the community awareness campaign which has recently been commenced as a joint project between the Department of Local Government and the Local Government Association not only publicising the change of date of elections but encouraging voters to 'Have Their Say On The 4th May'.

WATER RESEARCH

476. **Mr BAKER** (on notice) asked the Minister of Water Resources:

1. What submissions have been made to the Federal Government on the establishment of an Australian Water Research Council and Water Research Assistance Fund?

2. What is the current salinity content of the water being piped to Adelaide and how does this compare with readings at the same time in 1983 and 1984?

3. What is the projected salinity content for the same time in 1986, should weather conditions approximate those prevailing in 1981?

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

1. In November, 1984 the Minister for Resources and Energy was advised that the Interim Council's recommendation for an Australian Water Research Advisory Council was satisfactory to the South Australian Government provided that suitable high quality senior staff could be attracted to it and that substantially increased funding from the Commonwealth was provided.

This Government also indicated that it looked forward to the immediate implementation of the Interim Council's recommendations with a greater funding commitment.

2. Salinity readings taken at the pump intakes at Mannum and Murray Bridge are as follows:

	Mannum EC Units	Murray Bridge EC Units
March (first week), 1985	740	740
March (first week), 1984	350	340
March (first week), 1983	910	960

3. The salinity of the River Murray is marked by its high variability and is dependent upon many more factors than just the weather. It is therefore not possible to project as far ahead as March, 1986.

VEHICULAR ACCIDENT

481. **The Hon. D.C. BROWN** (on notice) asked the Minister of Emergency Services:

1. In relation to the vehicle collision that occurred at about 6 p.m. on Monday 25 February 1985 at the intersection of King William Street and North Terrace, at what time did the accident occur?

2. According to the records of the Metropolitan Fire Service, at what time was a fire unit dispatched to the accident?

3. According to the records of the Police Department, at what time was a tow truck dispatched to the accident under the accident towing roster scheme?

4. At what times did the first and second tow trucks arrive at the scene of the accident?

5. Were there considerable traffic delays as a result of this accident and the time taken to remove the vehicles from partially blocking the intersection?

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

1. At approximately 6.15 p.m.

2. 6.20 p.m.

3. 6.30 p.m.

4. Police records have not documented the time of arrival of the first tow truck at the accident scene. However, it is probable that this occurred at approximately 6.45 p.m. The second tow truck arrived at 6.50 p.m.

5. The Commissioner of Police has advised that he does not consider that there were any abnormal delays as a result of the accident.

LANDS TITLES OFFICE

489. **The Hon. D.C. BROWN** (on notice) asked the Minister of Lands:

1. What investigations have been made of the alleged misconduct and misappropriation of funds by staff of the Lands Titles Office?

2. Was any evidence found to support these allegations?

3. Have any of the staff been dismissed, suspended or charged under the Public Service Act and, if not, why not?

4. Have any staff been charged for any criminal offences committed and, if not, why not?

5. If charges have been laid, why has the Government not proceeded with them?

The Hon. D.J. HOPGOOD: As this matter is still under investigation by the police it is not considered proper to respond to the question at this time.

PROBATION AND PAROLE OFFICERS

491. **Mr BAKER** (on notice) asked the Minister of Tourism, representing the Minister of Correctional Services: What were the numbers of probation and parole officers employed by the Department of Correctional Services on 30 June 1983 and 1984 and what is the current figure?

The Hon. G.F. KENEALLY: the number of probation and parole officers employed by the Department of Correctional Services on the dates nominated were:

30.6.83—76
30.6.84—94
28.2.85—108

The above figures include staff working in district offices as probation and parole officers, Community service officers and staff located at institutions.

WATER MAIN EXTENSIONS

492. **Mr S.G. EVANS** (on notice) asked the Minister of Water Resources: Where persons apply to have properties connected to Engineering and Water Supply services, and mains extensions are necessary, will the Minister allow those intending consumers to employ private contractors to carry out mains extensions?

The Hon. J.W. SLATER: It is not proposed to allow the use of private contractors for the extension of water and sewer mains to serve existing allotments. Extensions of mains are dealt with under a set of guidelines and the conditions that apply vary depending on the circumstances of the situation. The use of private contractors would cause additional problems of management and delineation of responsibilities. For example, existing statutory requirements concerning the maintenance of trenches could not be enforced. In view of this it is considered that the work is more appropriately carried out by the Engineering and Water Supply Department.