HOUSE OF ASSEMBLY

Tuesday 26 August 1986

The SPEAKER (Hon. J.P. Trainer) took the Chair at 2 p.m. and read prayers.

ANIMAL AND PLANT CONTROL (AGRICULTURAL PROTECTION AND OTHER PURPOSES) BILL

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

PETITION: COUNTRY DOCTORS

A petition signed by 1891 residents of Eyre Peninsula praying that the House urge the Government to introduce measures to encourage more general practitoners to country areas, particularly the Eyre Peninsula region, was presented by Mr Blacker.

Petition received.

PETITION: ST HELEN'S PARK KINDERGARTEN

A petition signed by 487 residents of South Australia praying that the House urge the Government to provide an extra teacher aide at the St Helen's Park Kindergarten was presented by Mr Duigan.

Petiton received.

PETITION: MURAT BAY FISHING

A petition signed by 418 residents of South Australia praying that the House urge the Government to place a ban on commercial fishing between Point Peter and Point Brown in the Murat Bay area was presented by Mr Gunn.

Petition received.

PETITION: DAYLIGHT SAVING ACT

A petition signed by 148 residents of Eyre Peninsula praying that the house legislate to repeal the Daylight Saving Act was presented by Mr Gunn.

Petition received.

PETITION: SPECIAL NEEDS TRAINING

A petition signed by 679 residents of South Australia praying that the House urge the Government to increase facilities and provide specific training in the special needs area for teachers and health care workers was presented by Mr Rann.

Petition received.

PETITION: ALDGATE COMMUNITY CENTRE

A petition signed by 257 residents of South Australia praying that the House urge the Government to provide additional funding for an increase in the community welfare grant to the Hut Community Information and Resource Centre at Aldgate was presented by Hon. D.C. Wotton.

Petition 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 32, 34, 54, 58, 60, 63, 94, 99, 105, 106 and 125; and I direct that the following answer to a question without notice be distributed and printed in *Hansard*.

MODBURY STREET LIGHT

In reply to **Mr GREGORY** (14 August).

The Hon. R.G. PAYNE: The Electricity Trust of South Australia received a request by the City of Tea Tree Gully on 17 July 1986 for the installation of a street light in Capulet Crescent, Modbury. The matter has now been investigated and I understand that a formal proposal for the erection of a street lamp was forwarded to council on 18 August. In view of the concerns raised by the honourable member, the trust has afforded a high priority to the work which should be completed within two to three weeks of the trust receiving an order from the council to proceed.

NOTICE PAPER

The SPEAKER: The possibility of reducing the cost of printing the daily Notice Paper for the House of Assembly by not printing in full all Questions on Notice on each sitting day has been considered for some time. That cost a year ago was of the order of $30 a page (or about $1 000 a week). A decision had to be deferred until the House's word processing facility had been upgraded and the practicality of in-house printing had been assessed.

It is now intended that the present system be changed so that the number of repetitions of printing each question can be reduced. This reduction will be achieved by means of a weekly supplement to each Wednesday's Notice Paper. On each sitting day the daily Notice Paper will show those additional Questions on Notice which were handed in on the previous day. In that respect there is no change from present practice. As the week progresses any new questions will accumulate on the daily Notice Paper until the following Tuesday.

The weekly supplement prepared for Wednesdays will show those question which appeared in the previous Tuesday's Notice Paper, other than those which were answered on that Tuesday. The daily Notice Paper for Wednesday will show only the new questions handed in on Tuesday. Under this system, members will be able to peruse all unanswered questions, at any time, by reference to the daily Notice Paper of the current sitting day together with the most recent supplement.

The daily Notice Paper will continue to be printed by the Government Printer. However, the current level of word processing and photocopying facilities will enable the weekly supplement to be produced in-house. Savings will therefore occur in two ways: first, in that questions unanswered on any Tuesday are reproduced only once a week rather than on each sitting day as at present; secondly, by simplified in-house production of the supplement. I have directed the Clerk to implement this arrangement from tomorrow.

MINISTERIAL STATEMENT: NATIONAL BANK, MOUNT BARKER

The Hon. D.J. HOPGOOD (Minister for Environment and Planning): I seek leave to make a statement.

Leave granted.

The Hon. D.J. HOPGOOD: Members will be aware that over the last week there has been some controversy over the demolition of the former National Australia Bank premises in Gawler Street at Mount Barker. I feel it timely to inform the House about the background to this event and to foreshadow actions which I shall be taking to try and ensure that matters such as this may be handled to the greater satisfaction of all concerned.

In May of this year the District Council of Mount Barker notified the State Heritage Branch of the Department of Environment and Planning that it had received a demolition application for the National Australia Bank premises. The Manager of the State Heritage Branch wrote to the General Manager of the National Australia Bank seeking a meeting to discuss development proposals for the site and the heritage significance of the existing building. The National Australia Bank agreed to have discussions and met with officers of the State Heritage Branch. In the intervening period the District Council of Mount Barker issued a demolition consent under the terms of the Building Act.

Following discussions with the National Australia Bank and further investigation of the heritage significance of the building, the Manager of the State Heritage Branch wrote to the Regional Manager of the Branch in the following terms:

> ... the State Heritage Branch does not intend to proceed to recommend this particular building for entry on the Register of State Heritage Items. Its historical significance is essentially local in character. The strongest heritage aspect is the contribution that the present building makes to a unified and important nineteenth century streetscape.
>
> In this regard I note that the National Australia Bank is negotiating with an investor to construct new premises so that it may continue the banking tradition established for this important corner site. In this respect, the Bank is presented with an opportunity to create a new banking facility which demonstrates sympathy with its surroundings and a standard of excellence in design of new buildings for nineteenth century towns.

At a later date and following discussions with the bank's properties officers, the Manager of the State Heritage Branch wrote further suggesting that:

> The new bank should be a contemporary design, avoiding any false historical reference or elements of a 'return style' nature; the new bank should aim to fit into existing streetscape having due regard for its corner position and the architectural character of the main street, particularly in terms of siting, scale, massing, roof form, textural density and colours.

The State Heritage Branch is satisfied that the developer's plans for the new building, while not being an excellent example of infill architecture, are satisfactory. The District Council of Mount Barker subsequently gave planning approval for the development and then Building Act approval after which the title to the property changed from the National Australia Bank to Bruce King Constructions Pty Ltd. Several letters were received objecting to the proposed development and seeking my intervention, and several members opposite have also sought my intervention. In replying to these representations I have been at pains to point out that, while there are powers at my disposal to halt the demolition, I am not convinced that this is a case where those powers should be exercised. Yesterday, I intervened to ensure that all proper procedures had been followed and to explore possible avenues of compromise. Following reports from my officers, including that of a meeting held at Mount Barker this day, I am not prepared to further intervene.

While the former National Australia Bank premises have some historical significance, and play a part in the streetscape of Mount Barker, I am informed that these qualities do not make it an item of State Heritage significance. There are many buildings and places throughout the State which are of some heritage significance, but which fall short of the level of distinction required of a State Heritage Item. In these cases—

The Hon. D.C. Wotton: Who has the power to do something about it?

The SPEAKER: Order! The honourable member is out of order, and I suspect that he is aware of that. The honourable Deputy Premier.

The Hon. D.J. HOPGOOD: In these cases, the Department of Environment and Planning takes the view that conservation of such places is a matter for the local community, through the medium of its local council. The handing over of demolition controls to local councils is a complex issue and one that has been raised by the concurrent issue of a demolition in Unley. Before spelling out specific guidelines for councils I seek very careful consideration of all the issues invloved. Some of these issues include: what properties or areas will be subject to demolition control; what rigorous public review will be involved in determining the places subject to demolition control; what rights of appeal will owners of property have if subject to demolition control; and whether local councils have the administrative machinery and expertise to efficiently manage such controls?

I shall in the next few weeks be releasing for public comment a discussion paper about these issues. That discussion paper will canvass a number of options for achieving the greater involvement of councils throughout the State in the management of local heritage issues. I look forward to reviewing the comments made in response to the discussion paper and bringing forward a satisfactory solution to the problem of managing items in local communities.

PAPERS TABLED

The following papers were laid on the table.

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

Pursuant to Statute—

Harbors Act 1935—Regulation—Various.

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

Pursuant to Statute—

Medical Practitioners Act 1983—Regulation—Practice Fee.

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

Pursuant to Statute—

Technical and Further Education Director-General of—Report, 1985.

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

Pursuant to Statute—

Classification of Publications Act 1974—Regulation—Exemptions from Classification.

By the Minister of Agriculture (Hon. M.K. Mayes)—

Pursuant to Statute—

Australian Barley Board Staff Superannuation Fund—Report, 1984.

QUESTION TIME

URANIUM SALES

Mr OLSEN: Despite today's further confimation of the economic significance of the decision for South Australia,

is it the Premier's intention to protest to the Prime Minister, during his visit to Adelaide tomorrow, over the decision to lift the ban on the sale of uranium to France, and will the Premier be asking the South Australian representatives on the ALP Federal Executive to repudiate Mr Hawke and place obstacles in the way of the developing of Roxby Downs by voting at the executive meeting on 12 September to have the ban reimposed?

The Hon. J.C. BANNON: I find that question absolutely extraordinary, coming from the Leader of the Opposition, who, together with his Deputy, is in the school of 'Dig it up and sell it to anyone and we don't give a damn about the consequences.' That is the attitude that they have adopted consistently. Indeed, I think that the Leader probably supports the Central African republic emperor who said that he would sell uranium to the devil himself it he wanted to pay the price.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: Here we have the Leader demanding that I take all sorts of pre-emptive action against the position that he supports. That is absolute total hypocrisy, absolute exploitation of a situation in the most gross political way—that is what he is on about.

The Leader does not care at all about Roxby Downs, uranium sales, or any of the issues connected with it, so he gets up and asks a question completely against his policy position, and his self interest. Such a ridiculous question does not deserve a sensible answer. I have spoken to the Prime Minister, I have expressed a point of view, and I have made that point of view public. That is where the matter rests.

Members interjecting:

The SPEAKER: Order!

TECHNOLOGY STRATEGY

Mr DUIGAN: Can the Minister of Technology advise whether the Government's technology strategy is likely to suffer from the recently announced multi-million dollar technology estate in Victoria? In the *Australian* of 16 August it was reported that the Victorian spokesman, in association with the Vice-Chancellor of the University of Melbourne, announced that Victoria would establish a 200 hectare technology estate to stimulate private sector activity in the development of Victoria's technological future and enhance Victoria's reputation as the leading technology State.

Given other recent announcements—for example, the Premier's announcement recently that Vision Systems at Technology Park had just secured a major US defence contract and that Technology Park had been described as the fastest growing innovation centre in the world—could the Minister indicate what steps have been taken at ministerial level to coordinate and rationalise technology investments as between States, whether we are entering a period of fierce competition for technological research and design, and whether all that is possible (including close cooperation with South Australian tertiary institutions) is being done to maintain South Australia's premier status in high technology?

The Hon. LYNN ARNOLD: I thank the honourable member for his question. It is certainly true that Technology Park in South Australia is the fastest growing technology park of its type not only in Australia, but at this stage in the world. That is a function of the work that has gone into Technology Park from this State Government—and, it is to be acknowledged, from the work by the former State Government in establishing Technology Park in the first place. I am certainly aware of the announcement by the Victorian Government that it proposes to set up a 200 hectare Technology Park and I am aware also that it has announced a technology strategy which, in some quarters, has been acclaimed as an Australian first. That is in fact quite incorrect: South Australia has had a long history in this matter, and I had cause to write to those interstate journals that sought to indicate that Victoria's announcement was an Australia first. I wrote both to the *Age* and the *Financial Review* on this matter and I indicated that, for the past three years, South Australia has had a coherent technology strategy upon which we have been operating.

Mr Becker interjecting:

The Hon. LYNN ARNOLD: In answer to an interjection by the member for Hanson, it has been for the past three years and not the past five years. The answer to the first question raised by the member for Adelaide as to whether technology strategy will suffer from the recently announced Victorian effort basically is 'No', because our technology strategy was premised upon the fact that there will be a competitive environment existing around Australia and that, in that competitive environment, we can and will survive, because we have the appropriate input into technological development in this State that will give us a firm foundation for new technology industries to develop and to grow in South Australia.

The other point raised by the honourable member related to cooperation between States. While we are able to compete at the cutting edge with respect to other States, we believe also that there are occasions when we should be talking together and it is South Australia, under this Government, that can hold its head high with respect to efforts to promote cooperation between the various States of Australia. At various meetings of the Australian Industry and Technology Council we have proposed that there should be ongoing communication between the States so that we all do not try to compete against each other in the same areas of high technology.

The other point is that it is not only Technology Park into which we are putting a lot of effort. I note the comment made by the Hon. J.C. Irwin in another place, where he was very disparaging about the efforts in this State. He said:

> Does this mean that everything stops at the gate of Technology Park? What is the Department of State Development doing? The Victorian Government has already stolen the march on us in this area.

I have indicated that I have already had cause to write to the interstate papers about this. Perhaps it would be appropriate if the Hon. J.C. Irwin spent some time doing some research into what is happening in South Australia.

One can look not only at Technology Park, which is the fastest growing in Australia and of its kind in the world, where employment has grown from 15 in June 1984 to 250 in June 1986 and will reach 500 by the end of this year, but also one can look to the Technology Promotions Committee which was established in South Australia; the CADCAM Promotion Committee, the Biotechnology Promotion Committee, the Aerospace Technology Promotion Committee and the others that will be formed in the next 12 months. Just as an example, one can see from one of those alone (the CADCAM Promotion Committee) that, in 1982, 7 per cent of the CADCAM hardware purchased in Australia was purchased in South Australia; that is less than our per capita share. The figure in 1985 was 70 per cent, which is an enormous turnaround that is indicative of the kind of support that has gone in from this State Government in South Australia.

One can then look at the work that the Government has done to support the establishment of enterprise investments and of the support that we have given to the establishment of SAMIC, which is one of the 11 licensed MIC companies in Australia. I was pleased last week to hear from members of the board of the licensing authority of the MICs who met in Adelaide that SAMIC represents the very best features of the MICs that was anticipated in the original legislation that was introduced by Barry Jones.

It is certainly not true to say that we will suffer as a result of what has been announced in Victoria. We have a coherent strategy which is premised on the fact that there will be competition in Australia and that we will continue to talk with other States about cooperation for Australia's development as one nation.

URANIUM SALES

The Hon. E.R. GOLDSWORTHY: In view of his continuing opposition to the sale of uranium to France, will the Premier say whether it is the Government's intention to support moves by the Australian Democrat members in another place to amend the Roxby Downs indenture to outlaw the sale of uranium to France?

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: Again, I am not quite sure what position the Deputy Leader of the Opposition is taking. As I say, his previous stand was to sell to anybody or anything that would offer him money for it. That is certainly not a position that my Government has accepted; but equally, we have accepted the Roxby Downs—

Members interjecting:

The SPEAKER: Order! The Chair called Government backbenchers to order when they sought to interject on the Deputy Leader of the Opposition when asking his question. The Chair likewise calls on Opposition backbenchers not to interject on the Premier when he is replying to that question.

The Hon. J.C. BANNON: The interjection indicates the total confusion of those opposite as to what their position should be. Is the Opposition going to try to exploit it in some way? Have they changed their policy attitudes in the light of public debate? It is not very clear. This Government also accepted the Roxby Downs indenture and its implications, and we will honour that.

PLANNING APPEALS TRIBUNAL

Mr HAMILTON: Can the Minister for Environment and Planning advise what financial and/or other assistance can be provided to constituents who deem it necessary to engage a lawyer to protect their family interests in matters before the Planning Appeals Tribunal? Recently I was approached by a company and a constituent who were in conflict over the siting of a child-care centre in a residential zone 1 area in my electorate. The matter went before the Woodville council, which rejected the company's application and supported my constituent's objections.

The company subsequently lodged an appeal against that decision, and this was heard before Commissioner Tomkinson. However, no compromise was reached between the parties in conflict. As a consequence, this matter will now go before a full tribunal at which my constituent has deemed it necessary to engage a lawyer to ensure that his family's interests will be protected. In correspondence from my constituent dated 15 August he states, in part:

> I believe the matter will go before the court in the near future, and as a citizen why should my family go through a rough time because people have no regard for others? This will cause hardship to my family and should never have happened. I would like to make it quite clear that my wife, my neighbours and myself have no objection to child-care centres provided they are built in the right place, and we feel that this location is not suitable for this purpose.

I point out that my constituent is classified as an average wage earner. Finally, I am advised that, even if the full tribunal upholds the Woodville council's decision and my constituent's objection, my constituent will not be able to recover the full cost of engaging a lawyer which, if the matter is of a prolonged nature, could cost my constituent many hundreds, if not thousands of dollars.

The Hon. D.J. HOPGOOD: I am not sure that I can be of any great comfort to the honourable member or his constituent. This gentleman appears to be in exactly the same position as any other individual who wishes to take a case and yet is deterred by the costs associated with it. The traditional response of societies, including this society, to that problem has always been to provide some means of legal aid so that in particular cases and examples of indigency it is possible for legal aid to be provided. It lies behind the honourable member's questions that, if legal aid has been applied for, it is not possible in this case.

The Planning Act, of course, does provide arbitral provisions whereby some of these matters can be resolved before they get to the court, but I notice in the case of the honourable member's constituent that those provisions have already been explored to no avail. I would be prepared to take up this matter to ascertain whether there are any changes of procedure or those of a like nature that could assist people placed in this position, and I will speak to the Attorney-General with that in mind. I finally point out that some financial cost, which might be occasioned by this, is some means of deterrent against our developing into a litigious society, along perhaps the American lines, and that would be rather unfortunate. In the case of the honourable member's constituent, case I see the problem and will take up the matter.

ETSA LINE CLEARANCE

The Hon. B.C. EASTICK: Will the Minister of Mines and Energy investigate an allegation that about $60 000 has been improperly paid to a contractor involved in the Electricity Trust's tree lopping program? The Opposition has been given information that a firm participating in this program has been paid about $60 000 more than the contracted price for work undertaken during 1985. Our information is that this is the result of an arrangement between the firm and a trust employee that all monthly claims for payment are made on a rise and fall basis (in breach of contractual arrangements) with the employee receiving a monetary incentive to comply with these arrangments. I will give the Minister the name of the contractor and the employee alleged to be involved to enable a detailed investigation to be undertaken.

The Hon. R.G. PAYNE: I thank the honourable member for raising the matter with me. Perhaps if he had already done something about it before raising the matter in the House some greater speed may have been possible in the matter. However, I will accept that, on what has been put to the House, there appears to have been some nefarious practice taking place. I will ascertain what has been happening and, together with the trust, take any necessary remedial action.

OPAL RUSH

The Hon. J.W. SLATER: Is the Minister of Mines and Energy able to provide any information in relation to the opal rush at Mintabie in the Far North of South Australia which has gathered the attention and imagination of the media in recent days?

The Hon. R.G. PAYNE: I thank the honourable member for his question. I should have thought that some members opposite, particularly the member who represents the area, would have been delighted to have the opportunity of referring in the House to some matter which I believe will prove to be very beneficial to the people involved at Mintabie. However, apparently that is not so. I have always found it very difficult to understand members opposite in many ways and this confirms the opinion that I have got of them over some years. The word 'rush' to me, and I guess to other members, conjures up visions of Australia's early gold rush days and creates some interest and excitement. The facts are that with the agreement of the Department of Civil Aviation changes have been made to the lay-out of the Mintabie airstrip. Effectively it has been narrowed and lengthened.

At 11 a.m. this morning approximately 84 hectares of land previously reserved from the operative provisions of the Mining Act became available for pegging. This area is equivalent to 336 precious stones claims, but most of the interest is expected to centre on the southern edge of Goose Gully, where traces of opal were found in auger drill holes several years ago. Anticipating a high degree of interest, the Department of Mines and Energy has strengthed its staff resources at Mintabie temporarily to process the expected rush of applications for new precious stones claims. It has not been disappointed.

Information phoned to me from Mintabie a short time ago indicates that about 100 precious stones claims have been registered on the new land this morning—about 80 in the Goose Gully area and about 20 around Crystal Valley. The department says a gun was fired to start the rush, and everything went smoothly. While events at Mintabie have grabbed the headlines in recent days, they should not be allowed to overshadow the fact that there has been a dramatic increase in opal mining activity generally in South Australia this year. Currently, there are 1 262 registered precious stones claims in the State, the highest number since August 1980.

Practising my responsibilities in this area as Minister of Mines and Energy, I would claim all the credit for that if I acted as the previous Minister of Mines and Energy (the member for Kavel) acted when he handled these matters, but I will not claim such credit. Demand for all grades of opal is high and prices are increasing, with Chinese buyers reportedly paying very good prices for top quality opal. There is considerable excitement at Coober Pedy where, in June this year, new finds were made at the Zorba field.

The Hon. E.R. Goldsworthy interjecting:

The SPEAKER: Order! I call the honourable Deputy Leader of the Opposition to order.

The Hon. R.G. PAYNE: As of yesterday, 178 precious stones claims were registered on Zorba, with 43 blowers and 15 hand miners working. Less than a week ago, opal was also found about nine kilometres northwest of Zorba when a shaft was deepened near subsidised shafts 152, 156 and 162, where a trace of opal and favourable host rocks were found during the 1981 subsidised exploration program. That took place during the term of the previous Government and members opposite are entitled to credit for that.

This new field has been named Halleys Comet, with about 50 precious stones claims pegged and two drills and a blower working within a few days of the discovery. This is the second field found by follow-up prospecting in favourable areas defined by the subsidised drilling program, the first being Southern Cross. At least four other favourable areas remain to be followed up. Activity is also at a healthy level on other Coober Pedy fields, notably Olympic, Southern Cross, Seventeen Mile, Hans Peak and Fourteen Mile. As many as 646 precious stones claims are currently registered at Coober Pedy, the highest number for three years. Perhaps it is only fair for me to claim credit for that, as it all seems to have taken place since I became Minister.

The department has also reported increased activity at Andamooka (and this is an important piece of news) with registered precious stones claims increasing to 174 this month, from 146 a year ago. Activity is centred on White Dam where high quality crystal opal continues to be found. Some credit is due to the Andamooka Progress and Opal Miners Association, which has shown considerable initiative in obtaining funds from the Parnell Transport Company and the Shell Company for an exploration program to locate new fields.

Under the program I have mentioned the association will subsidise the cost of drilling exploration shafts, provided the miner drives a minimum of 12 metres on the opal level. My department will monitor the results of this program if the association feels it would be useful. At Mintabie, there has been a steady increase in the number of precious stones claims in the past year, from 308 last August to 438 this month. No doubt this 40 per cent increase will be given another nudge by today's pegging activities on the airstrip land.

SALES TAX

The Hon. P.B. ARNOLD: My question is directed to the Premier. When the Prime Minister is in Adelaide tomorrow, will the Premier specifically demand that the Federal Government modify or abolish its sales tax imposts on the wine and citrus industries? Following a meeting held yesterday, representatives of the wine industry have criticised the Premier for failing to take stronger action against the doubling of the wine tax. According to this morning's *Australian*, the Premier has said that there is no point in seeking abolition or modification of the tax.

However, this completely repudiates the motion that the Premier himself moved in this House only last Wednesday, which called for representations to the Federal Government seeking a modification or abolition of the wine tax as well as the tax on the citrus industry. Since the Federal budget, a mood of despair has become apparent in the Riverland. I know that many wine grape growers are facing the prospect of being forced off their blocks because of Government indifference to their plight. I believe that the Riverland has an abnormally high suicide rate due largely to financial stress occurring as a direct result of the Federal Government's tax on these people. Therefore, when the Premier talks to the Prime Minister tomorrow, will he honour his commitment made to the House last Wednesday and demand the modification or abolition of these imposts?

The Hon. J.C. BANNON: The short answer to that question is 'Yes', and I made clear at the meeting that was held that, certainly, the first priority of the Government and of Parliament (I hope the honourable member is interested in this reply because it certainly affects his constituents) must be to try to get that tax abolished. In relation to the criticism

to which the honourable member referred, I wish that that had been expressed at the meeting. I do not appreciate this too much. My colleagues the Minister of State Development and the Minister of Agriculture were at the meeting and both of those gentlemen would confirm that there was no criticism. To the contrary, I explained fully and frankly the position that we should take and we discussed the tactical and other considerations necessary. If criticism was to be made I would have appreciated it much more if it could be put directly to me, and I would certainly have been happy to respond to it.

A number of people at the meeting felt that the meeting had been extremely satisfactory and they thanked the Government for the realistic way in which it was approaching the problem. That is the point. If there is a mood of despair in the Riverland, that is something that we must act to do something about. However, we will not dispel that mood of despair by making unrealistic claims and statements. I should think the honourable member would recognise that. He has been in this place for a good long time, in fact for as long as anyone sitting in this Chamber. He ought to know what is possible and what is not possible and how these issues should be tackled, by me or by anyone in the industry.

I have received a number of letters from correspondents about this very point. The Federal Government has made its decision and has imposed the tax. It is not likely to change its decision in the short term. To ignore that would be to be quite unrealistic about how one should tackle the problems arising from the imposition of the tax. It might give someone a warmer glow, and make them feel a bit better in one sense, but we should not have to cope with a hangover arising from such an unrealistic expectation.

So, first, we believe that the tax should be abolished, but if that is not to be—and certainly, in the short term there is no question that changes will be made, and everybody knows that: we are not kidding anybody or pretending about it—then we have to come up with concrete strategies to overcome that mood of despair and to get on top of the indifference that the honourable member refers to. Incidentally, in speaking of indifference to the Riverland, it is certainly not indifference on the part of my State Government because many millions of dollars of support have been put into that Riverland. When the Opposition and other critics were saying that we should wash our hands of the cannery and everything that it stood for, this Government came to the party and worked to restrucutre that industry. We have done the same in support of irrigation, in rural adjustment schemes, and in so many other areas such as the establishment of the Riverland Development Council.

The previous Liberal Government had years in Opposition when it did nothing: we acted and put resources into supporting the Riverland, and the honourable member is on record as congratulating that initiative, as well he might, because he knows that it was of value to his district and to his constituents. So, when talking indifference, let us look at the record of this Government. We have no indifference to that area.

That is the situation. The meeting yesterday was extremely constructive. We are getting a plan of action which will cover a whole series of facets, and I hope that we will get the honourable member's assistance and support on behalf of the people of the Riverland. I know that others of his colleagues—the so-called economic rationalists who believe in the free enterprise system—do not want that sort of support to be given. Their argument (because it is their philosophy) is that, if these people are in financial trouble because of market or other causes, let that be the end of the matter—let them sell their blocks and walk off. That is a callous attitude, but that is the philosophy of the Liberal Party.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: I also ask the honourable member, and perhaps his Leader, to do something about another matter. I would like to know the attitude of the Federal Opposition and of Mr Howard to this wine tax.

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: 'He is not in government'—and that interjection implies that he is not likely to be in government: a good vote of confidence there! Be that as it may, in 1984 the then Liberal Opposition said that it would abolish the wine tax—that was one of the platforms of its policy.

The Hon. Ted Chapman: It still is.

The Hon. J.C. BANNON: 'It still is,' says the member for Alexandra. Mr Howard said:

> The following commitments will be introduced in our first budget—

and he included the lifting of the Hawke Government's wine tax. Since then, particularly this year, a number of challenges have been issued to the Opposition to make quite clear what it expects to spend and what taxes and other imposts it expects to abolish—to put them out, lay them in the open. They have resisted that request: they have chopped and changed, and they have obscured the situation. Those calls were made in April, and in August—

Members interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition.

The Hon. J.C. BANNON: They do not like this, Mr Speaker, and well they might not. On 21 August the latest of those calls came when Mr Howard got up with the Howard budget, as he called it, and finally wiped the slate clean. He said that he had reviewed all of the Liberal Party's existing promises, and he said:

> As a result of this review, the Opposition remains, on the spending side, committed only to the abolition of the iniquitous assets test: that remains the only current expenditure commitment on our return to government.

A little later he said:

> On the tax side we remain committed to the scrapping of the Hawke capital gains tax, the throwing out of the Hawke Government's fringe benefits tax, and the repeal of the Hawke Government's tax on lump sum superannuation.

Full stop. Where is the reference to the abolition of the wine tax? What has happened to that promise?

Members interjecting:

The SPEAKER: Order!

The Hon. J.C. BANNON: I conclude by suggesting that the member for Chaffey and the member for Alexandra, who interjected so confidently a moment ago, not having been told the truth, and a number of other members, tell their Leader that it is about time he got up and said something about this policy and the Federal Liberal Opposition, and got it to make some sort of undertaking, because it is not there at the moment.

Members interjecting:

The SPEAKER: Order!

The Hon. Ted Chapman interjecting:

The SPEAKER: Order! I warn the member for Alexandra. Interjections are out of order. They are particularly out of order when the Chair is attempting to bring the House back to some semblance of sanity. I call on the honourable member for Florey.

Mr Lewis interjecting:

The SPEAKER: Order! The Chair also warns the honourable member for Murray-Mallee, whose interjection struck the Chair as being tantamount to defiance of the Chair. The honourable member for Florey.

ELECTRICAL CABLE

Mr GREGORY: Will the Minister of Mines and Energy take such action as is necessary to ensure that an 11 000 volt inground electrical cable in Wynn Vale is relocated without cost to my constituent? The inground cable is on an easement on the constituent's land in Wynn Vale, which is part of the Golden Grove development. The cable is supposed to be 1.2 metres below ground level, but at one point it is .8 of a metre below ground level and at another point (and this is the part that concerns the constituent and also the officers of the Electricity Trust of South Australia) it is .1 of a metre below ground level.

The constituent says that, when the cable was installed by contractors, they did not take into account that the block was sloping or that it would be necessary to cut and fill the block to erect the house in a suitable position. The Electricity Trust has advised the constituent that the relocation will have to be done by hand, that it will take three days and that it will cost between $7 000 and $8 000. The constituent is of the view (and I agree with him) that, as the block slopes between 2.5 and 3 metres, the contractor should have been aware of the problems associated with changing the site to erect the house and it should have taken that into account and not placed the constituent in a position—

The Hon. Ted Chapman: Comment!

The SPEAKER: Order! The point of order raised by way of interjection rather than by point of order by the member for Alexandra is one that the Chair takes up. At the moment the member for Florey is commenting.

Mr GREGORY: I am relaying to you, Sir, the views of my constituent. The contractor should have taken into account the sloping nature of the block and my constituent does not believe that he should have to pay this large sum of money to relocate the cable.

The Hon. R.G. PAYNE: I thank the honourable member for his question. It is clearly a matter of some concern: 11 000 volt cables do need to be correctly contained by a sufficient amount of earth overburden, trenching, or whatever method normally applies, and the depths suggested by the honourable member as existing on the site would, I believe, be a rather alarming situation if allowed to continue. My understanding is that ETSA is quite fastidious in these matters and, if one takes into account the total amount of activity in which it is involved, it has an excellent safety record. It may well be that there was some arrangement which originally involved the developer or subdeveloper, as it were, and ETSA and the subsequent house construction has meant that the levelling of that block has caused this situation to arise. In any event, it is a matter of concern for a person who has just purchased a new home to be faced with an additional bill for $7 000 or $8 000 and I will take the matter up with ETSA and see what remedial action can be taken.

Mr D.A. DUNSTAN

Mr BECKER: Has the Premier or anyone acting on behalf of the Government had discussions with the former Premier (Mr Dunstan) about giving him a South Australian Government job when he completes his contract with the Victorian Tourist Commission next year? Is it the Government's intention to give Mr Dunstan such a job in the economic development area? Yesterday in Adelaide Mr Dunstan preached doom and gloom about Australia's economic future, talked about industrial chaos and said that our level of economic activity was declining to that of New Zealand—hardly a ringing endorsement of current Federal and State Labor economic policies!

However, despite the South Australian economic decline over which Mr Dunstan presided in the early 1970s, a report in the *Weekend Australian* by Peter Ward indicates that the former Premier still believes he can do something to arrest the current economic crisis. The report states that the former Premier has told people associated with the South Australian Government that he wants a job next year concerned with economic and development policies, and that our current Premier believes Mr Dunstan should be given a job. Will the Premier clarify the situation, indicating what discussions have been held with Mr Dunstan, what requests the former Premier has made and whether it is true that he believes Mr Dunstan should be given a job?

The Hon. J.C. BANNON: That was a speculative article that the member was quoting from. Don Dunstan is a very eminent South Australian, and I think the community would certainly welcome him and his skills and energies back to South Australia. I am sure that there are many jobs in the service of the community that Don Dunstan could do, but there is nothing in contemplation at the moment.

OCCUPATIONAL HEALTH AND SAFETY

Ms LENEHAN: Will the Minister of Labour give a commitment to the House that he will introduce the Occupational Health and Safety Bill as soon as possible, and will he undertake to ensure that the maximum penalty for employers convicted of negligence under the Act will be very significantly increased from the current $500 maximum penalty?

Members interjecting:

The SPEAKER: Order! The honourable member is very quietly spoken and it should not be necessary for her to raise her voice to be heard above interjections.

Ms LENEHAN: Thank you Sir. I have never been described as 'quietly spoken' before, but thank you for the compliment—although I am not sure that it is a compliment. My question is a serious one. In the *Advertiser* of 21 August last week it was reported that a company manufacturing domestic incinerators was fined a total of only $450 following an accident in which a 26 year old workman had eight fingers cut off. This matter has been raised with me by a number of constituents, and I note that it is raised again in this morning's *Advertiser*, in which the writer very clearly outlines the situation. The company had four previous convictions for similar offences, and the Managing Director said that is was:

> . . . one of those accidents where nobody can say how it happened. The failure to render the machine safe was one of the reasons that caused the injury. The other contributing factors were the outdated health and safety laws and the trifling maximum penalty of $500.

The writer of this morning's letter goes on to draw some comparisons with Victoria, as follows:

> [In Victoria] goal sentences are imposed for flagrant breaches of safety laws.

The situation in South Australia is so grave that time lost through occupational injury and disease is currently 13

times greater than time lost through industrial disputes. I find this statistic absolutely outrageous.

The SPEAKER: Order! The last remark was clearly comment.

The Hon. FRANK BLEVINS: I thank the honourable member for the question.

An honourable member interjecting:

Ms Lenehan: If you listen you might get an answer.

The SPEAKER: Order!

The Hon. FRANK BLEVINS: This firm has been brought to the attention of the Department of Labour on a number of previous occasions. In fact, being more specific, since March 1979 a total of 27 accidents have been reported to the department in relation to this firm, which resulted in a letter of warning going to the firm in 1979. On 7 November 1979 this firm was convicted in relation to a machinery accident which was caused through an unguarded brake press.

On 26 March 1980 it was convicted for having an unguarded brake press. On 18 December 1980 again it was convicted for having an unguarded brake press. On 25 January 1984 again it was convicted for having an unguarded brake press. So, 27 accidents were reported and four convictions recorded.

This firm appears to have a total disregard for the health and safety of its work force. The gentleman concerned had eight fingers amputated by the brake press after working on it for 2½ hours. His training, according to the inspector's report, amounted to somebody telling him, 'Don't put your fingers in this thing.' That was the sum total of his training. The employer, of course, was convicted, so the court certainly did its job. But, the maximum fine was $500. The employer was fined $450, which works out at $56.25 per finger.

It is often argued that industry does not need tough occupational health and safety laws, that it is not necessary and that we must educate employers. How does one educate an employer that behaves in this manner? This employer racked up this horrendous list of accidents and convictions but, had the penalties been more significant, perhaps the later accidents, convictions and loss of fingers would not have occurred.

I refer to the question of the safety of the brake press itself. If there was in this firm a safety representative with power to stop that brake press being operated until it had been inspected by the Department of Labour, again this person might still have all his fingers today. Some employers, not all, argue from time to time that workers should not have the right to stop the job, as it is quite wrong. I point out to the honourable member that all employees have a common law right not to do dangerous work. I urge all employees to exercise that right, and any support that can be given to them by the Government will be given in the proper exercise of their right not to have to operate machinery that is likely to maim them.

The Hon. B.C. Eastick: Will the Government do the same for its employees?

The Hon. FRANK BLEVINS: Yes, and when the legislation comes in shortly members will find that the Government is bound exactly the same as is private industry.

Mr S.J. Baker: It is long overdue.

The Hon. FRANK BLEVINS: It is. Given the horrific examples of what goes on in relation to some irresponsible employers, I hope that nobody in this Parliament in any way attempts to delay or amend the penalties or the rights of worker safety representatives when the Bill comes before the Parliament. It is clearly demonstrated by the 12 500 accidents, and on average 30 deaths, every year that it is absolutely essential that the occupational health and safety legislation be strengthened.

CHEAP HOUSING

The Hon. JENNIFER CASHMORE: Does the Premier agree with the statement made last Saturday by his colleague the Minister of Housing and Construction at the State conference of the Building Workers Industrial Union, that the Federal Government should scrap the income tax cuts that are due in September and use the money instead to provide cheap housing?

The Hon. J.C. BANNON: I was not aware of such a statement being made. Indeed, I do not think that the honourable Minister made such a statement, although he can well explain his position. However, even if that is so, the stress on the importance of housing and the problems both of public housing finance and of financing the private market are matters that all members should be sympathetic to and aware of. Further, as an advocate of the housing industry both within Government and within the community, there is none better than our Minister of Housing and Construction.

SECONDARY SCHOOL ALLOWANCES

Mr M.J. EVANS: Can the Minister of Education say what steps he has taken during the past 12 months to change the policy of the Commonwealth Government with respect to the payment of secondary allowances for senior students to ensure that South Australians are treated equitably by the Commonwealth and that the intended benefits of the secondary allowances scheme (SAS) are achieved in this State? The House will be aware that in the 1985 Commonwealth budget, the secondary allowances scheme was changed to provide that the benefits were payable in respect of students when they turned 16 years of age and not upon their enrolment in year 11 as has been the case. This change is to take effect in 1987, with a phase-in period, and because of the age structure of our student population I am advised that the majority of parents of year 11 children will be disadvantaged by this change.

School authorities to whom I have spoken are concerned that the change in guidelines will mean that the scheme will not achieve its objective of allowing children of financially disadvantaged parents to remain at school for years 11 and 12 since the payments will not be available in many cases until well into their child's eleventh year, too late to change the economic reality of the family. Since this decision especially disadvantages South Australia, parents in my electorate would like to know just what steps the Government has taken to have the decision modified to meet our special needs over the next decade while the age structure of our schools is brought into conformity with the national average.

The Hon. G.J. CRAFTER: I thank the honourable member for his most important question. I understand that my colleague the Minister of Employment and Further Education, when Minister of Education, made representations some time ago to the Commonwealth Government, pointing out the special circumstances that existed in some States, including South Australia, with respect to the formulation of this policy, a policy which, in its broad brush, members would welcome. I assure the honourable member that since the Federal budget was brought down last week my office has been in contact with the Federal Minister for Education.

We have made strong representations on this matter, and those representations will be continuing.

Last week's Federal budget brought down a new student assistance arrangement called AUSTUDY, and the Federal Minister (Senator Ryan) said that this was one of the key elements of her Government's Priority One strategy for young people in the development of a national youth policy. AUSTUDY is the name for the new allowance arrangements to be introduced in 1987 for students aged 16 years and over who are engaged in full-time secondary or tertiary study. Under this scheme, age related allowances will replace the current assistance schemes for students on TEAS, ASEAS and SAS, which are based on the types of institution attended by those students. In 1987, most categories of eligible students will see immediate benefits from AUSTUDY through increased allowances, according to Senator Ryan. The Senator also said:

This is in keeping with the Government's commitment last year that education allowances will be progressively aligned with unemployment benefits.

There are obvious important outcomes for the community if that can be achieved. Senator Ryan continued:

By 1989 that process of alignment will be complete. The significant increases in allowances being implemented by the Government provide a much stronger incentive for young people to study and secure qualifications which will help them find and keep employment. The scheme with its much improved allowances for students will remove the disincentive to study which arose from the fact that the unemployment benefit outstripped the basic rates of education allowances for young people.

That was a legacy from the previous Federal Liberal Government. I seek leave to have inserted in *Hansard* a table showing the allowance rates that will be paid to 16-year-olds and 17-year-olds and to tertiary students and unemployed beneficiaries from 1985 to 1988.

The SPEAKER: Do I have the assurance of the Minister that the table is entirely statistical?

The Hon. G.J. CRAFTER: Yes, Mr Speaker.

Leave granted.

ALLOWANCE RATES FOR 1985, 1986, 1987 AND 1988

	1985			1986			1987			1988		
	Actual Weekly Rates ($)			Actual Weekly Rates ($)			Actual Weekly Rates ($)			Illustrative Weekly Rates ($)		
	Secondary Students	Tertiary Students	Unemployment Benefit	Sec.	Tert	UB	Sec.	Tert.	UB	Sec.	Tert.	UB
16-17 years at home	23.05	44.51	45.00 *(a)*	35.00 *(b)*	47.50	50.00	40.00 *(c)*	50.00	50.00 *(c)*	53.50 *(f)*	53.50 *(f)*	
away from home		68.67			73.28			73.28			76.00	
18+ at home	23.05	44.51	85.20 *(d)*	35.00 *(b)*	47.50	88.20 *(d)*	45.00	55.00	91.20 *(d)*	55.00	60.00	95.00
away from home		68.67			73.28			80.00			95.00	

Notes:

(a) Rate for those unemployed for six months or longer in 1985 is $50.
(b) Family allowances are absorbed into the secondary allowance from 1986.
(c) Young people who are without family support will be eligible for the equivalent of the TEAS away from home rate, under strict conditions.
(d) UB rate shown is that for 18-20-year-olds. Rate for 21+ unemployed is higher.
(e) From May 1986 rent assistance of $10 per week will be introduced for persons 18-20 who have been in receipt of benefit for at least six months and who are not living with parents or guardians, and are living in rented accommodation.
(f) These rates have been chosen for illustrative purposes only. The actual rates will be determined as a result of an indexation adjustment in the light of price movements.

The Hon. G.J. CRAFTER: As the member for Elizabeth has said, this change in policy presents problems for many young South Australians. In South Australia and other States there are young people aged 15 years who are in years 11 and 12 of the school system. However, this will change with the growth in the number of students who have undertaken and are undertaking three years junior primary education, but it will be some years before the effect of that is felt in the higher grades.

I will make further representations with detailed information on the impact that this policy is having in South Australia. I hope that that can be done in conjunction with other States that experience similar difficulties. I am concerned to overcome the current difficulties that have arisen and to ensure the retention of young people at school rather than providing them with the economic incentive to take unemployment benefits.

MOUNT BARKER BANK

The Hon. D.C. WOTTON: Will the Minister for Environment and Planning say what action local government or any other authority should now take to avoid the unfortunate situation that has occurred regarding the National Bank premises at Mount Barker, prior to the Minister's deciding whether the State Government or local government should accept the responsibility of being able to stop a building of local heritage significance, as in the case of the building referred to, from being demolished? Further, following his ministerial statement made earlier today, will the Minister investigate his department's handling of the National Bank situation in view of the considerable discontent that has been expressed by Mount Barker residents concerning his Government's involvement in this most unfortunate situation?

The Hon. D.J. HOPGOOD: The answer to the second part of the honourable member's question is 'No': I am perfectly satisfied with the way in which my department has handled this matter. We must accept that from time to time there will be brought to the attention of my department items which, although of some heritage merit, should not be given the full protection of the legislation, and that is the reluctant decision that has been taken in this case. Regarding what action councils can take, I can only direct them to my statement and invite them to participate fully

in any debate that may occur arising out of the statement, which will be available soon. Any action that I need to take as a result of that debate will not be overly delayed.

CHEAP HOUSING

Mr RANN: Will the Minister of Housing and Construction outline to the House the comments that he made at the weekend during a speech to a conference of the Building Workers Industrial Union?

The Hon. T.H. HEMMINGS: I thank the honourable member for his question, which gives me a chance to tell the House, particularly the member for Coles, exactly what I said and the context in which I said it. At the State conference of the Building Workers Industrial Union, I questioned the morality and double standards of some politicians, but more particularly of the media and those people who are opposed to the Hawke Labor Government, that such people have practised over the past six to nine months in relation to the building workers. It is rather apt that the member for Coles asked the original question today, because the honourable member is a past master in double standards and lack of morality in this House.

The Hon. JENNIFER CASHMORE: On a point of order, Mr Speaker, I regard what the Minister has said as a reflection on my character and I ask him to withdraw.

The SPEAKER: The honourable member is within her rights in requesting, through the Chair, that the Minister withdraw those remarks. Although the remarks do not quite fall within the category of 'unparliamentary', nevertheless the honourable member is within her rights and I call on the honourable Minister to retract them.

The Hon. T.H. HEMMINGS: If the member for Coles objects to my saying that she practises double standards and lack of morality, I am glad to withdraw it. The point made at the conference was that we have had a build-up in the media to the effect that, in order to get the captains of industry working for the good of this country and to get it out of this economic mess, we must give them vast tax cuts; and at the same time, looking at the workers (in this case, the building workers) it was not sufficient for the Federal Treasurer to argue for a 2 per cent discounting of wages; that was not enough—they had to go without the 4 per cent.

The point was that we had to give the nice cut from 66c in the dollar down to 49c to get these captains of industry off their backsides and working for the benefit of this country, and they also had to have the full advantage of the fringe benefits tax so that they could go out and do all of these things. I question that. I find it rather distasteful that I, as a person on a very good salary, would get a fantastic cut on 1 December, representing some $300 a month, while the people we are trying to help would get the princely sum of something like $9 a week. Yet, the same people who were advocating massive tax cuts for the wealthy were also advocating a cut in public sector funding for housing.

As far as I am concerned they cannot have it both ways. I know full well that two or three months down the track the building industry would be knocking at my door and at the Premier's door, asking us to inject more money into public housing. Within that scenario I questioned the morality of the matter, and I still do so. I am sure that most members on this side of the House would agree with me about the distasteful way that the Opposition and the media have been carrying on about the workers in this country.

PETROL RETAILING

Mr S.J. BAKER: My question is directed to the Minister of Labour. To protect small business operators of service stations, does the Government intend to implement all the recommendations of the Virgo committee's report on petrol trading? While the Government has not made public the Virgo committee's report, I understand that it has made a number of recommendations in addition to that relating to trading hours. The most important is for the appointment of an independent arbitrator in cases where a service station is to be closed and there is, between the operator and the oil company landlord concerned, disagreement on reasonable terms of and compensation for closure.

This recommendation, based on the possibility that many small business operators will go to the wall and be forced out of the industry, was the subject of dispute between the Motor Traders Association (which wanted it to protect small business operators) and the oil companies (which opposed it). The committee has also recommended that automated card-operated pumps should be installed only at sites manned for a minimum 38 hours per week and that their installation generally should be monitored by the Commissioner for Standards and the Department of Labour to ensure there is no proliferation of 'phantom stations' and motorists are not denied value for money. As there are important recommendations affecting service station operators and consumers, I ask the Minister to give a guarantee that they will be implemented at the same time as the introduction of extended trading hours.

The Hon. FRANK BLEVINS: First, I point out that the report was made very public indeed. I seem to remember reading it in the *Advertiser* on Friday of last week. It was a report to the Minister of Consumer Affairs, who released the report I think within a quarter of an hour of his receiving it and it was given to the press.

Mr S.J. Baker interjecting:

The Hon. FRANK BLEVINS: I suspect that the Minister of Consumer Affairs did not give the member for Mitcham a second thought. However, as the honourable member has now drawn this matter to the attention of the Government, I will pass him a copy in a moment. Basically, there were three recommendations. The Government is considering the recommendation on rationalisation of sites, which is the recommendation relating to an independent arbitrator being used in cases where no agreement can be reached between an oil company and the lessee when a site is closed down. That is one of the recommendations which, in effect, represents further regulation of the industry rather than the parties themselves working out their own problems, and I understand that in the area of closures problems have always been resolved in that way.

So, if the member for Mitcham is advocating further regulation of the relationship between oil companies and lessees I will give that some consideration. However, I point out that members opposite constantly cry 'deregulation'. So far, I have had the honour of deregulating potatoes and petrol—after 11 years, that is the pinnacle of my career, apparently—yet in relation to such minor things the Opposition, which is supposed to be the champion of free enterprise, goes berserk. They cannot have it both ways.

There is a recommendation that the automated fuel systems should apply only in service stations which are staffed for 38 hours a week. Again, that is increased regulation, and there are some arguments for that, as there are for all matters pertaining to regulation. However, I will certainly take on board the other two recommendations and the Government will consider them. The Government will do

that in the context of 24-hour trading for any petrol station that chooses it.

PERSONAL EXPLANATION: URANIUM SALES

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): I seek leave to make a personal explanation.

Leave granted.

The Hon. E.R. GOLDSWORTHY: During the course of the Premier's remarks earlier, when he was not answering two questions on uranium, one from the Leader and one from me—

Members interjecting:

The SPEAKER: Order! The Deputy Leader should restrict his comments to matters that should be covered by a personal explanation.

The Hon. E.R. GOLDSWORTHY: It was in that context that I was misrepresented, Mr Speaker. When the Premier was not answering the questions he misrepresented us, to avoid answering. Anyway, the Premier stated that members of the Opposition were prepared to sell uranium to anybody who came along with a fistful of money. Let me put the record straight regarding the Opposition's stance.

Members interjecting:

The Hon. E.R. GOLDSWORTHY: The buffoons, of course—

The SPEAKER: Order! The Deputy Leader will resume his seat. If the Deputy Leader can point to an instance during the course of Question Time where specifically he was misrepresented as an individual he may continue with his personal explanation. However, if he can speak only of the Opposition in general terms, leave will be withdrawn.

The Hon. E.R. GOLDSWORTHY: Mr Speaker, I sure can. The Premier said that the Deputy Leader would sell uranium to anyone who came along with a fistful of dollars.

Members interjecting:

The SPEAKER: Order!

The Hon. E.R. GOLDSWORTHY: That was a blatant misrepresentation of my position.

Members interjecting:

The Hon. E.R. GOLDSWORTHY: The buffoons opposite laugh and would like to distract me, but they will not do so. I have made my position perfectly clear, and it has not changed since the time I was Minister of Mines and Energy. By the way, that policy has been consistently adopted by the Liberal Party, both nationally and in this State: we stated that we were prepared to sell our uranium subject to the strictest safeguards regime that was then applying in Australia, as introduced by the Fraser Government. That, I might point out—

Members interjecting:

The Hon. E.R. GOLDSWORTHY: They do not like it; they try to interrupt me. From that time it has been very hard to detect any consistent thread through the Labor Party's uranium policy.

Members interjecting:

The SPEAKER: Order! The Chair calls on Government members in particular to refrain from interjecting on the Deputy Leader of the Opposition. The Chair has said on a previous occasion that one of the most important contributions any member can make here is by way of a personal explanation, which would be anticipated to be where a member has been seriously misrepresented and where that member is trying to set the record straight. I ask the Deputy Leader of the Opposition to ensure, despite the tolerance that he has been given by the Chair to this point, that he does just that.

The Hon. E.R. GOLDSWORTHY: I cannot make my position any clearer: I have been grossly misrepresented by the Premier. He said that I was prepared to sell uranium to anyone who came along with money. I say that that is a complete misrepresentation of my position, and of my Party's position. I made our position quite clear in this House, when sitting where the present Deputy Premier sits, when I said that we were prepared to sell uranium. Just to put the matter in its full context, that was said at a time when the present Premier said that Roxby Downs was a mirage in the desert. The Minister of Mines and Energy said that a Labor Government—

Ms LENEHAN: On a point of order, Mr Speaker, what does the Labor Party's policy and what the Premier said some years ago have to do with a personal explanation?

Member interjecting:

The Hon. E.R. GOLDSWORTHY: I—

The SPEAKER: Order! The Chair has not yet called on the Deputy Leader to resume his feet; he should not do so until he is called upon. The Chair is pausing in order to enable the House to restore itself to some semblance of order, despite the mirth and merriment that seems to be shared in all quarters at the moment. I remind the House that matters relating to personal explanations are, in normal circumstances, serious matters. I also remind the House that a member can only claim to have been misrepresented as a member; he cannot claim to have been misrepresented as part of statements that may or may not have been made about his Party as a whole. If the Deputy Leader cannot restrict himself to referring to personal misrepresentations regarding himself, as distinct from his Party, then I will withdraw leave for him to continue.

The Hon. E.R. GOLDSWORTHY: That is a pretty fine point Mr Speaker, with respect, but I am certainly happy to restrict my remarks to myself, because the policy that I have adopted happens to be that of my Party. The point is that my attitude to the sale of uranium has been entirely consistent since those early days when the Premier said that Roxby Downs was a mirage and his Minister said that Roxby uranium would be used in bombs. So, far be it from the truth for the Premier to get up here and suggest that I, for one, was prepared to sell uranium willy nilly to anybody who came along. That is a complete misrepresentation, it is plainly untrue, and was raised simply to hide the Premier's inability to answer legitimate questions asked in this House.

SUPPLY BILL (No. 2)

Returned from the Legislative Council without amendment.

RIVER TORRENS (LINEAR PARK) ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

PUBLIC ACCOUNTS COMMITTEE

The Hon. D.J. HOPGOOD (Deputy Premier): By leave, and pursuant to section 15 of the Public Accounts Committee Act 1972, I move:

That the members of this House appointed to the Public Accounts Committee have leave to sit on that committee during the sitting of the House today.

Motion carried.

UNIVERSITY OF ADELAIDE COUNCIL

The SPEAKER: I have received the following letter from the member for Florey:

Dear Mr Speaker,

I write to inform you that I have resigned from the Council of the University of Adelaide to take effect when my successor is appointed.

The letter is signed by the honourable member for Florey.

The Hon. D.J. HOPGOOD (Deputy Premier): By leave, I move:

That Mr De Laine be appointed to the Council of the University of Adelaide in place of Mr Gregory (resigned).

Motion carried.

SITTINGS AND BUSINESS

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

That the time allotted for all stages of the following Bills:

(a) Road Traffic Act Amendment Bill (No. 2),
Road Traffic Act Amendment Bill (No. 4),
State Supply Act Amendment Bill,
Racing Act Amendment Bill (No. 2),
Constitution Act Amendment Bill (No. 3),
Legal Practitioners Act Amendment Bill,
Education Act Amendment Bill;

(b) Second reading stage of the Animal and Plant Control (Agricultural Protection and Other Purposes) Bill; and

(c) Consideration of the Address to His Excellency the Governor concerning the constituting of a District Council of Coober Pedy.

be until 6 p.m. on Thursday.

Motion carried.

The SPEAKER: Order! Call on the business of the day.

ANIMAL AND PLANT CONTROL (AGRICULTURAL PROTECTION AND OTHER PURPOSES) BILL

The Hon. M.K. MAYES (Minister of Agriculture) obtained leave and introduced a Bill for an Act to provide for the control of animals and plants for the protection of agriculture and the environment and for the safety of the public; to repeal the Vertebrate Pests Act 1975, and the Pest Plants Act 1975; and for other purposes. Read a first time.

The Hon. M.K. MAYES: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The objects of this Bill are to repeal the Vertebrate Pests Act 1975 and the Pest Plants Act 1975 and to replace them with a single Act which provides for an integrated and thus more effective system of animal and plant control under a single authority, the Animal and Plant Control Commission.

The Vertebrate Pests Act 1975 was proclaimed in 1975 and operated initially under the control of the Minister of Lands. The Pest Plants Act 1975 proclaimed in 1976, operates under the Minister of Agriculture. In 1977 the operation of the Vertebrate Pests Act 1975 was transferred to the control of the Minister of Agriculture, thus opening the way for the setting up of a single control authority for both animals and plants under one piece of legislation.

The two existing Acts are similar in concept, and generally compatible in their operation. Both Acts place the primary responsibility for the control of proclaimed animals and plants on landholders, with administration through local government.

The Bill provides for this arrangement to continue. Local government will remain as the provider of the basic structure for animal and plant control, in partnership with the State Government, and local operations will, in the main, be administered by boards comprising groups of councils.

The Government intends that, in rural areas, multiple council boards will provide the main control mechanism.

The transition provisions of the Bill provide for all existing single council and multiple council boards to become joint control boards with the same membership structure as before and for the new boards to accept the rights, liabilities and property of those pest plant and vertebrate pest control boards.

Single councils may operate outside the board system in predominantly urban areas. In rural areas the remaining councils which have never joined boards may become single council boards, or join multiple council boards, providing the proposed arrangement will enable the provisions of the Act to be carried out effectively. In effect, this will mean that councils employing more than one full-time authorised officer may become single council boards.

At the local level all current procedures for both animal and plant control will be maintained.

Under the present Acts there are different arrangements for financing animal control and plant control. The Bill provides for a single finance system based on a payment by councils of up to 4 per cent of rural rate revenue and up to 1 per cent of urban rate revenue.

The Government's statutory subsidy to boards will remain at 50 cents to each dollar paid by councils and the system of 'support subsidy' for those councils with specific disabilities discovered under the present legislation will be retained. The Government's present overall contribution through statutory subsidy and support subsidy is in excess of one dollar for each dollar paid by councils.

The Bill extends the responsibilities of the previous Acts in order to control the entry, movement and keeping of all vertebrate species except fish and protected native animals. Thus the Bill gives the effect to the Australia-wide agreement for a uniform approach to the control of exotic species. The classification system adopted also means that for the first time, feral animals will be able to be proclaimed as pests.

While the legislation will involve the commission in the control of many more species of animals than previously, most of these will be confined to zoos and the responsibilities of control boards will be mainly confined to those animals traditionally regarded as vertebrate pests.

The provisions of the Bill are as follows:

Part I comprising clauses 1 to four deals with preliminary matters.

Clauses 1 and 2 are formal.

Clause 3—attention of honourable members is drawn to the following definitions:

'animal' is defined as a live vertebrate animal of any species including the eggs or semen of such an animal, but does not include a fish:

'control' is defined to include the destruction of animals and plants and the reduction of animals and plants to an extent reasonably achievable:

'control board' means an animal and plant control board established under the Act and includes a council vested with the powers, duties and functions of a control board:

'plant' means vegetation of any species including the seeds and any part of any such vegetation, but does not include native plants or vegetation except where reference is made to native plants or vegetation.

Clause 4 provides that the measure is to bind the Crown.

Part II, comprising clauses 5 to 39, deals with the administration of the measure. Division I, comprising clauses 5 to 14, deals with the Animal and Plant Control Commission.

Clause 5 provides for the establishment of the Animal and Plant Control commission. The Commission is a body corporate with the usual capacities of a body corporate.

Clause 6 provides that the Commission is responsible, subject to the control and directions of the Minister, for the administration and enforcement of the measure.

Clause 7 provides that the Commission shall consist of seven members appointed by the Governor, of whom one shall be an employee of the Public Service, nominated by the Minister for Environment and Planning. The remaining six shall be nominated by the Minister and one shall be an employee of the Public Service who has, in the opinion of the Minister, appropriate knowledge of agriculture, two shall be persons chosen by the Minister from a panel nominated by the executive committee of the Local Government Association, being persons who have, in the opinion of the Minister, appropriate experience in agriculture and matters of animal and plant control, and not less than four shall be primary producers.

Clause 8 provides that a member shall be appointed for a term not exceeding three years, on such conditions as the Governor determines and that a member is eligible for reappointment at the end of the term. A member may be removed from office for the usual reasons including breach of, or non-compliance with, the conditions of the member's appointment.

Clause 9 sets out the procedure to be followed at meetings of the commission.

Clause 10 provides that an act or proceeding of the commission is not invalid by reason of a vacancy in its membership or a defect in the appointment of a member.

Clause 11 provides that the commission may delegate, by instrument in writing, any of its powers, duties or functions to a member of the commission, an employee of the Public Service or member of the commission's staff, or a committee. Any such delegation may be subdelegated if the instrument of delegation so provides.

Clause 12 provides for the appointment of staff to the commission, including an Executive Officer.

Clause 13 sets out the functions of the commission—

(a) to make recommendations in relation to the establishment of control boards;

(b) to make recommendations in relation to the classes of animals and plants to which the measure should apply;

(c) to make recommendations in relation to the making of regulations under the measure;

(d) to determine applications for permits under Parts III and IV and the conditions of such permits;

(e) to conduct and direct research;

(f) to collate and maintain a record of species, population density and distribution;

(g) to develop, implement and advise on coordinated programs for the destruction or control of animals and plants;

(h) to carry out measures for the destruction and control of animals and plants on unalienated Crown lands;

(i) to consult and cooperate with the Minister for Environment and Planning and the Department of Environment and Planning in relation to the control of native animals;

(j) to consult and cooperate with the Minister for Environment and Planning and the Department of Environment and Planning in the control of animals and plants for the protection of native animals and plants; and

(k) to carry out and enforce the provisions of the measure.

For the purpose of performing its functions the commission may acquire, hold, deal with and dispose of real property, enter any contract and acquire or incur any other rights or liabilities.

Subclause (3) provides that regulations may provide for the establishment of advisory committees to assist the commission in the performance of its functions in relation to particular matters.

Clause 14 provides that the commission may exercise the powers, duties and functions of a control board in any area of the State that is not within the area of a control board.

Division II, comprising clauses 15 to 24, deals with the establishing of animal and plant control boards.

Clause 15 provides that the Governor may by proclamation, on the recommendation of the commission, establish control boards. A control board may be established in relation to the area of a single council or the combined area of two or more councils or where the area of the council is urban the council for the area will have the powers, duties and functions of a control board. The commission shall in making recommendations consult with councils likely to be affected by a proclamation under this provision.

Clause 16 provides that a control board is to be a body corporate with the usual capacities of a body corporate.

Clause 17 provides for the appointment of members, by a constituent council, to a control board for a term of 12 months. The number of members for each board shall be the number fixed by proclamation under clause 15. A member must reside in the area of the appointing council.

Clause 18 provides that a deputy of a member of a control board may be appointed.

Clause 19 provides for the removal from office of a member of a control board for the usual reasons.

Clause 20 sets out the procedure to be followed at meetings of a control board.

Clause 21 provides that a presiding officer shall be elected from among the members of a control board at the first meeting of the control board.

Clause 22 provides that a control board shall appoint a secretary.

Clause 23 provides that a control board may, with the approval of the commission, by instrument in writing, delegate any of its powers, duties or functions.

Clause 24 sets out the functions of a control board—

(a) to ensure the provisions of the measure are carried out and enforced;

(b) to cooperate with the commission, other control boards and any prescribed control body in the development and implementation of coordinated programs for the destruction and control of animals and plants to which the measure applies;

(c) to carry out inspections within its area to determine if the measure is being complied with;

(d) to collate and maintain records of the species, population density and distribution of animals and plants within the area;

(e) to discharge duties and obligations imposed on a board under the measure and to perform other incidental matters.

Division III, comprising clauses 25 to 27, deals with authorised officers and their powers.

Clause 25 provides for the appointment by the Minister, subject to such conditions as the Minister thinks fit, of State authorised officers.

Clause 26 provides that the commission may require a control board to appoint one or more local authorised officers, to operate in the area of the board, unless otherwise directed by the commission.

Clause 27 provides that an authorised officer may—

(a) enter and inspect any land, premises, vehicle or place where the authorised officer reasonably suspects that there is any animal or plant likely to afford evidence of an offence or where necessary for the purpose of determining whether a provision of the measure is being complied with;

(b) break into, or open anything in or on the land, premises, vehicle or place;

(c) seize and remove any animals that are required to be destroyed or controlled and take any measures for their destruction or control;

(d) require a person suspected of committing or about to commit an offence to state their name and address;

(e) require a person reasonably suspected of having knowledge relating to the administration of the measure to answer questions in relation to those matters;

(f) require a person who has custody of a plant or animal in contravention of the measure to deliver it up;

(g) require a person to produce records or documents relating to any matter dealt with under the measure;

(h) inspect and take copies of records produced;

(i) remove and examine or test any animal, plant, vehicle, equipment, etc., for the purpose of determining whether the measure has been complied with;

(j) seize and remove any animal, plant, vehicle, equipment, etc., where the authorised officer reasonably suspects an offence has been committed and the thing so seized affords evidence of the offence;

(k) require a person holding or required to hold a permit to produce it.

An authorised officer cannot exercise the powers conferred under paragraphs (a) or (b) in relation to a dwelling house except on the authority of a warrant issued by a justice.

Division IV, comprising clauses 28 to 39, sets out the financial provisions.

Clause 28 provides that the moneys required for the purposes of the measure shall be paid out of moneys appropriated by Parliament for those purposes.

Clause 29 provides for an Animal and Plant Control Commission Fund which is to consist of—

(a) moneys provided by Parliament;

(b) moneys in the fund kept by the former commission;

(c) any income paid into the fund under subclause (4);

(d) moneys borrowed by the commission;

(e) all other moneys that are required or authorised by law to be paid into the fund.

Moneys in the fund that are not for the time being required for the purposes of the measure may be invested by the Treasurer.

Subclause (4) provides that income from moneys invested by the Treasurer may be paid into the fund or into the Consolidated Account.

Clause 30 provides for the continued existence of the Dingo Control Fund established under the Vertebrate Pests Act 1975.

Clause 31 provides for the imposition of a rate on certain land holdings for the purpose of dingo control. The provision corresponds in substance to section 19 of the Vertebrate Pests Act 1975.

Clause 32 provides that the commission may borrow money from the Treasurer, or with the consent of the Treasurer, from any other person in order to carry out its functions under the measure. Any liability so incurred is guaranteed by the Treasurer.

Clause 33 provides that the commission shall cause proper accounts to be kept and audited at least once in every year.

Clause 34 provides that the commission shall make a yearly report, within three months of the last year, to the Minister and the Minister shall, within 12 sitting days after receipt of the report, cause a copy of the report to be laid before each House of Parliament.

Clause 35 provides that each control board shall establish and administer a fund which will consist of—

(a) contributions received from constituent councils;

(b) subsidies and grants paid by the commission;

(c) income from investment of fund moneys;

(d) penalties paid to the board under the measure;

(e) moneys borrowed by the board;

and

(f) all other moneys that are required or authorised by law to be paid into the fund.

Moneys paid into the fund which are not for the time being required may, with the consent of the commission, be invested in investments authorised by law. A control board may, with the consent of the commission, borrow money from such sources as the commission approves.

Clause 36 provides that, on the basis of an estimate of expenditure received from each control board, the commission shall determine, having regard to any representations made by the constituent council, the amount each council is required to contribute to the board's fund in respect of the following year.

The contribution made by a council shall comprise not more than 4 per cent of the rural rate revenue and 1 per cent of the urban rate revenue for the council area in any financial year.

Any constituent council failing to pay its contribution may have it deducted, by the Minister, from any subsidy or Government grant due to the council.

Clause 37 provides that the commission shall pay a yearly subsidy to a control board at the rate of 50 cents for every dollar contributed by the constituent council or councils.

Clause 38 provides that each control board shall cause proper accounts to be kept and appoint an auditor to audit the accounts.

Clause 39 provides that each control board shall, at the end of each year, submit a report, together with the audited accounts of the board, to the commission.

Part III, comprising clauses 40 to 50, deals with the control of animals.

Clause 40 provides that the Governor may, by proclamation, on the recommendation of the commission, declare

a specified provision of Part III applies to a specified class of animals. The Governor may declare that the proclamation relates to the whole or part of the State and/or that a prohibition contained in the proclamation is an absolute prohibition.

Any proclamation made under this clause with respect to native animals must be in accordance with a plan of management approved by the Minister for Environment and Planning.

Clause 41 provides that, subject to the measure, it is an offence for a person to bring an animal of a class to which this clause applies, or cause or permit such an animal to be brought, into a control area for that class of animal.

Clause 42 provides that, subject to the measure, it is an offence for a person to keep animals of a class to which this clause applies, or have an animal of that class in the person's possession or control, within the control area for that class of animal.

Clause 43 provides that, subject to the measure, it is an offence for a person to sell an animal of a class to which this clause applies.

Clause 44 provides that it is an offence for an animal of a class to which this clause applies to be released, or be caused or permitted to be released, in a control area for that class of animal.

It is a defence to a charge of an offence under this clause if the defendant proves that the release was not the result of a wilful or negligent act or omission on the defendant's part.

Any costs or expenses incurred by the commission in capturing or destroying a released animal may be recovered from the person causing the animal's release.

Clause 45 provides that the commission may issue, subject to conditions specified by the commission, permits to engage in any of the activities otherwise prohibited by clauses 41, 42 or 43 unless the proclamation contains an absolute prohibition in relation to any of the activities. An amount may be required, by any person seeking a permit, as security for compliance with the conditions of the permit.

A person has a right of appeal to the Minister for a review of a decision of the commission relating to a permit and the Minister on appeal may confirm, vary or set aside the decision.

Clause 46 provides that the owner of land is to notify the control board in the owner's area, or, if there is no control board the commission, of the presence of animals of a class to which this clause applies. A control board is likewise required to notify the commission.

Clause 47 provides at subclause (1) that an owner of land has a duty to destroy all animals of a class to which the subclause applies. Subclause (2) imposes a duty to control all animals of a class to which the subclause applies. Subclause (3) imposes a duty to take prescribed measures for the control of animals to which the subclause applies.

Clause 48 provides that an owner may be required to discharge the owner's duty under clause 47 within four days of receipt of a notice issued by a State authorised officer. Such notice is reviewable by the Minister. If the requirements of the notice are not carried out by the owner of the land subclause (7) empowers the commission to carry out the measures required by the notice and recover the costs incurred in so doing from the land owner.

Clause 49 provides that a duty can only be imposed on an owner under clause 47 in relation to native animals by a State authorised officer acting in accordance with a plan of management approved by the Minister for Environment and Planning.

Clause 50 provides for a procedure under which the owner of any land bounded by and inside the dog fence established under the Dog Fence Act 1946 may lay poison and set traps on adjoining land immediately outside the dog fence in order to destroy or control animals that are liable to be destroyed or controlled under the measure.

Part IV comprises clauses 51 to 60 and deals with the control of plants.

Clause 51 provides that the Governor may, by proclamation, on the recommendation of the commission, declare that a specified provision of Part IV shall apply to a specified class of plants and, in addition, where appropriate, declare that the proclamation is to apply to the class of plants in the whole of the State or a specified area of the State and/or that a prohibition contained in the proclamation is an absolute prohibition.

Clause 52 provides that, subject to the measure, it is an offence for a person to bring a plant of a class to which this clause applies, or cause or permit a plant of that class to be brought into the control area for that class of plants. Subclause (2) provides that, subject to the measure, it is an offence to transport or move on a public road, within the control area for the class of plants to which this clause is proclaimed to apply, any plants of that class or any produce or goods carrying such plants.

Subclause (3) provides that it is a defence to a charge of an offence under subclause (2) if—

(a) a person acted in accordance with a written approval given by an authorised officer;

or

(b) the offence did not occur as a result of a wilful or negligent act or omission on the defendant's part.

Clause 53 provides that the commission may, by notice published in the *Gazette*, control the movement of any animals, plants or soil or any other specified thing from one specified part of the State to another in order to prevent the spread of any plant that is required to be destroyed or controlled under the measure.

Clause 54 provides that, subject to the measure, it is an offence for a person to sell a plant of a class to which this clause applies. Subclause (2) provides that subject to the measure it is an offence for a person to sell any produce or goods carrying such a plant. Subclause (3) provides that it is a defence to an offence under subclause (2) if the defendant proves—

(a) that the defendant acted in accordance with a written approval given by an authorised officer;

or

(b) the offence did not occur as a result of a wilful or negligent act or omission on the defendant's part.

Clause 55 empowers the commission to issue, subject to conditions specified by the commission, a permit authorising the sale or movement of plants.

Clause 56 requires the owner of land within the control area for a class of plants to notify the control board for the area, or, if there is no control board the commission, of the presence of any such plant on the land.

Subclause (2) requires a control board to notify the commission of the presence of any such plant in its area.

Clause 57 provides, at subclause (1), that the owner of land within a control area for a class of plants to which the subclause applies must destroy all plants of that class.

Subclause (2) provides that the owner of land must keep controlled all plants on the owner's land of a class to which the subclause applies.

Clause 58 provides that an authorised officer may issue a notice requiring the owner of land to discharge the duty imposed on the owner under clause 57. The terms of such

a notice are reviewable by the commission and the commission has power to carry out the requirements of the notice and recover such costs as are incurred, from the owner, where the owner does not comply with the notice.

Clause 59 imposes a duty on control boards to destroy or control certain plants on road reserves within the area of the board. The commission is empowered by subclause (2) to require a control board to discharge that duty.

Clause 60 empowers a control board to recover the costs of control measures taken on a road reserve from the owners of the lands adjoining the road reserve.

Part V comprises the remaining clauses of the Bill and deals with miscellaneous matters.

Clause 61 empowers the Governor, on the recommendation of the commission, to exempt by regulation, persons, animals or plants of a class specified in the regulations from any of the provisions of the measure.

Clause 62 provides that it shall be an offence if a person interferes with an animal-proof fence unless authorised to do so by the owner of the land on which the fence is situated.

Clause 63 provides that a person shall not leave open any gate in an animal-proof fence except for so long as is reasonably necessary for passage through the opening or unless authorised to do so by the owner of the land on which the fence is situated.

Clause 64 provides that a person shall be guilty of an offence if, in carrying out measures for the destruction or control of animals or plants, the person—

(a) unnecessarily damages or destroys native trees or shrubs;

(b) does not keep to a minimum the destruction of native vegetation;

and

(c) in the case of measures taken on road reserves does not keep to a minimum the destruction of vegetation not otherwise required to be destroyed under the measure.

Clause 65 empowers a member of the commission, a control board, an authorised officer or a person authorised in writing by the commission to enter and inspect land for the purpose of conducting a survey of, or research into, the control of animals or plants or investigating any matter relating to the administration of this measure.

Clause 66 provides that a control board shall permit the Executive Officer of the commission or a State authorised officer to assist and advise the board in the discharge of its duties and obligations under this measure and carry out any instruction given by that person with the approval of the commission.

Clause 67 provides that a control board may enter into an agreement with the owner of any land within its area for the destruction or control of any animals or plants that the person is required to destroy or control.

Clause 68 empowers the commission to require a control board to cause inspections to be made of land within its area to determine whether provisions of the measure are being complied with and to furnish information of a specified kind relating to the population density and distribution of animals and plants of specified classes within its area.

Clause 69 provides that a control board may apply to the Minister for a review of any direction, instruction, decision or order given or made by, or with the approval of, the commission in respect of the board.

Clause 70 protects persons engaged in the administration of the measure from personal liability for acts done in good faith in the exercise or discharge, or purported exercise or discharge, of powers, duties or functions under the measure.

Clause 71 provides that, where a pecuniary liability attaches to the owner of any land under this measure, the liability is to be a charge on the land and may be enforced by action in a court of competent jurisdiction as a debt due jointly and severally from all the owners of the land, including subsequent owners of the land.

Clause 72 provides that a control board is to be paid any penalty recovered on the complaint of the board or a person appointed or employed by the board.

Clause 73 provides evidentiary assistance for the purpose of establishing in proceedings under the Fences Act 1975 that a fence is an animal-proof fence and that such a fence is adequate and appropriate in the circumstances.

Clause 74 facilitates proof of certain matters in proceedings for offences against the measure.

Clause 75 provides that offences under the measure are to be disposed of summarily and a prosecution for an offence is to be commenced within one year from the date of the alleged offence.

Clause 76 provides for the service of notices and documents.

Clause 77 provides for the making of regulations.

Schedule 1 provides for the repeal of the Pest Plants Act 1975 and the Vertebrate Pests Act 1975.

Schedule 2 contains necessary transitional provisions. The real and personal property and rights and liabilities of the former authority and the former commission become property of and rights and liabilities of the Animal and Plant Control Commission.

Control boards are to be established for the same areas in relation to which pest plant control boards have been established under the Pest Plants Act 1975.

All real and personal property, rights and liabilities, members and employees of the former pest plant control boards and vertebrate pest control boards become personal property, rights and liabilities, members and employees of the animal and plant control boards established under this measure. The existing and accruing rights of employees remain in force.

Mr GUNN secured the adjournment of the debate.

COOBER PEDY (LOCAL GOVERNMENT EXTENSION) ACT AMENDMENT BILL

Consideration of the Legislative Council's message seeking the House of Assembly's concurrence in the following resolution:

That the Joint Address to His Excellency the Governor, as recommended by the Select Committee on the Coober Pedy (Local Government Extension) Act Amendment Bill in its report to the Legislative Council, be agreed to.

The Hon. G.F. KENEALLY (Minister of Transport): This motion proposed that the township of Coober Pedy be brought under provisions of the Local Government Act, allowing for the waiving of certain powers under the Building Act, the Health Act, the Food Act and the Motor Vehicles Act. These were the recommendations of a Legislative Council select committee which visited the township to hear evidence and gain first hand knowledge of local conditions. The committee clearly recognised that Coober Pedy is a special case, a town with a colourful and individual character, arising partly from the nature of opal mining and partly through its isolation. It has had a modified form of local government since the passage in 1981 of the Coober Pedy (Local Government Extension) Act. Many inhabitants have reservations about any increase of official authority

over their activities. These reservations showed up in the results of a referendum on local government undertaken there a short time ago.

That referendum, however did not include a question on the choice now being proposed. One major factor considered by the select committee was the enormous effect on the township of the completion of the sealing of the Stuart Highway early next year. This will bring far more visitors and impose pressures on services and the local community and its interests will need protection.

However, the select committee considered there was a strong case for excluding Coober Pedy from some powers that come with local government to meet its special character, at least for the time being. These exclusions will maintain some existing arrangements and concessions, in the area of building, health and motor vehicle registration.

Some opposition has been registered to having the Planning Act apply, but the select committee concluded that that legislation was sufficiently flexible to enable residents to adopt a plan suitable for their special location and needs. The select committee was anxious that the transition to local government be as smooth as possible, so it recommends that the election due for the Coober Pedy Progress and Miners Association in October this year be suspended. This is because general local government council elections are due in May next year and it is seen as undesirable to have the community involved in two elections in such a short space of time.

Thus the current members of the association will continue until the May Statewide council elections. Mr John Thrower will become the foundation Mayor of the District Council of Coober Pedy. Initially, the council will have 11 members, matching the size of the Progress and Miners Association committee, but after the periodical council election in May next year there will be only eight councillors. There will be no wards.

It is important to note that the recommendations of the select committee were unanimous. I move:

That this House concurs with the Joint Address as recommended by the select committee.

The Hon. B. C. EASTICK secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL (No.2)

Adjourned debate on second reading.

(Continued from 14 August. Page 388.)

Mr INGERSON (Bragg): I support this Bill, which principally aims to streamline the compulsory blood testing and reporting procedures relating to blood samples as set out in section 47i of the Road Traffic Act. The existing system is administratively very cumbersome and, as a result of modern diseases, it requires some technical upgrading. I believe that the new methods will improve significantly these problem areas.

Also, I have been advised by several lawyers who practise in this area that the recommendations in relation to evidentiary court procedures is an excellent upgrading and we support that amendment. We note that, in the Minister's second reading explanation, mention was made of the old procedures and how easy it was to perhaps mix up the blood sampling and, probably what is more important, the difficulty in reading some of the analyst's comments on the blood test. It was mentioned that it was very difficult to photocopy and transcribe those comments. Because that problem obviously has been corrected, and because this Bill is purely and simply aimed at enabling the administration of this section to be improved, we support it.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Evidence, etc.'

Mr INGERSON: What was the reason for the shift in responsibility for this analysis work from the analyst's laboratory to the Forensic Science Laboratory?

The Hon. G.F. KENEALLY: My information is that this work is traditionally carried out world wide by forensic science laboratories. When the legislation was first introduced in South Australia the Forensic Science Laboratory was not available, but now it is and it is appropriate that the work be carried out there. This in no way reflects on the good work that was performed previously by the analysts, but it is appropriate that the Forensic Science Laboratory now does that work.

Clause passed.

Clause 5 and title passed.

Bill read a third time and passed.

ROAD TRAFFIC ACT AMENDMENT BILL (No.4)

Adjourned debate on second reading.

(Continued from 14 August. Page 389.)

Mr INGERSON (Bragg): This Bill has more teeth than the previous Bill and therefore requires a little more discussion. I hope that the Minister will be patient and that we can pursue this matter as quickly as possible. The first amendment in the Bill relates to an increase in speed limits from 80 km/h to 90 km/h for heavy commercial vehicles. The first area of concern is that the general recommendations of the 1984 National Road Freight Industry Inquiry, to which these changes are purported to be related, went to great pains to suggest that the increase in speed limits in this area ought to be to 100 km/h. The inquiry gave several reasons for that recommendation, but the main one was (and this is one we would all understand) that, if traffic is flowing at reasonably consistent speeds, obviously there should be a massive improvement in road safety in that area, because the closer one brings together the speed differentials between cars and heavy vehicles, the greater the improvement in road safety. I think it is interesting that we seem to have gone to a halfway house.

From discussions with several bodies in South Australia, it is clear that the majority of bodies would like to move the speed limit as soon as possible to 100 km/h. It also seems that there has been some compromise between the recommendations set down in this industry inquiry in 1984 and what has happened today. It is a pity that we have not gone straight to the 100 km/h limit, but I am quite sure that the Minister will be able to explain that to us. The other area of concern is that, within the existing Act, there has always been a differential between buses and heavy commercial vehicles. In this instance, that differential has not been maintained and we now have the situation where drivers of buses are being asked to continue with a maximum speed of 90 km/h, but the speed limit for commercial heavy vehicles has been raised to that same level. I note also that mini buses or vehicles that carry more than eight people also have a speed limit of 90 km/h. If we have always had that differential it seems a little illogical that we should not continue with it in relation to buses, particularly now

when there are compulsory inspections of buses, but not of commercial vehicles.

If this legislation must be introduced now, why delay its operation until January 1987? Perhaps the changes could have been effected straight away. The Bus and Coach Owners Association is concerned that this differential has not been maintained because, as I said earlier, they are required to be subjected to far more stringent requirements than the other people in the industry to which this speed applies. It seems that in the past six months perhaps there has been a decision made by State Ministers and the Federal Minister to move towards a compromise on the 100 km/h limit. Perhaps the Minister can enlighten the House as to how the Federal Minister did not get his way at a meeting at Alice Springs and whether some other States might have thrown a spanner in the works where we might otherwise have been able to proceed to the 100 km/h.

The other matter of concern in moving towards a 90 km/h limit is that, when travelling along most highways and even in other areas, the old 80 km/h (and now 90 km/h) is not the sort of speed at which we see these commercial heavy vehicles travelling. Of course, the same applies to buses.

An honourable member interjecting:

Mr INGERSON: As someone said on the side, it is the same with private motorists. It is obvious when travelling along the highways that there are very few occasions when heavy vehicles are not travelling at speeds equivalent to 110 km/h, if not more. I wonder what is the Government's intention in relation to policing, in lifting the speed limit to 90 km/h, because it is important that, if the limit is to be raised to 90 km/h, there is a direct intention to police it.

There is obviously an area of major concern at the Adelaide Hills end of the South Eastern Freeway, where it is difficult to police because of the terrain. Now that we have this 90 km/h speed, which will apply to the majority of the roads in that area, it is important that we have some signposting or a very determined effort by Government to police that area.

The other area of the Bill relates to seat belts. The Opposition supports the Government's intention in introducing this new responsibility on individual travellers. The legislation will compel people over the age of 16 to wear seat belts, but there is a change of wording in the Bill which I would like to take up with the Minister in Committee. I refer to the area of occupying a seat and how the Minister sees that change and why it was necessary.

The other area of change is the introduction of the driver's being responsible for a child under the age of 16 wearing a seat belt. That change immediately raises the question, whilst it is obviously very important that we make sure young people wear their seat belts, why it is not also compulsory and also the driver's responsibility to ensure that adults wear their seat belts. It seems to me that, if we are serious about the need to wear seat belts and we believe that a responsibility should be placed on a driver in relation to children under the age of 16, that responsibility should also apply to adults.

Although I will soon talk about child constraints, I should like to refer to one other area of concern. Reasonable care ought to be taken in making sure that younger children wear seat belts and child constraints. There does not seem to be anything in the Bill to explain how a responsible driver will take reasonable care. If you have ever had young children in the back seat of a car, you will know that it is often very difficult to make sure that they will always have those seat belts fastened. Whilst I strongly support the need for that to occur, it seems that, if a driver is to be responsible for that, and he has taken reasonable care and the child still undoes the seat belt or slips out of the child restraint, there is no mention of how that situation will be treated by the courts. A very responsible adult could exercise reasonable care but still be found guilty of an offence. Perhaps the Minister could explain that, in case I have misinterpreted the clause. It does not seem to allow for reasonable care in that instance.

The Liberal Party supports restraints for children under the age of one. It is an excellent step by the Government. However, having said that, I think it is in this area that criticism ought to be levelled at the Government, in the sense of writing into legislation a recommendation of what will happen in a rental scheme, when we do not know anything about the rental scheme. It is irresponsible of the Government to bring before Parliament programs that are not properly spelt out. It is important that the rental scheme should have been properly spelt out in the Minister's explanation, if not in the Bill itself. Of course, as we now know, this rental scheme will be introduced later this week. It seems a pity that we should be discussing legislation before Parliament without that sort of program being properly spelt out.

As I know only a few of the edges about the rental scheme, I would like the Minister to explain to the House why we are to use a society rather than private contractors, because it seems to me that the Government should not be involved in the provision of the seat restraint other than in some subsidy form. I hope that the Minister can explain that later. The most important area that needs clarification is that of 'reasonable care'.

On reading the Bill, I was surprised that there was no mention of penalties if an individual is found guilty of any of these misdemeanours. It seems to me that some explanation needs to be made relating to penalties. Obviously it may be directly related to the existing Act, but there is no mention of how the penalties would apply.

In the final section, relating to tow trucks, the Opposition supports any measure which would further deregulate and enable any part of any industry to easily conform to any Government regulations.

Ms LENEHAN (Mawson): I would like to have on the public record that I fully support the provisions of this Bill, particularly in the way that they relate to the compulsory wearing of seat belts and specifically looking at children under the age of 16 years. As the member for Bragg has pointed out, some of these provisions are well overdue. Indeed, it has been estimated that, if children were properly restrained in motor vehicles, up to 80 per cent of passenger child deaths and 33 per cent of injuries could be prevented. It is on the basis of these statistics that these provisions are being brought into the House today.

A survey conducted last November by my colleague, the member for Hayward, in the Marion shopping centre revealed that only one in 11 children were restrained in any way in motor vehicles. This survey was conducted over a three day period and looked at cars coming into and leaving the shopping centre.

In my own experience, as recently as last week, I was horrified when travelling south along the Lonsdale highway, which has a maximum speed limit of 100 km/h, to drive past a car in which there was not just a young child of about 18 months standing up in the front seat but also a child somewhere between three and 3½ years of age standing up in the back seat. I shuddered to think what would happen if the driver had had to apply the brakes or swerve, or if

there had been a blowout or any kind of situation which would have meant the sudden stopping of that vehicle. The children would obviously have been either thrust forward through the windscreen or severely hurt on the dashboard.

I think it is important to note that when we consider children under the age of 16 years the Bill deals with three categories: children in the 10 to 16 year age group, and clause 5 (3) relates to a child who is occupying a seated position in the vehicle having a properly adjusted and securely fastened child restraint of a kind declared by the regulation to be suitable for use by a child of that child's age and mass.

It is extremely important that children be restrained in motor vehicles with appropriate child restraints that are suitable for their size and weight and also that they be properly adjusted and securely fastened. There is no use in a child sitting in a car seat which is not properly secured into the vehicle or if the child is not properly secured into the car seat. I am sure that the Minister will tell the House about some of the provisions at which he will be looking in terms of regulations for that age group.

We then move on from the age group of 10 to 16 years being in seat belts to those from one to 10 years having proper child restraints and car seats. The issue on which I want to compliment the Minister is that for the first time we look at safely securing in cars babies up to the age of one year. As the mother of three children, I look back and shudder at the way in which we used to carry our children around in bassinettes on the back seat of the car, not because parents did not care about their children but because we did not appreciate the dangers to a child in a bassinette and because we did not have the kind of modern equipment in which one could safely and securely keep one's child whilst travelling around.

On the question of capsules I congratulate the Government as it seems that it is saying that it is going to legislate not only to provide that it will be mandatory to ensure that one's child is secure in a capsule but also to provide a rental scheme particularly, but not exclusively, for low income families, so that they can afford to have their children adequately protected in motor vehicles. I have been so concerned about this issue that I have raised it in this Parliament on a number of occasions and followed it through with the Department of Transport. I understand that this rental scheme will come into operation shortly and will be run by the Red Cross central booking office. I have been so concerned about the whole issue that I sent out a newsletter to my constituents, addressed to them individually, in which I talked about the whole question of child restraints and the initiatives that this Government has taken in providing capsules for rental at low rental costs and in which I have congratulated the Government for so doing.

I wish to pick up one point that was made by the member for Bragg when he referred to parental responsibility. Every member of this Parliament who has children and who has driven cars with children in them have over the years had to be responsible for their children in the car. One of the things that one can do as a parent—and I did this with mine when they were much younger—when they do not have their seat belt on or are not properly secure in their car seat, is stop the car and tell the child that you will not proceed until they are back in the car seat and everything is in accordance with safety procedures.

I also point out to the member for Bragg that clause 5 (6) covers the situation that he has raised: if it is due to special circumstances a case justifying non-compliance with this section is allowed for. If a child is ill or undoes the seat belt, surely a responsible parent would be able to explain the situation to the police, who would no doubt be pulling over the driver to find out why the child was not properly restrained. In those circumstances, I hope that commonsense would prevail, as it would be difficult to write into a Bill specifically what to do if a child is disobedient and undoes a seat belt. That is not appropriate. Obviously, the parent has the normal procedures in relation to discipline, and surely any policeman or policewoman would be sensitive enough to be able to appreciate that there would be situations and that would be one of them. Also, clause 5 (6) does cover the situation to which the member for Bragg referred.

Before concluding my remarks in support of this Bill, I mention that the member for Albert Park, who unfortunately cannot be present in the House because he is attending a PAC meeting, has asked me to register his total support for the Bill, in particular those provisions which look at the compulsory wearing of seat belts or child restraints for children and adults. I have great pleasure in so doing on behalf of my colleague the member for Albert Park.

I conclude by saying that I congratulate the Minister again on bringing into the House these most progressive moves which I believe will save children from dying needlessly in car accidents and will also prevent an enormous number of very severe accidents which happen to children and which are not necessarily reported in our daily press.

Mr BLACKER (Flinders): I support in principle what has been said today and the Bill in general. I refer to the increase in speed limits which, for heavy vehicles, is to be applauded. Those who have any practical experience or who have spoken to transport operators know of such examples as heavy transports approaching Port Wakefield with the gradual bends in the road, inclement weather and their being obliged to keep to 80 km/h. At times they find that there is a build-up of traffic of up to 2 km or more behind such heavy vehicles. With the speed of 80 km, as it stands until this legislation passes both Houses, there is some restriction and impediment upon the general flow of traffic. I am given to understand that some truck drivers have been passed by police road patrols and asked to keep moving because of the backlog of traffic behind them. This measure has been applauded by the industry. I agree with the member for Bragg that maybe it should go further than that, but at least in this case it is a step in the right direction.

The other point in relation to seat belts is one that I often mention in the House. I have mixed feelings about seat belts. Whilst I agree in general principle to the use of seat belts in motor vehicles, in particular passenger vehicles, and I always use a seat belt myself, nevertheless I have been a victim of a road accident wherein I was the driver of a truck. Had I been wearing a seat belt there is no way in the world that I could have survived. I guess that it is one of those odd occasions, but it enabled me to be here today. Seat belts do not always save lives. I agree that statistically it is advantageous for the welfare of the general community that seat belts be worn.

In relation to controlling children in the back seats of cars, I do not know how the member for Mawson got on with controlling her children. However, I am not that successful. We always start off with them properly seated and belted into a vehicle. We have many arguments, and I often wonder what happens when somebody tries to chastise a child getting out of a seat restraint and subsequently is pulled aside by the police because the child is out of its restraint.

I hope that common sense will prevail. People will appreciate the general spirit of the legislation, which is designed

to encourage people, particularly children, to grow up with the responsibility and idea that they are obliged to be restrained and, more particularly, to be aware of the safety benefits of being in a child restraint or properly adjusted seat belt. It is not just a matter of complying with the law or pleasing a policeman but is in the best interest of children and their parents.

There is general support for these measures. I am fascinated by the proposed scheme of leasing and I hope that it goes well. It needs to be tried and, if it will benefit certain sections of the community that might now be otherwise disadvantaged, it will serve a useful purpose.

Mr MEIER (Goyder): I am happy to have this opportunity to speak on the Bill. First, it increases the speed limit for heavy commercial vehicles from 80 km/h to 90 km/h. However, I believe that the Bill does not go far enough in this regard and that it is a great shame that this State does not take the lead and increase the maximum speed for heavy commercial vehicles to 100 km/h. Some arguments have been put by previous speakers on this side in recognising that it is important to limit the differentiation in speed limits of various vehicles. Currently, lighter motor vehicles are allowed to travel up to 110 km/h, whereas heavy vehicles must not exceed 80 km/h and I believe buses 90 km/h. So, the way in which the various speed limits operate is a real shambles.

The member for Flinders referred to Port Wakefield, which is in the District of Goyder. The main road—Highway 1—runs from Adelaide to Port Wakefield, and then the road runs along the coast down Yorke Peninsula. The increase in the speed limit applicable to heavy commercial vehicles from 80 km/h to 90 km/h will help the situation considerably regarding the differential between the speed limit for that type of vehicle and the speed limit of 110 km/h for lighter motor vehicles. However, it does not go far enough, and we will still see frustrated motorists, possibly including me, getting behind heavy vehicles from time to time and having to travel at only 90 km/h, especially if the driver of the heavy vehicle has been forewarned of the operation of radar, although it seems that it is instant radar that operates these days rather than the radar involving the strip across the road.

However, I acknowledge that the Bill simply puts into effect the first stage of one recommendation and that we will have to be patient and await the second stage, which will raise the speed limit for heavy commercial vehicles to 100 km/h: I trust that we will see that come about soon. Members will no doubt recall my reaction a few budgets ago when the Premier announced that the Government would move to reduce the speed of lighter motor vehicles from 110 km/h to 100 km/h. I was outraged at that suggestion, simply because many of our roads in South Australia can accommodate the 110 km/h speed limit. Indeed, surveys in New Zealand, where the speed limit is considerably lower—I believe as low as 80 km/h—have indicated that the average speed on those roads is about the same as that in South Australia in particular (and Australia in general), where a speed limit of 110 km/h applies. So, the reduction of the overall speed limit from 110 km/h to 100 km/h would simply be a revenue raiser. However, I am aware that we are not talking about that aspect in this debate.

Many of my transport operator friends will be pleased to learn that their speed limit is to be raised by 10 km/h. A few months ago, I was approached by a few frustrated heavy vehicle operators who said that the police had been out in force and had booked many operators for exceeding the speed limit. I believe that those operators had a justifiable reason to be outraged, because the limit of 80 km/h simply meant that their business was not being done at the speed at which it should have been done.

Secondly, this Bill clarifies and strengthens the requirements regarding the use of child restraints and seat belts. I heartily commend the Minister for bringing down this amendment. It is so easy for parents not to accept the responsibility for the actions of their child in the motor vehicle, and in this connection I cite a personal example involving my daughter who at the time was aged nine months. We were in our motor vehicle driving home from Adelaide. My daughter had spent some time in the child restraint seat, properly strapped in. Apparently, however, she had had enough of travelling in that way and she let us know all about in in a typical child's way. As driver, I said to my wife, 'For heaven's sake, let her out of the seat and have some exercise.' I might say that my daughter was able to stand on her feet at that stage. Despite my wife's protest that I was not doing the right thing, I said, 'Let her out. I am capable of driving and will drive safely.' However, two or three minutes after the child was released from the child restraint, the car in front of me stopped suddenly and I had to brake suddenly. The result was that the child went rapidly from the back seat into the front seat, but thankfully no injury occurred.

That incident taught me a lesson: that, even though I was trying to drive safely and even though I thought the child needed exercise in the car and should not be confined to the child restraint, the thoughts of one of the parents in this case were completely wrong. It is the Government's responsibility to introduce legislation under which, because of the speed and the capability of vehicles, we are required to restrain children in their seats. As the member for Flinders asked, how do we do this? The best way is to put the child in the child restraint and to put up with the crying for some minutes in the knowledge that sooner or later it must stop.

That was the first incident to which I wish to refer. The second incident, which brought home to me the fact that education on seat belts needs to start the moment the child is out of the cradle, concerns my two elder lads, now aged 11 and nine years respectively. A few years ago, when they were aged eight years and six years, I drove out of the driveway and they were crying out in the back seat of the car that they did not have their seat belts on. I had already turned from the drive into the road. In other words, education had got across to them, at the age of eight years and six years, that they must wear a seat belt. In fact, they get very upset if I drive off too quickly and they have not had a chance to put on their belts.

Recently, my daughter, now aged just over two years, was in the car when I was driving out of the driveway. I could not work out what she was saying until I heard 'seat belt'. Then I realised that I did not have my belt on and she was upset that her father was taking the car out without having put his belt on. So, even children will be able to recognise their responsibilities more and more, and I believe that this will be one of the key things in helping save children's lives and educate adults, who, with the exception perhaps of the generation up to 20 plus years, have not been brought up with seat belts and think they know better. Perhaps the position was not so bad in the days of older cars with lower speeds and performances and more room in the vehicle in which to be thrown around, but today it is so necessary, in view of the increased traffic on the roads and the high speeds, to take greater care in wearing seat belts.

I was a little perturbed to hear a couple of speakers say that the police needed to use commonsense. Although I may fully agree with that, I do not want to see legislation which

provides that commonsense shall be the key element to be used and under which people may argue in court that commonsense was not used and that they should not have been prosecuted. I hope that this problem will be cleared up by the regulations.

Mr S.G. Evans: Commonsense is not common.

Mr MEIER: Perhaps it comes back to a matter of common law. There will be a need for commonsense, but I can imagine the situation where a police officer stops a driver and says, 'Excuse me, one of your chilren is not restrained,' whereupon the driver abuses the policeman, who than says, 'Well, I was going to use some commonsense in your case but now that you've upset me I'll throw the book at you.' We must avoid that sort of thing. It is to be hoped that the position is made clear in the regulations. Maybe some time can be given for us to reassess this legislation, to see whether it is working satisfactorily. Certainly, parents have to put up with a great deal if there are two or three children in the car as well.

The third point involves the removal of the requirement that tow trucks be inspected by the Central Inspection Authority. Members have heard me refer to certain matters involving the CIA, as I call it, and its inspection of certain vehicles. I certainly acknowledge that it does a good job with respect to establishing a safety standard for vehicles. In fact, I believe that sometimes the authority does too good a job, and goes overboard. Some of my constituents have been upset with the stringent conditions applying. However, that is outside the context of this Bill.

I want to mention particularly that it is good to see a further restriction taken from the tow truck operators. The Bill that was introduced last year, theoretically to rationalise the two truck industry, has had a negative effect on small business, with small tow truck operators disappearing, while the big ones are getting bigger. This is a shame, and the Government responsible for that legislation which I thought wanted to cut everyone down to knee level has tended to let the tall poppies get taller. That issue may need to be addressed in due course. Notwithstanding, the removal of the restriction will at least give the operators a fairer go. I would like to have seen the speed limit increased to 100 km/h, either now or in January. I acknowledge that the increase to 90 km/h is a step in the right direction and I hope it will not be too long before this matter is further addressed.

Mr S.G. EVANS (Davenport): In speaking to this Bill, I note that it has been argued on several occasions that the speed limit applying to heavy vehicles should be increased to the same limit as that applying to cars or smaller vehicles, and I support that. In this case we are going part of the way, but the limit is still 20 km/h below that limit.

Mr S.J. Baker interjecting:

Mr S.G. EVANS: The member for Mitcham refers to commercial vehicles travelling at 150 km/h, but I know of one gentleman who was recently booked on the freeway for driving at 165 km/h, or something like that, in a private motor car, so the limit now to apply is still below the speeds at which private individuals travel at times. When Mr Virgo was Minister of Transport, it was proved in trials undertaken by the Highways Department that the modern truck has very good braking efficiency and power, and that applies particularly to those vehicles fitted since that time with exhaust brakes. I advocated the use of exhaust brakes in the late 1960s. That idea was rejected by people at the time. However, there is no doubt that exhaust brakes are one of the great life savers for commercial vehicles, particularly when driving in the Hills area. The motor is converted to a compressor; in other words, the air holds the brakes off. The air compressed by the motor is used to slow down the vehicle. The design of air brakes has been changed and they are now the same as those used in trains: the air holds the brakes off, and in the event of a failure the brakes automatically lock on. The Germans first introduced that design.

So, modern heavy vehicles are very well equipped as far as braking capacity is concerned. In fact, if brakes of a fully laden vehicle were applied quickly the vehicle would rip hunks out of the roads, as well as damaging the tyres. These vehicles have exceptional manoeuvrability, and in most cases they are very stable. In various places, like the Devil's Elbow and the corner above that on the Hills Freeway and at other places, the road does not have the correct camber, and, if a driver is cut off and brakes suddenly, a vehicle with a high load can overturn, creating problems for other road users as well.

I support the limit being increased to 90 km/h; I would have supported its being increased further, to at least 100 km/h or 110 km/h. I do not believe that that would have done any harm in the long run. The idiot driver, whether a private motorist or a commercial operator will still take the chances, whether the limit is 80, 90 or 110 km/h. As the member for Mitcham said, commercial operators sometimes travel at 120 km/h or 130 km/h, and, by using the CB radio, they can tell their mates exactly where the single bubble or the double bubble is, or where a camera may be located. There may be the exception, but most of them know exactly where a car may be, and they even know the registration number. That is part of their game and livelihood. Therefore, they are able to abuse the system.

I support the increase to 90 km/h, but I am disappointed that it was not increased further. Members may ask why I do not seek to amend the provision. I have put that to the shadow Minister, but I know it would be hopeless. I am fighting some other hopeless causes at the moment, so there is not much benefit in fighting another.

The child restraint issue is interesting. Members will recall that, originally, I spoke and voted against the wearing of seat belts. I said that I thought that people should be compelled to have them in their vehicles but that the decision to wear them should be up to the adults concerned. In society we are still allowing people to drink and drive and to take drugs and drive motor cars, even though there is a limit. Those substances affect a person's capacity to drive, and accidents occur. We apparently consider that that is all right, but we force people to wear seat belts to protect themselves, maintaining that accidents cost the State money. We are also aware that people suffer as a result of accidents: they may even be killed, and if they are killed, their relatives and friends suffer mental trauma.

We maintain that an individual must wear a seat belt, but mainly this is not because we have a concern about his or her life, because if that was the case we would be a lot tougher with our drink driving laws in this State. So, in that regard we are not consistent. Some people drive to and from work half stung and as a result injure themselves or someone else on the road. Some people might be divorced from reality altogether because of alcohol or health problems. Further, we should not be saying that children between the age of 14 and 16 have no responsibility in this area at all. As to the wearing of seat belts, there is no onus on them at all, and it is the driver who will suffer if a person of that age is not wearing a seat belt. However, we are not consistent in that regard because, if children of that age want to leave home, we do everything in our power, through community welfare agencies, to tell the parents to get lost and to say that children of that age are adult enough and strong

enough as individuals to look after themselves in the community. I guarantee that every member here would know of a family in this situation.

The DEPUTY SPEAKER: Order! I ask the honourable member to relate his remarks to the Bill.

Mr S.G. EVANS: I am tying my remarks to the Bill as it relates to the responsibility on children aged 14 to 16 to wear a seat belt. In the Bill we are providing that a person of that age should accept no responsibility, and I will give an example that relates to this. If a girl aged 16 years is driving a motor car and has with her an aggressive young chap, perhaps her brother, or somebody else who refuses to wear a seat belt, and if she drives the vehicle while that person is not wearing a seat belt, she is liable to a fine. I say that the other person, who might also be 16 years of age, should also be liable. We must be consistent with other legislation. Young people can leave home between the ages of 14 and 16 years.

Another example is that young people between the ages of 14 and 16 years who want health or medical treatment are able to tell their parents to get lost if they wish to, as they are considered by this Parliament to be sufficiently responsible to make decisions in those medical matters, but when it comes to this legislation we say that they can tell the driver to get lost and the driver will have to foot the bill if the passenger is caught not wearing that seat belt.

I do not mind if both parties are fined, because that is a different argument. However, if the Parliament is to be consistent, we must accept that the passenger should also be liable. That can be done as it is done in relation to drinking laws. If a person under the age of 18 years is drinking liquor in a hotel, both the drinker and the supplier are liable to a fine. Why do we say that someone who refuses to wear a seat belt does not commit an offence, but that the person who does not make them wear it does? What about the 16 year old, leaving a booze-up party, who decides to drive because he is the only sober person in the group and has not had a drink all night, but who is accompanied by three aggro alcohol affected people of the same age?

The Hon. G.F. Keneally: That means that they are all over 16 years of age.

Mr S.G. EVANS: No, they are not. I hope the Minister realises that, from the day we are born, we can drink as much alcohol as we like anywhere in the State, except on licensed premises. A 16 year old girl in a motor vehicle with three 15 year old drunks who refuse to wear seat belts is in difficulties. A young man can have similar difficulties if he is the only sober one in a group and wants to drive. I am asking the Minister why both parties should not be responsible when in every other area we say that they are. In areas such as dental, medical, drinking, and family problems and community welfare we say that they are responsible, but for the purposes of this Bill we say that they are not.

On the subject of tow trucks, I support the amendment, and do not want to broaden the argument. It is evident that the big tow truck operators are getting bigger. No young person with enterprise will ever be able to get into the tow truck industry, because it will be impossible for them to buy out an operator or start as others started by getting a tow truck and plying for hire; that can no longer be done. We have made this a closed shop, and because of the allocation of districts it is virtually impossible for any young person to get into this business. Anybody who doubts me on this should take note, if we leave this legislation in place, of how many new operators enter this business other than corporate bodies that can raise the capital to buy into an existing operation.

I do not mind the Minister's proposed amendment, which removes one more regulation on our society. However, I am not enthusiastic about this Bill, because we have avoided the issue of seat belts in relation to people between the ages of 14 and 16 years. We have avoided the issue in relation to speed limits, but given time we will find that similar speed limits will operate for buses and trucks as well as for motor vehicles. It is worth noting that in America any State not increasing the age for drinking to 21 years will not receive federal road grants, so that in the majority of States 21 years has become the legal age for drinking. I look forward to the Hawke Government doing something similar.

The Hon. G.F. KENEALLY (Minister of Transport): I thank all members who have participated in this debate for their support, enthusiatic or otherwise, and congratulate them on the quality of their contributions. In matters involving road safety, particularly where they relate to children, every member of Parliament accepts responsibility not only for their own children but for all road users, and I think that that came through very strongly in this debate.

I will respond to the issues raised, and particularly to those raised by the shadow Minister, who canvassed a number of points that need a response. Although I disagree with very little of what he said, one or two matters dealing with child restraints probably need some debate. First, I do not hold a strong view against the 100 km/h speed limit for buses and heavy commercial vehicles, particularly for buses. I have long held the view that, because of modern technology, omnibuses, buses and modern heavy commercial vehicles have adequate braking capacity to ensure that they are safe on the roads when travelling at a speed greater than that currently on the Statute Book.

However, we need uniformity of speed limits throughout Australia. This came about largely as a response to the May report commissioned by the Federal Minister, Mr Morris, about two years ago, called the National Road Freight Industry Inquiry. Members would recall that, as a result of it, there were major demonstrations by truck drivers throughout Australia, particularly on Razorback Hill, in New South Wales where the demonstration featured most prominently. The May report recommended that we dispense with the speed differentials on our roads: that is, that the different speeds currently applying in South Australia of 80, 90 and 110 km/h for heavy commercial vehicles, buses and private motor vehicles respectively be closed and, if possible, be abolished completely.

That idea does not have the unanimous support of all States. Some States will not move to a 100 km/h speed limit and, if they were required to move to that speed limit now, would oppose the legislation completely. Because of the reluctance of these States, the ATAC meeting of Federal, State and Territory Ministers at Alice Springs agreed upon a strategy to raise the heavy commercial vehicle speed limit to 90 km/h to bring it in line with the speed limit for buses, so that that differential is gone, and then to wait for 12 months to see the result or benefits of that decision, which will be evaluated by the Office of Road Safety in Canberra and various State road safety divisions. After 12 months of study the Ministers will meet again to decide whether we should increase the limit to 100 km/h. I see no reason why that should not happen. I am certainly sympathetic to bus operators, and I believe that it would be very easy to move to a 100 km/h speed limit now, but I am bound by the decision, to which I was a party, to determine a strategy so that all States of Australia would come to a common speed limit. I do not believe that I should, having agreed at the

Federal conference, come back to the State and introduce legislation contrary to the agreement reached.

In the past, States too often have breached an agreement arrived at at one of these conferences. The member for Davenport made the statement about heavy commercial vehicles that, with their exhaust brakes, the braking capacity is stable in most circumstances, and I suppose that is true, but members should understand that a heavily laden truck will be able to brake with very little difficulty if it travels at 100 km/h, but an unladen semitrailer travelling at 100 km/h, braking suddenly, is a much different proposition and, strangely enough, because of the potential to jackknife—

Members interjecting:

The Hon. G.F. KENEALLY: The member for Davenport shakes his head, but the evidence that is available to all road safety authorities suggests that a fully laden truck is much more stable on the road than an unladen truck, which has the potential to jackknife when full braking power is applied. That is the one area that I think we will need to look at within the next 12 months. I feel that in 12 months time the Ministers will agree to raise the limit to 100 km/h for trucks and for buses, which will mean that in all the Eastern States (New South Wales, Victoria and Queensland) at least there will be a common speed limit of 100 km/h. Of course, South Australia is different in that we have a speed of 110 km/h. I think it should be stated that at this stage, this Government has no intention of returning to 100 km/h and, contrary to other States, has no intention of raising the limit for commercial vehicles from 100 km/h to 110 km/h.

In other forums I have stated my views on the speed limit of heavy commercial vehicles and, to be consistent, I think I should state them here. Although organisations that represent buses and trucks would always argue that what I am about to say does not happen, nevertheless we all know that it does. Every week I travel by road from Adelaide to Port Augusta and back, and I know that very few trucks on the road travel at 80 km/h and very few buses travel at 90 km/h.

Mr S.J. Baker interjecting:

The Hon. G.F. KENEALLY: We know that, because we are tucked in behind them, assessing the speed at which they travel. I might be cynical in saying this, but it always occurs to me that those drivers who travel at 80 km/h or 90 km/h, whatever the respective speed limit is, are those who have 12 demerit points and want to ensure for very good reasons that they do not lose their licence. As other members have pointed out, the fact is that a great number of these very heavily laden trucks are travelling at speeds in excess of 120 km/h because, as members would appreciate, the vehicle in which I drive travels at about 110 km/h and, when these trucks pass, I know that they are travelling at somewhere around 120 km/h. I must say that, when one looks at the legal speed limit, the buses travel very consistently at speed limits that are within reason.

However, I think the argument that for all streams of traffic we need to have a consistent speed limit and that, as far as possible, we need to eliminate the differentials because that is a very effective road safety measure is accepted by all. All States, as well as the Federal Minister and the Territories, are moving towards that goal. I have pointed out already to the industry that, should anyone feel compelled to move an amendment, for the reasons that I have given to the House today I will oppose the amendment. Although they are not necessarily happy with it, they have accepted it, and I understand it.

I am pleased also with the agreement that members have indicated to our measure in terms of the strength and requirement to use child restraints and seat belts. I was rather taken with the contribution by the member for Goyder, who gave practical examples of why he strongly supports this legislation. As a grandparent, with four young grandchildren, two of whom live at Port Augusta and whom I like to take around in the car with me as often as I can, it is essential for me to be very well aware that, even though parents equip their cars effectively to accommodate the safety needs of their children, grandparents ought to consider, if they want to take their grandchildren with them, that they should belt up and ensure that the grandchildren are safely ensconced in the car. As a grandparent, I am well aware of how easy it is for one to overlook the needs of grandchildren.

I am aware also of the accident that the member for Flinders had and I think I expressed the view of every member here that we are absolutely delighted that the serious accident in which the honourable member was involved was not any more serious, because he has made a notable contribution to this House and to the State of South Australia and, although we continue to do the best that we can in his electorate to ensure that he does not get back here after each election, he seems to be able to survive.

The member for Bragg said that he felt that it was unreasonable for the Government to introduce legislation such as this and at the same time introduce a rental scheme, but not to have that rental scheme incorporated in the legislation. Of course, there is no need to do that. The legislation is clear: the rental scheme is really nothing to do with the legislation, which applies mandatory requirements. The rental scheme is an action that the Government is taking, in line with educating the community and to gain publicity, to try to convince the people of South Australia that they have a responsibility to children, particularly those under 12 months of age, so initially the Government will buy a large number of these child restraints. We have been supported by some public spirited companies, and I would like it on the record that we encourage other public spirited companies to donate child restraints. We have a very well known and well accepted society acting as the agent in renting out these child restraints, but there is no need to have that included in the legislation, because it is not a part of the legislation: it is a scheme that the Government is introducing to ensure that child restraints are commonly used around South Australia, and there will be a moratorium of some 12 months to allow that system to be publicised and for people to be educated before the provision is proclaimed.

I understand that the member for Bragg, the lead spokesman for the Opposition, has an invitation to attend on Thursday, when I will have the greatest of pleasure in explaining to him all of the details of the scheme. I will be able to point out to those members who have country electorates how we propose to introduce the scheme into the metropolitan area and extend it into the country areas. During that process the scheme will need to be evaluated and initially we will not be able, as we would like to, to cover all South Australia.

I acknowledge the contribution made by the member for Mawson because, with her colleagues in what we on this side of the House call the Transport Caucus Committee, she has been a very strong advocate of the introduction of child restraints. I think the fact that it has taken so long is regrettable, but to do things properly one always needs to take time. The full scheme will be there for all to see on Thursday. Hopefully, the media will give it a very wide coverage because, as I understand it, the launching is designed for the media so that the coverage is as wide as possible.

The other matter that was raised by my colleague, the member for Mawson, was just exactly what we are going to write into the regulations. Of course, we have draft regulations prepared, and they cover all the matters that members have raised regarding what a driver will be required to do and what will be the law, etc. They will be before the House, and members will have an opportunity to disagree or agree with them, as they wish.

The concern of the member for Bragg about what will constitute a defence against a charge that one's child passenger is travelling without a constraint is covered in clause 5 (6), which provides as follows:

It shall be a defence to a charge under this section for the defendant to prove that there are in the circumstances of the case special reasons justifying non-compliance with the requirements of this section.

I must point out that the driver is in charge of the vehicle and can take such action as he feels is necessary to try to ensure that those other people who are in the vehicle with him or her abide by the law.

The law must be clear, otherwise, the police cannot enforce it. Having said that, there will be a defence, but the driver must have a responsibility. I believe that, whenever you strike an age, somebody will say that that is not the right age. There has to be an age, and the age that is commonly used is 16 years. If you are over the age of 16, you are 16 years and one day; if you are under the age of 16, you are 15 years and 11 months. The member for Davenport would understand that. You are over the age of 16 when you have a driver's licence, and, if they are 16 years and 6 months, they are over the age of 16; that is an appropriate age. This system will be very closely monitored and, if as a result of experience, changes need to be made, Parliament can look at it later. However, I believe that the age of 16 is appropriate, and all the research and advice that is available to me supports that.

Members have raised other matters during this debate and, as I am sure that a number of questions will be asked of me during the Committee stage, I think I should leave it there. If the honourable member wants to ask me about the penalties in Committee, I will address that matter then. I thank members for their support and look to a prompt passage of this legislation through this House at least.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—'Wearing of seat belt or child restraint is compulsory.'

Mr INGERSON: On a recent trip to America it was pointed out that two of the major road safety programs that had been introduced there—and the member for Davenport mentioned one—were the increase of the drinking age to 21 and the reduction of the speed limit to 55 mph (approximately 90 km/h), which was an accident. The other matter that was mentioned in the road safety area was the fact that they had introduced child restraints first and still have not, in all States, gone to the compulsory wearing of seat belts for adults. It is interesting that in that sense we have done it back to front.

The Hon. G.F. Keneally interjecting:

Mr INGERSON: I think we probably have, because they have the attitude that saving a child's life is more important than saving an adult life. I would like to ask a question relating to section 162ab and the reason for changing the existing Act to one's occupying a seat. Is there any reason for that change, or is it simply for clarification?

The Hon. G.F. KENEALLY: While I am responding to the first part of the honourable member's statement, we are checking the Act, because I understand that 'occupying' in that term was in the original Act. However, the member obviously feels it was not.

I want to respond to the comment that the introduction of the 55 mph speed limit has been a great boon to road safety in the United States. That is true. However, I also want to point out that some years ago I was unfortunately travelling in a convoy in the United States. The back door and front door were shut, we had the CB radio going, and everybody knew where Smoky was. I can tell you that we were travelling not at 55 mph, but at 90 mph. A number of heavy vehicles and buses were in that convoy charging between Flagstaff and Phoenix at a speed that would frighten you. There is a fair bit of that on the major highways in the United States. Nevertheless, the general statement is correct.

In the original Road Traffic Act the wording was 'in a seating position', and now it is 'occupy a seating position'. I think this is merely a clarification in technical terms. I do not always understand or agree with how legislation is written but—

Mr S.J. Baker: Obviously if they are hanging out the window they cannot be occupying a seating position.

The Hon. G.F. KENEALLY: As the honourable member for Mitcham points out, if they are hanging out the window, they cannot be occupying a seat. I think that sort of information is vital to us in reaching our decision, but it does clarify exactly the person's responsibility.

Mr INGERSON: In relation to subclause (2), it seems to me that an extra provision has been placed in here to cater for children between the ages of 10 and 16 years when the whole thing could have been catered for from the age of 16 down to one. There seems to be an extra provision there. Is there any reason why we have included it to encompass the ages between 10 years and 16 years, because the next section is from one year to 10 years? Why did we not go right down to one year in one hit?

The Hon. G.F. KENEALLY: The difference between one year of age and 16 years of age is such a huge one in mass, volume and size that you really need to break it up so that you can relate it to the restraints that are placed in the vehicle. The only reason for it is to make the legislation more reasonable in terms of the size of the children that it seeks to protect.

Mr INGERSON: Some legal people wonder whether it necessarily includes reasonable care. They suggest that in the circumstances of special reasons justifying non-compliance it infers some disabled or disadvantaged person whereas, in fact, it may not cover the person who has taken reasonable care and where for some reason the child has either undone the seat belt or has slipped out of the seat belt, which could quite easily occur.

As others have said, it is not necessarily the way we think it is written but the way in which the lawyers will interpret it and, more importantly, how the police in doing their rightful job will interpret reasonable care. Will the Minister further clarify that point for us?

The Hon. G.F. KENEALLY: It is a very important point. This is one of the problems that legislators always have in terms of writing up legislation. It will always be determined by the courts ultimately. Case law is determined by the courts. Whatever we write into the legislation must go through that process, and very often as a result of that we notice that amendments quickly come back to the House. With that provision we will need to see how it operates in practice. It will be almost impossible for us to write into the Act a provision that accommodates all the concerns that might apply. There will be details in the regulations that go to the heart of the matters raised by the honourable mem-

ber, but ultimately it will be exactly as he has stated. It will be the courts, lawyers and police who determine what is in practice the right way to go. As a result of that, we may have to amend that provision. I believe that at this stage at least that is a reasonable provision and that the regulations will establish the nature of the offence.

Clause 5 (6) provides a defence against that. I do not disagree with the honourable member. It may well be that within the 12 months that we are looking at the system as it applies to infants from nought to one-year-olds we may have to come back and strengthen or rewrite the Act in a way that the courts wish us to. We have the advantage of having eminent legal people assisting us in writing the legislation as they believe it ought to be so that the courts and the law can apply it.

Mr DUIGAN: I raise the general question of use and reuse of seat belts, child restraint seats and capsules. Will the Minister clarify the position? As I understand it, if a seat belt is put under extreme pressure as a result of an impact or collision, it must be replaced. It is also my understanding that if a moulded plastic child restraint seat is involved in a collision or put under pressure in any way it cannot be reused and must be replaced. Is my understanding correct, and is it possible to use second-hand child restraint seats? This raises another question about capsules. If capsules are to be provided for certain groups of people to hire, one can only assume that they will be able to be reused. For those people who will not be able to hire them, are ineligible and have to purchase them, will they be able to resell their capsule, and what provisions will go along with the resale of the capsule?

The Hon. G.F. KENEALLY: The honourable member has also raised a very important point. It is true that currently one is not able to sell a child restraint, as the regulations prevent it. It would seem foolish to have a rental scheme where one is renting the same restraint over and over again and at the same time prevent people from selling such restraints. The regulations will be changed to allow people to purchase second-hand infant restraints. We would need to be able to do that in any event because there is no way in the first 12 months of the scheme that we will be able to cover all of South Australia. A lot of people will need to be able to purchase second-hand infant restraints, but in terms of the seat belt (and I will check my understanding), if a seat belt has been involved in an accident and put under extreme pressure there is no requirement to replace that seat belt. I will check out that information and advise the honourable member accordingly.

In terms of the question regarding infant restraints for nought to one-year-olds, we will provide an amendment to the regulations to allow people to purchase second-hand restraints. While individuals cannot always tell whether the webbing is safe, one would expect that it is because the mass of a baby is so small that it is unlikely that the webbing would be placed under stress and so be defective. The container itself is such that normally it would be easy for the purchaser to see whether or not it was adequate and comfortable. The webbing and strapping are the critical parts and because of the weight of the baby it is unlikely that anything will be wrong, and thus resale of second-hand restraints will be allowed.

Mr DUIGAN: The Minister mentioned that it would obviously be impossible to cover all of South Australia in the first year under the hiring or leasing scheme that he has announced. What happens to those people who are not covered? Will they be required to purchase one of these capsules themselves or is there going to be a phasing-in arrangement for the requirement to carry infants in capsules? In other words, will the Minister give notice to the South Australian community that within a specified time—be it six or 12 months, or whatever is needed by the department to provide a reasonable leasing arrangement throughout the State—they will have to purchase a restriant if they are ineligible to lease?

The Hon. G.F. KENEALLY: It would be probably 17 months from now before we proclaim the clause covering the capsule, so there will be ample time for an education program to be effectively implemented and for appropriate advertising promotion work to be done. Even so, it is my belief that even after 17 months some towns within South Australia may not have access to the rental scheme although the organisation acting as the major agent will be represented in all communities. Therefore, it is likely that even the more remote communities will have access to the rental scheme.

I must refer to one of the points raised by the member for Bragg earlier. The Government will be in the business of providing the capsules only until the scheme is up and running. It does not see a long-term presence for the Government in the scheme. It would be delighted for bodies, particularly non-profit organisations, to take up the issue and work with it. If they do we are more likely to be able to provide total coverage that the member for Adelaide has described. Initially we will have centres in the metropolitan area and will move into the major country centres with the expectation of moving right across the State, but even so it will be impossible for the rental scheme to accommodate all needs in South Australia.

There will be requirements for people to buy their own—as I am sure large numbers of people will—and when they no longer have a need for them they will sell the capsules at an appropriate second-hand price. I expect that, in relation to people deciding to purchase and those using the rental scheme, within 17 months everyone in South Australia will be able to comply with the legislation, at which time it will be proclaimed.

Mrs APPLEBY: What will the situation be in respect of the driver of a vehicle in a private parking area of a regional shopping centre who does not comply with the legislation in relation to a child restraint? Will a police officer or an authorised officer be able to approach a person breaking the law on private property of that nature or will further amendments be required to the Private Parking Areas Act 1965, which is due to come into this place and be amended in respect of parking for disabled people?

The Hon. G.F. KENEALLY: I certainly hope that we will be able to ensure that infants and children are adequately restrained by means of seat belts, whether the vehicle is being driven in a private car park or anywhere else. I am not fully acquainted with the legal position, but I will obtain the necessary advice for the honourable member. The Government will consider the matter of amending the Private Parking Areas Act, if necessary.

Mr S.G. EVANS: I accept the Minister's comment that the driver of a vehicle must be over the age of 16. However, a 17-year-old, say, driving a vehicle might have other people in the car, under the age of 16, who can tell the driver to get lost. The driver could leave the car, take the keys, and walk home, but in practice that is not what happens. The point that I raise might have been overlooked by the Minister and Cabinet. I raise this matter because the Bill will be further considered in the other place. Children aged 16 or under are told that they are able to make decisions in relation to, say, medical treatment or dental treatment, or perhaps obtaining a gun licence. We tell people that at 15 they can have the responsibility of having a gun licence,

carrying a gun, and using it, but that they cannot make a decision about wearing a seat belt. I think that highlights the stupidity of not placing responsibility on passengers aged 14 to 16.

Can the Minister see the point that I am making? A double standard applies. We say to juniors—as I refer to people under the age of 16—that the law recognises their capacity to make difficult and important decisions in life but that in relation to wearing a seat belt the legal obligation falls on the driver of the vehicle and not the passenger. I think that they both should take responsibility in this region. Will the Minister explain why this provision was not covered? If it was an oversight, will he take the matter back to Caucus and Cabinet, in an endeavour to ensure that this responsibility be assumed by 14 to 16-year-olds, with appropriate action to be taken if they do not comply?

The Hon. G.F. KENEALLY: I understand the point that has been made by the honourable member. I am not without sympathy for the 16-year-old-plus driver who has a couple of hefty 15½-year-old people in the car with him as passengers, in which case it is unlikely that that driver will stop the car, take the key out of the ignition and tell his passengers to walk. I am prepared to have the matter looked at. It was not an oversight. The distilled wisdom of those people involved in the preparation of the Bill was that 16 years of age was the appropriate age in relation to this provision. That does not mean that the position is immutable and that we will not look at the point raised by the honourable member. I undertake to do that, although I do not undertake to have the advice back in time for consideration by the Legislative Council. Ultimately, the Road Traffic Act will be further amended, perhaps within the next 12 months. If the people involved with road safety—the police, from whom I am constrained to seek advice, and so on—consider it appropriate, we will consider the matter further. Despite the arguments put to the Committee by the honourable member, with which I have some sympathy, I propose that this legislation shall go through the House as it is. The honourable member's proposition can be considered, together with a number of other matters before further amendments are made to this legislation.

At this stage I want to respond to a point raised by the member for Bragg that I had overlooked. He referred to a problem in relation to the speed limit on the stretch of Mount Barker Road from Glen Osmond Road to the freeway. At the moment we are looking at the speeds at which motorists travel on that road. It is very likely that, as a result of this study a recommendation will be made to me that the Government establish a lower speed limit on that road.

If people are not prepared to drive in accordance with the standard of the road and they do not respect the quality of the road that is there now—which I point out is quite adequate if people drive appropriately—the Government may have to force people to comply with a lower speed limit. The honourable member touched on the associated problem: if people speed on that section of road and it is necessary to police it, it is very difficult to stop people in that location because any such activity is likely to cause a traffic impediment which itself is dangerous. This is not an easy matter to resolve. I can say positively that if people speed on that section of road the Government will apply a further limit and that that will be policed. People will then have to travel more slowly and safely than is the case at the moment.

Clause passed.

Clause 6 and title passed.

Bill read a third time and passed.

STATE SUPPLY ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 21 August. Page 552.)

The Hon. B.C. EASTICK (Light): The Opposition supports the Bill. The primary legislation has existed for some 12 months. The discussion which took place at the time that the Bill was debated gave a clear indication of the Opposition's general approval of the rationale of the legislation and of the need to make sure that we are getting value for the dollar. Arising out of the passage of the Bill, pressures were naturally enough placed on tertiary institutions, both the universities and colleges of advanced education, emanating from the department and staff of the Minister. However, it transpired that the consultation, which it had been said had taken place with representatives of those organisations prior to the passage of the original Bill, was disputed.

I do not think that there is any point in chasing around to determine whether there was or was not consultation, or at what level consultation took place. It is significant that large sums of money used by those tertiary institutions come from a Commonwealth source. There are, by tradition, a number of trading arrangements which have existed in the past and which ought to be allowed to continue. Therefore, we have no difficulty in moving for these institutions to be included. I note that Amdel has in its constitution a requirement to trade in a particular way, and what the Act seeks to do to that organisation is beyond its charter, so there is every reason to support that particular provision.

The final aspect of the Bill seeks to make possible the disposal of goods for prescribed local government bodies, or other bodies which are exempt. The general thrust of the measure was there, but on legal advice, quite obviously, the supply could not be translated directly into disposal, and this measure simply corrects a minute point which takes away from tertiary institutions—the other prescribed organisations being the Pipelines Authority, State Bank and SGIC—the opportunity to have disposals undertaken by the State Supply Division. They are not precluded from purchasing through that division and, in fact, they do. Therefore, I suggest that the action taken was quite in order. I will, however, quickly deal with one or two aspects which cause a little concern at the moment and which relate to a matter raised by way of a question in the House as recently as last week.

The Minister's report to the House states that the main aim of this legislation is to achieve the best value from funds available to public authorities for the purchase of goods and to ensure that local industry has a maximum opportunity to compete for the supply of goods to the Government. By 'goods' we mean services as well, and I refer to the unfortunate circumstances in respect of the new building for the State Bank, where $5 million or more, and almost 60 man/work years, has been lost to the State because the State Bank has gone outside South Australia and let a contract for the supply of raw and reconstituted granite for the facing of that building.

The State Bank is not included in the Act. Whether, in fact, the Government is in a position to enforce this aspect of the matter, and whether it is too late now for the Government to prevail upon the State Bank to buy or provide employment at home, rather than across the border, is a moot point. This matter is not specifically related to the Bill, but it does highlight one of the problems that can arise by offering exclusions. It is unfortunate that the matter I have cited occurred this way. However, the balance of the

measure appears to be quite in accord, and it has my support.

Bill read a second time.

Mr M.J. EVANS: Mr Speaker, I draw your attention to the state of the House.

A quorum having been formed:

Mr M.J. EVANS (Elizabeth): I move:

That Standing Orders be so far suspended as to enable me to move an instruction without notice forthwith.

Motion carried.

Mr M.J. EVANS: I move:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider a new clause relating to Australian preference.

Motion carried.

In Committee.

Clauses 1 to 3 passed.

New clause 4—'The board to observe or have regard to certain policies.'

Mr M.J. EVANS: I move:

Page 2, after line 20—Insert new clause as follows:

4. Section 17 of the principal Act is amended by inserting after subsection (2) the following subsection:

(2a) The board shall in performing its functions in relation to the acquisition of goods ensure that preference is given, wherever practicable to goods produced or manufactured in Australia, or goods containing a substantial Australian component.

I move to insert this new clause because, in recent times, much publicity has been given throughout the nation and South Australia to the need for Governments at all levels to encourage Australian manufacturing industry and to encourage Australian employment growth through the development of our local industries, both in import substitution and in the manufacture of goods which Australia has traditionally supplied to its own markets.

That does not necessarily mean that we need to adopt an absolute position where Australian goods take total priority over all other goods. That would be uneconomic at the Commonwealth, State or local level, and certainly impractical in terms of providing the best service to our community at the least possible cost. However, I believe that, as a principle, Australian preference as against overseas manufactured goods or goods with a substantial component of overseas manufacture should be enshrined in our principal supply legislation for the State Government. It gives real meaning to the political statements and rhetoric which have been made about encouraging Australian manufacture and I believe that it is incumbent on this Parliament, when reviewing the legislation which covers the supply of goods to the State of South Australia and its Government (which is a massive undertaking) not to take the matter lightly because the value of goods purchased by the State for the use of the State each year is enormous.

While I do not wish to encumber the State Supply Board with detailed prescriptions or formulas about the level of Australian content, because that would be impractical, I believe it is essential that this Parliament's and this Government's clear policy and intention should be contained in the legislation itself so that, when the board is considering its obligations, there can be no doubt that this Parliament and the people of South Australia want it to give preference to goods manufactured either wholly or in part in this country. In my view, that principle is so important that it should in fact be enshrined in the legislation, not so as to hamper the board in its activity or to disadvantage any part of the community, but so as to ensure that the board, in making those decisions, is well aware of the obligations which it has and that it has a clear understanding of this Parliament's priorities.

If in fact the board is to make decisions on the basis of the present legislation, it has no clear-cut guidance in that area unless the Minister of the day chooses to issue a directive pursuant to the powers that the Minister already has to require the board to undertake certain policy decisions. While I accept that this could well be the subject of a policy direction, my understanding is that at this time that is not the case, although the Government has entered into a national preference agreement with the other States which ensures that interstate preference is not permitted in this area, except under certain clearly defined exemptions and policy areas, and that preference is given to Australian goods.

While there is an administrative or inter-Government agreement to that effect, the degree of substance that that agreement has can only be measured in many ways by the entrenchment of that principle in the legislation. Nothing in the new clause which I am proposing to the Committee would in any way limit the Government's freedom to negotiate with the other States and to enter into agreements pursuant to the kind of understanding which it now has with the other States, but I believe that the policy should be clearly enunciated so that the board is aware of it and the public of South Australia as well as Australia is also aware of our stand in the matter. It is not good enough to have these things simply in accordance with ministerial directions, but it is something which this Parliament should take a hand in. The importance of it to the Australian public is such that I believe it merits this kind of treatment, so I commend the new clause to the Committee and I thank the Committee for its indulgence in allowing me to move it at this time, because I consider that this is a concept that the Committee should support to the fullest extent possible.

Mr S.G. EVANS: I am sympathetic to the new clause proposed by the member for Elizabeth, but I do have some concerns about it. I know what he is driving at and I have had experience with some of the areas with which State Supply may be obliged to deal. The word 'practical' worries me. 'Practical' is all right when speaking in terms of it having to be available, having to be of the right shape and, in some cases, the right horsepower or whatever, but the economics of it worry me. There are some goods that are produced outside of Australia to which, even with the devalued dollar, from the economics point of view it would worry me to have to say to State Supply that it should give preference over an Australian made product.

If the member for Elizabeth is including in the words 'wherever practicable' the economics of the situation, then I am quite happy with the new clause but, looking at the practicalities of it, if we are not considering the economics of the proposition, then that does worry me. I know that it is nice to buy Australian, but in some cases I have avoided it because the quality of goods has not been up to standard. If I were to state in this Chamber instances of the particular goods, I would perhaps be doing a disservice to business houses that may have corrected their practices since I last dealt with them, and I do not want to do that.

When the member for Elizabeth uses the term 'wherever practicable', does that include economics? If it does not, I would seek to amend the new clause by inserting the words 'and economical' after the words 'wherever practicable' and I would then see the benefit of the new clause. I do not say that, if it is Australian, it has to be cheaper or exactly the same price: it might be 20 per cent dearer and that would be acceptable economically, but if it were 80 per cent dearer to buy Australian, then it would not be acceptable.

The Hon. G.F. KENEALLY: I have taken note of what the member for Davenport has said, but at the outset I

advise that I intend to take this matter away and consider it, so I will seek to report progress and bring it back. I do this because I totally agree with the sentiments of the new clause moved by the member for Elizabeth. I do not think that anybody could argue against that new clause, but my concern is that, in such a delicate area as this, we need to be absolutely certain that the new clause does not in any way contradict the national preference agreement which was signed recently by the Ministers of all the States and the Commonwealth and which came into operation on 1 July 1986. This agreement provides for preference for Australian manufactured goods and, in regard to South Australia for instance, that protection would be 15 per cent preference against goods manufactured in New Zealand and 20 per cent preference against goods manufactured in other countries.

I do not want to let this matter lie in the Committee stages, or to even reject it at this stage and bring it back into the Legislative Council, because I think that the wording and the intent of this new clause are so important that we need to address it and have it debated fully here.

I am totally in agreement with any principle that would ensure that, where possible, Australian goods and services are purchased in preference to those that come from outside our shores. It is absolutely essential that, in the current economic circumstances, we build up our capacity to provide both technical and commercial services and that we are not placed in the situation where we need to import, because we can see what that is doing not only to the dollar, but also to the balance of trade. We need to be able to provide for our own needs.

The Governments are probably the major clients for industry in Australia, so industry needs to have access to Government purchasing. I understand that this is the intent of the member for Elizabeth. However, I do not want to agree to anything in such a sensitive area that may cut across preferences that have already been agreed on by all Governments of Australia. The honourable member says that he merely wants to have this included to indicate a policy statement that can be acknowledged and followed by the State Supply Board. The board already has that advice from the Government, and I am sure from all Governments in Australia, including the national Government.

I think it is appropriate at this stage to report progress and for me to seek leave of the Committee to sit again so that I can have this motion studied by the State Supply Board and, if necessary, Crown Law and Parliamentary Counsel (to whom I am not allowed to refer, of course), and obtain appropriate legal opinion to ensure that what we do is in the best interests of what the mover wishes us to adopt and the intention of the Act as it currently stands.

The Hon. B.C. EASTICK: I am in accord with what the Minister is doing. While I would be happy for the matter to move forward right here and now, I appreciate the reality of the matter and the need to bounce it around within the various departments and take legal advice on it. It is certainly consistent with the point I made and the general statement contained within the Minister's speech in delivering the Bill to the House. It is a matter which might not need to be entrenched within the legislation but be an undertaking that the Minister gives eventually and tables a letter of intent along those lines to the board although the course of action the member for Elizabeth proposes makes it more permanent and overcomes the difficulty of that letter being lost at some critical time. However, the thrust is totally correct.

Mr M.J. EVANS: I thank the Minister for his support in principle. I completely understand, accept and, in fact, support what he is saying in relation to having this checked in detail. I have certainly not had time since the Bill was introduced last Thursday to fully explore all those implications. I know the Minister has access to advisers well beyond those which I have as a private member. I commend the Minister for that action and I give him my complete undertaking that, if he is able to devise a form of words which he finds preferable and which can be demonstrated to the committee to be superior to the form of words I have, then I would fully support any change that the Minister may wish to make so that this statement can be properly incorporated, if the Minister wishes to pursue it in that way.

Another major purpose of an amendment like this is that it draws the attention of manufacturing industry and the community in Australia to the Government's commitment to Australian purchase and manufacture in a way which inter-Government agreements and so on negotiated out of the public eye do not necessarily do. Therefore, I believe personally that it would have the additional benefit of providing that element of confidence and public support for this principle which may have been lacking up until now, and, in fact, increase the level of confidence which is available amongst manufacturers of the Government and the Parliament support for that principle.

Progress reported: Committee to sit again.

RACING ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 21 August. Page 555.)

Mr INGERSON (Bragg): I rise to support the Bill in principle as it relates to the Grand Prix, but I believe that this measure ought to be designed in such a way that it does not allow any further extension beyond the Grand Prix for sporting events other than after discussion in Parliament in the future. I would also like to note that several members on this side of the House will exercise their privilege to express views in line with their conscience, as the Bill relates to the extension of further gambling opportunities in this State.

This amending legislation is designed specifically to enable the TAB to extend its operations into other major sporting events. As I have said, in principle I do not have any objection to that whatsoever. I think that any decision by the TAB to run a meeting on an organised sporting event obviously would have to be a decision made on economic grounds by the TAB, which means that the sporting public would have to make the decision generally to support such an event. We have seen in the past couple of years the introduction in this State of the Footy Punt, which has been reasonably successful. The introduction in the first year was far more successful than it has been up to this time this year. I believe that is due in principle to the fact that there are many close games and some of the pools in the football area this year have not been big enough, so that the dividend has been large enough to encourage the punters to continue. The Minister will probably comment on that later, in any case.

One of the areas of concern is that we place another gambling extension in the hands of the Minister, and whilst that is no reflection at all on the current Minister, our concern is that any Minister should have the right to extend gambling on any sporting event without bringing it back to Parliament in any form whatsoever. That needs to be questioned. At a later stage I will move an amendment to take note of that case.

An area of concern in relation to the Grand Prix is the question of where and to what group the share of the profits will go. Will it go to the national body, the Recreation and Sport Fund or whatever? I hope the Minister will take note of that in his reply to the second reading debate.

The concern expressed to me about the extension of gambling falls into four or five categories. The major objection has come from the racing fraternity, who see this again as another competitive force involved in the leisure dollar. As would be recognised by this Parliament, the casino has had a considerable effect in mopping up the leisure dollar in this community and the racing fraternity have expressed concern that here we have potentially another gambling opportunity with which they will have to compete, and their concerns need to be noted.

Other sporting bodies have expressed the concern that, if we increase the extension of gambling, that will have a significant effect on the people who go to these events and, also, many people in the recreation and art area have expressed concern about the extension of gambling as it affects the leisure dollar. There is no question that there have been comments in relation to the current economic environment and how the current economic conditions do not, and will not, enable a significant expansion in the leisure dollar in the next few years, and the bodies that have been involved with the provision of gambling to the community over a long period of time are concerned about any extension of that leisure dollar.

Other comments put to me relate to the moral question of the extension of gambling as far as the community is concerned. Most of those objections have come from people of strong religious background, and their comments need to be noted. There is no doubt that a significant group in the community who are financially disadvantaged see gambling as an opportunity to make up that extra dollar per week, and some extreme disquiet has been expressed by organisations such as SACOSS.

Returning to our major concern of the Minister being able to extend the betting by the TAB into events other than racing and Footy Punt, we express the view that we believe the Minister ought to bring any future extension of gambling by the TAB back to Parliament for discussion before that decision is made.

Having said that, we support the concept of Grand Prix betting, because it has been signalled clearly as being the principal reason for introducing it in the legislation. We believe that any future move to extend betting on any sport ought to be brought before Parliament. My other major concern is that, with the extension of betting on sport, we do not involve junior sport in any way. Indeed, we call on the Minister to give some guarantees that junior sport (for under 20 year olds) will not be linked in any way with betting by the TAB. It is my intention to move some amendments in Committee to take note of both those situations as they relate to bringing the debate before Parliament and the noting of junior sport.

Mr M.J. EVANS (Elizabeth): I do not wish to detain the House long but I will make a few comments about the nature of the amendment Bill, as it does significantly extend the areas in which the Totalisator Agency Board may operate its activities. As the member for Bragg has just indicated, the principal effect of this amendment is to extend the operation of betting to the Grand Prix. I fully support that, because if there is any group in the community or society that I would like to see make a contribution to South Australia it is those visitors from interstate and overseas who may choose to come here and participate in the Grand Prix. Hopefully they will bet many dollars on the Grand Prix and bring additional revenue into the State apart from that which they will bring by their presence through hotel accommodation and other purchases here. That aspect of the Bill has my support in that context, because I believe that that group should certainly contribute to the community for the inconvenience to which the event often puts South Australians. That is a welcome extension and a specific one.

I note that the Minister is putting that proposal to Parliament in the form of an amendment, and we will be able to accept that principle—certainly, I will. In other areas where the Minister is taking the opportunity to broaden out the whole range of activities which can be subject to betting on the TAB, I believe that that principle needs close scrutiny. Although the Minister is limiting his proposal by specifying major sporting and like functions, and therefore limiting it to some degree, he is not, of course, limiting it in the way that it has previously been limited to defined topics, such as racing, Footy Punt or whatever. Those are clearly defined areas to which Parliament has consented.

In this amending Bill it is clear that the initial principle that will be addressed is the Grand Prix and, therefore, the Parliament is able to make an informed judgment in relation to that area because the Minister has clearly declared his objective in that regard. However, when it comes to the extension of the gambling franchise beyond those defined areas, Parliament should enjoy some right of scrutiny. It is my view that while Parliament may not necessarily wish to approve each individual proposal that may come forward, now that that area has been properly defined it would not be unreasonable to provide for some form of parliamentarty or public scrutiny by requiring those extensions to be declared in regulations which come before this House for veto if necessary and which are then subject to public debate. They are also subject to publication in the *Government Gazette* when they are made, and the basis on which that extension to the gambling franchise takes place is known throughout the community. That is an important principle and does not unnecessarily fetter the Minister in the way in which he proceeds, but it certainly ensures that the extension is fully accountable to the community through its elected Parliament.

While I support the broad principles contained in the Bill for the extension of the Grand Prix, when we are considering extensions in other areas I believe that the Bill, by providing only for rules, does not go quite far enough in ensuring accountability, and additional steps may need to be considered by the Committee at a later stage of the debate. While I indicate my support for the principles, I give notice to the House that I will be suggesting amendments to give greater accountability of the extension of the gambling franchise.

Mr LEWIS (Murray-Mallee): I rise to state my concern about this measure, notwithstanding the laid back and off handed remarks that have been made by the two previous speakers on this matter. I am genuinely concerned. As a member of this place I will, as I always have done, exercise my right to put on record my reasons for the views I have as a matter of conscience about any such matter. It is all very well for members to chortle when they contemplate or even speculate about my reasons for opposing a proposition. I ask them to take into consideration the occasions, few in number up to this point, in the less than 12 months that the casino has been operating, where people have publicly appealed for some measure of restraint on the amount of gambling that is available to them.

It is all very well to say that they can choose not to, but when disaster strikes it is the hip pockets of myself and the constituents whom I represent who pick up the tab in the form of increased taxation. That happens because of the economic mechanism which feeds it through to those communities that generate the wealth in this country. Anybody else simply passes on their costs, and that includes the members of the huge trade union movement—all those affiliated unions through the United Trades and Labor Council—when considering whether or not they will have a wage rise and how they will get it.

If their tax burden has gone up so much that they consider it is more than they are prepared to wear, then collectively or singularly the unions to which they belong go to the Arbitration Commission for an increase in wages so that their spending power and disposable income is not reduced. So, the consequences of gambling affects all of us, especially those of us who are not price makers. The unions are price makers. I am referring to those who are price takers—we simply do what we can to the best of our ability and offer it to the world markets that are available. They are the primary producers of this country, and they have been picking up the tab for this welfare Mickey Mouse stuff long enough, and it can go no further. That is the general principle that motivates my concern about the matter.

The other issue is that the Bill as it stands, without any amendments, enables the Minister arbitrarily to interpret the meaning of 'sport'. I will have something to say about that just now. I wonder how many members in this place would consider elections to be sport, yet it is not without the—

The Hon. J.W. Slater: Blood sport.

Mr LEWIS: Well, it has certainly not been my blood that has been spilt. Whilst the member for Gilles is unlikely to survive the next election, whether because of spilt blood or for other reasons I am not sure, no question exists that as the Bill stands the Minister could simply decide that, for the sake of the TAB and the revenue, the election would be regarded as a sport. Those who do not want it to be seen as a sport need not be offended by that, he would argue. That is the kind of argument that we are having put before us now for the extension of the number of things on which we can gamble. If one feels offended about it, one does not have a bet. But those other people in the community who wish to bet on the election will be able to toddle off to the TAB and back those candidates and the political Party that they think will win. Perhaps those members opposite who think they are likely to win may hedge their bets a bit and bet that they may lose to obtain sufficient stake money to enable them cover their campaign costs, thereby enabling them to meet those costs once the day is over.

In the meantime, I want to make it quite plain that, as it stands at present, there is no way that I can be convinced that the Minister could not arbitrarily decide that anything at all could be determined to be sport. There is no definition at all of the word 'sport' included in the provision. The Minister could choose to regard any competition of any kind whatever as being sport, and he could simply bring in regulations to enable the TAB to run on the event in question, and, before Parliament was able to sit, the event on which that the TAB had been given the prerogative to run a book would already have been held and be over and done with.

So, in no way would it be possible for me as a member of this place and a person who may be offended by the Minister's interpretation of the meaning of the word 'sport' or, for that matter the choice of the sport, to support this. Even if we did not cavil about what was or was not a sport, in relation to the choice of the sport on which the Minister might choose to allow betting. Parliament might be in recess at the time.

Before the Governor opened this current session of Parliament, effectively Parliament had sat for only nine days in nine months, and within that period for some six months no opportunity was provided for members to move in this place that a regulation brought in by a Minister be disallowed. So, within that six month period, had this legislation been law, the Minister could have determined that people could have a bet on this, that or the other event. To my mind, that means that the Bill in its present form is not only offensive on moral grounds also but grossly inadequate on legal grounds. It is a complete denial of the right of people to have adequate and effective representation in this place and for members to discharge their responsibilities to their constituents through this place.

My third concern about this measure concerns a matter that has already been mentioned, I think by the member for Bragg, in the course of his remarks. The matter was certainly canvassed in the amendments that he has circulated. As it stands, the Minister may choose to allow betting on sporting events in which children are involved. I do not think I need to deliver to this House a sermon about how repugnant that concept is to me. I do not think that any clear-headed person seeking election to this place, leave alone those of us who have been elected already, would regard the running of a book, albeit with the blessing of the Government through a statutory authority, on a child sporting fixture or event as a legitimate practice. I reckon that that would be as crook as hell. I would never support that in any circumstances. Unless an amendment is successful regarding that matter and the other matters on which I have spoken, constituting the main basis of my concern about this measure, I will divide along the way and on the third reading, should the Bill reach that stage.

The Hon. J.W. SLATER (Gilles): I find myself in something of a dilemma regarding this legislation, because it proposes to amend the Racing Act and involves a conscience vote by members on this side of the House. I would be hypocritical if I was opposed to voting on this by conscience, because as a former Minister I was the architect of some of the avenues of gambling that we have at present. Perhaps I should adopt an attitude to this measure from a more practical point of view. I am rather surprised at the attitude displayed by members opposite. Although I understand that this will be a conscience vote, I understand that the member for Bragg is the official Opposition spokesman.

Mr Lewis: For himself.

The Hon. J.W. SLATER: I think that he would be regarded as the official spokesman for the Liberal Party. One does not have to go back all that far, perhaps 25 years or so, to the time when we had very strong opposition from the Liberal Party to all forms of gambling. It was not until a Labor Government came into office in the 1960s that we introduced the Lotteries Commission, the TAB, and then, later, other avenues of gambling, such as sports raffles, small lotteries, bingo, and so on. Currently, there is a plethora, an absolute array, of opportunities for gambling pursuits.

Mr Ingerson: What about the sports lottery?

The Hon. J.W. SLATER: I am glad that the honourable member mentioned that, and I will refer to it later. There is an array of small lotteries, bingo, soccer pools, and footypunt. Also, last year the Adelaide Casino was opened, and it has been more or less publicly accepted. So, this is a far cry from the Playford era and the old Playford catchery about not putting poison in the hands of children. I did not

believe that that was the case. As a consequence of past Labor Governments, over the years quite a number of what I believe to be publicly acceptable social gambling pursuits have been introduced. However, I believe that one can go too far, and I refer to the proposed betting on the Grand Prix. The Grand Prix last year was a remarkable success. There was no betting on that event. Indeed, one of the things that intrigues me is that the TAB, which showed little or no enthusiasm in relation to the Grand Prix last year, has now shown great enthusiasm for the event.

Mr Ingerson interjecting:

The Hon. J.W. SLATER: Well, the Minister made a significant remark in his second reading explanation, which I draw to the attention of the member for Bragg, who is interjecting. In his second reading explanation the Minister said:

> Officers of the TAB, in consultation with employees of the Department of Recreation and Sport, have formed the view that the community would be most receptive to the following forms of betting on the Grand Prix.

That is the opinion, as stated by the Minister, of what we might call the backroom boys. Apparently, the matter was officially decided on by the board, which comprises representatives of the racing codes, although in his second reading explanation the Minister also said that representatives of the racing codes were expressing concern about the casino. The effect of the casino on other forms of gambling was obvious. Many members here argued to the contrary. The effect has been proven, although we cannot quantify exactly how much the casino has been responsible for a downturn in racing industry takings. The Minister has not yet tabled the TAB report for last year, so we do not know the TAB figures for 1985-86.

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

The Hon. J. W. SLATER: There is a wide array of gambling activities currently available to the public of South Australia. With the introduction of further avenues of gambling, which are part of the amendments to this legislation, we are actually further fragmenting established forms of gambling to the detriment of everybody concerned. As the Minister stated in his second reading explanation, the casino has had an impact on TAB turnover. It has come to my attention that not only off-course betting turnover but also on-course totalizator turnover has been affected in the past few months. Also, bookmakers' turnover has substantially decreased, so the signs are there for the racing industry.

The racing industry is a very important one for the economy of this State, from the point of view of not only employment but also the revenue it generates for the Government, as well as the social enjoyment it provides. I would not like to see a repeat of the situation that occured 3½ or four years ago, when the South Australian Jockey Club was in difficult financial circumstances. I know better than anyone in this House how difficult things were, because, as Minister of Recreation and Sport with responsibility for the racing industry, I set about remedying that situation, and was eminently successful in doing so. The South Australian Jockey Club and the racing industry generally contributed to that success. I would not like to see that happen again, because this is an important South Australian industry. Of course, there is no guarantee that this will not happen again and, as I have already said, the signs are there with the casino now operating, changing economic circumstances, and so on.

I am not saying that the Grand Prix will be the catalyst which brings this about, but that and other factors such as the casino's operation have to be considered in this matter. Indeed, we could take into consideration current economic circumstances generally. One important factor is the relationship between the Government and the racing codes. It is my contention that the gambling market has reached saturation point, particularly since the opening of the casino, and that the introduction of any further avenues for gambling will only impact on established forms of legal gambling in this State.

TAB has established a policy in relation to racing, and I would like the Minister in his response to tell me why it has decided not to service some country galloping, trotting and greyhound meetings. The TAB claims—

Mr Gunn: Particularly Port Augusta.

The Hon. J.W. SLATER: It was at Port Augusta a few weeks ago, but there are other instances of where it does not service country meetings—because, it is claimed by the TAB, it is uneconomic to serve those meetings. Despite that, TAB seeks to service one-off events, including Sunday betting. That is a first, because it has not previously provided a service to racing or trotting on Sundays.

TAB was established primarily to service the racing industry and the public of South Australia—that is its prime purpose—but it is getting away from that purpose if we allow betting on every sporting novelty event that happens to draw the attention of the Minister or the TAB. It is my belief that the racing industry in particular will be prejudiced by the opening of further gambling avenues. The criterion for success in any gambling operation is public acceptance.

I have taken this opportunity not to conduct a survey but to speak to a number of people who are regular patrons of TAB and asked them whether they will bet on the Grand Prix. In most cases the response has been very negative and some people have even laughed in derision, so gambling associated with the Grand Prix, cricket, yachting and all sorts of other novelty events not involved previously is certainly not conducive to TAB betting, anyway.

One must remember that the TAB is a pool system and that any worthwhile dividend is related to the amount of money in that pool. The success of many gambling activities in South Australia is based on what I would describe as the possibility of a large return for a minimal investment: for instance, Cross Lotto, Soccer Pools, Footy Treble, Pick Four and other forms of multiple betting run by the TAB. We are all aware of the demise of the old form of lottery simply because new avenues were provided where people expected to get a worthwhile or large return for a minimal investment.

Footy Punt and Footy Treble were successful because we gave considerable thought to their introduction and to the method by which they would operate. In fact, we learnt from the mistakes and experience of Victoria, where they tried three or four times before they were successful. It is my view that insufficient thought and perhaps insufficient research has been undertaken in relation to betting on one-off sporting events. I would be more at ease if we had more time to survey the response likely to occur to Grand Prix betting and perhaps to other sporting events mentioned in the Bill, to ensure that the public does respond and that we are not placed in a position of creating a situation which prejudices not only the racing industry but other forms of gambling.

Members would know that there are numbers of small sporting and social clubs in their electorates which rely on lotteries for fund raising. Although figures are available, I suggest that those clubs have already been severely affected by the advent of the casino. If we introduce poker machines, that will be the end of them, but that is another issue. The small clubs are struggling for survival, as are many of the longer established and larger clubs. We have heard lately of

South Australian National Football League clubs facing financial difficulties and needing extra revenue. They are not in as bad a position as are some clubs in Victoria.

For the reasons I have given, I find myself in some difficulty supporting this legislation. Over a period of years I have paid considerable attention to what I might call the psychology of gambling. I will tell members why: first, I am a moderate investor and enjoy having a bit of a gamble. Indeed, on occasions I have also run the house, so I suppose that I have covered it from both sides. The psychology that I have mentioned is that these days most people are looking for a large return on a minimal investment. I do not think one can guarantee that, from the type of investment we are talking about, that result will occur. I ask all members on both sides of the House to give this matter very serious consideration, because I believe that it is important.

I believe also that it has become a competition between the four major avenues of gambling in this State: TAB, the Lotteries Commission, the casino, and I suppose we can include soccer pools and the proliferation of a number of small lotteries. They are in competition with each other to obtain the best results that they can for their particular avenue of gambling activity. I think that the Minister's second reading explanation confirms that fact, because he said:

> Measures such as totalisator betting on major events could serve to counter marketing edges gained by alternative forms of gambling.

That means in a sense—

Mr S.G. Evans: It's getting tough.

The Hon. J.W. SLATER: —that it is getting tough, that turnovers have gone down, and we want other avenues so that we can increase our turnovers. I do not think that that is sufficient, because the people about whom I am concerned are the people whom I represent in my electorate—the ordinary people in the community who will make a success or otherwise of any gambling avenue. As the TAB could no doubt verify, most investments in TAB agencies are made in the working middle-class areas. Port Adelaide is one such area, and the Windsor Gardens Hotel is a venue that I might also mention.

An honourable member: Where's that?

The Hon. J.W. SLATER: That is where I had the whiting for lunch. It was most enjoyable and, if I had the opportunity, I would go there every day. It is better than Parliament House. I appeal to all members to seriously consider the proposed amendments. I would ask the Minister and the Government to perhaps reconsider the legislation: I believe that the TAB ought to conduct a survey and that it ought to have something more basic than that which is presented in this legislation. For the reasons I have explained, particularly in relation to the racing industry, I do not support this Bill.

The Hon. E.R. GOLDSWORTHY (Deputy Leader of the Opposition): I am not happy with this Bill, for a number of reasons, the principal one being that the question of gambling facilities, as with other social matters, has always been the province of Parliament and, as individual requests for an extension in this area have come up, they have all been referred to Parliament. This Bill will vest in a Minister the authority to make judgments as to whether he will allow the extension of betting facilities, without any limits at all placed on him. I am certainly not happy with that proposition.

After reading the Bill, I think that the Minister has introduced it with a flurry in relation to betting on the Grand Prix, and I am not very thrilled about that prospect, either, but the Bill goes much further than that. The only other thing that the Minister has mentioned is that he would like to see betting on cricket. I do not know that the community has had much time to digest that idea. I find myself tonight in the happy position of being able to agree with the member for Gilles: I think that I can probably count on the fingers of one hand the number of times when that felicitous event has occurred, but there it is. The honourable member has taken up the economic argument, and I think that he was a rather more distinguished Minister than the present incumbent. I think also that I would have been more prepared to vest this sort of authority (although I certainly would not have done this) with him than with the present Minister. The fact is that I do not disagree with the member for Gilles' economic argument.

We are all familiar with what the SAJC has been saying as a result of the advent of the casino. I think the gist of what the honourable member said was that there is a certain pool of money which will go into this gambling pool and one decides how it will be shared around. I have never been very thrilled with the idea of increasing that pool, anyway. I have made those views quite clear in this House on a number of occasions, but what I most object to in relation to this Bill is that we will vest in the Minister authority to do things on matters which in the past we have seen fit to bring before Parliament.

Members would not have to cast their minds back very far to remember a whole range of social issues where some people have attempted to increase facilities (such as opening hotels on Sundays, whether or not we would have a casino, and betting on the Bay Sheffield), and those matters were put before Parliament. A number of people opposed such legislation, but in the end it was passed. At least Parliament had an opportunity to talk about it, and a significant number of people in the community at least had a chance to voice an opinion, but that will all be a thing of the past. As a result of this legislation, we will set new ground rules (which have not existed in my 16 years in this place) on social issues about which people have very strong views. The Minister would be the last person in whom I would want to vest sole authority to say who can and who cannot have betting facilities in South Australia: that is the proper role of Parliament.

If there were nothing else in the Bill, I would certainly oppose it on those grounds, but of course there are other things also. Clause 8 of the Bill is the one to which I most violently and strenuously object. I might say that, for the sorts of reasons advanced by the member for Gilles (and I will not repeat them), I am not convinced, either, that we need to have betting facilities for the Grand Prix. If the Minister thinks that I will vote to let him have the say as to what we can and cannot bet on, then he will need to be here a little longer than he has been. That is enough to compel me to vote against the Bill.

I think that the member for Bragg has indicated that he will seek to amend the Bill. I will certainly support his amendments, because they will improve it. I think that the member for Bragg intends to see that the scope of this Bill is simply limited to the Grand Prix, and that is certainly a vast improvement on the Bill as it stands but, even if that is the way that the matter ends, I will not support the Bill.

Mr BLACKER (Flinders): I rise to express my opposition to this Bill. I do so for a number of fundamental reasons and I suppose that most members realise that, on issues such as this where a conscience vote is often the norm, I have been opposed. I am opposed on this occasion, because we are being asked to facilitate the passage of legislation which will enable the Minister, at the stroke of a pen, to

authorise betting to take place on any sporting activity or anything else for that matter. More particularly, on this occasion the reference is to the Grand Prix, which I understand is one of the world's prestige events and one which does not normally carry betting facilities.

The Hon. J.W. Slater interjecting:

Mr BLACKER: The member for Gilles tells me that that only occurs in South Africa.

Mr Becker interjecting:

Mr BLACKER: The member for Hanson says that they do not race any more in South Africa. If that is the case, then it means really that South Australia is now being presented as something totally different in the world of motor racing, more particularly involving this prestigious event. I cannot verify either statements that have been put to me, but I accept them in good faith. It highlights the fact that what we are now embarking upon is really the belittling of a prestigious international sporting event. To that end, I think that we are taking a step backwards and that we are downgrading the whole event. As to the general philosophy of gambling, there are plenty of opportunities for the gambling dollar to be spent.

I believe that there are far too many opportunities for that to occur, and I oppose the Bill on that issue. I further oppose the Bill on the basis that it is enabling the Minister to make that decision without reference to Parliament. Many members here would like to abdicate their responsibilities to their elected constituents; on the other hand, I think we are elected by the people to be their conscience on the floor of Parliament. This Bill takes away from us, the duly elected members, the opportunity to be that conscience or to reflect the views of the electorate in this instance. For that reason I think we should oppose the Bill all the way down the line.

I intend to oppose the Bill. As I said, there are only so many gambling dollars to go around. I believe the predictions made in the casino debates that it would create a downfall or a downgrading of the money spent in other gambling facilities have come to pass. I believe that has been a retrograde step from that point of view and that any further activities, whether they be electronic gaming devices, gambling on the Grand Prix or on any other competitive sporting event, are also a retrograde step. I oppose the Bill.

Mr PETERSON (Semaphore): Let me say at the outset of my small contribution this evening that I am not morally opposed to gambling. I am not a gambler, but if people wish to gamble, that is their choice.

The Hon. Ted Chapman interjecting:

Mr PETERSON: It is funny that the member for Alexandra should say that. Yes, I had an illuminating experience when I was young. Somebody tried to teach me to back racehorses and I lost a week's pay, which I could not afford. I have never forgotten that lesson, nor have I recovered from it. It is a pity that people who gamble have not had a similar experience and learnt from it. People overspend, and gambling is a problem for many people in the community. Some learn and some do not—perhaps I was lucky.

I am not personally against gambling; if people wish to gamble, that is their choice, but in the debate this evening there seems to be some dispute about the best way to lose money. It seems to be a moral problem: it is all right to lose money on racehorses but not at the casino or the Grand Prix, as if there is some difference. That is a point of view.

The member for Gilles (the former Minister) made the point that there have been downturns in some forms of gambling and we are looking for other forms of gambling. Although I respect his knowledge in that area, the question in my mind is whether this legislation is prompted by need or by greed—the need of the community, the need for people to gamble and to have other areas of gambling, or the greed of the Government or the department to screw every cent out of the population. The gambling psyche of people now is being screwed from all angles. You cannot go into a delicatessen without seeing some sort of bingo machine there—certainly hotels have plenty of them. There seems to be some doubt about the honesty of some bingo operators, as mentioned the other day. More and more we seem to be looking at every possible angle to put gambling in front of the people.

I said in opening my remarks that I have no personal objection to gambling; I am merely putting a point of view, as I think is the right of all of us. More facets of gambling seem to be opening up all the time, and the Grand Prix really seems to screw the gamblers a bit tight. I recently saw some figures on tourists who came to the State for the Grand Prix and on average I think they spent $1 000 a day, and now we want to get another $1 000 out of them—that is a great experience for them.

Mr Hamilton interjecting:

Mr PETERSON: The member for Albert Park mentions poker machines, which have not come into this, but it is hard to debate in the community against any form of gambling—for instance, poker machines or electronic gaming devices—while we open other forms of gambling.

Mr S.J. Baker: Why do we have laws at all on gambling?

Mr PETERSON: Exactly the point I made earlier: is it need or greed? It is all right for the Opposition to say that, but the Opposition passed one or two laws on gambling.

Mr Gunn: Open the pubs on Sundays, too.

Mr PETERSON: Another opportunity for the people to spend their money. There does appear to be a philosophy that there is a gambling dollar and, to a degree, that is true, but there are little corners that will open other doors to other gamblers, and the electronic gaming machine is one of those.

An honourable member: So much for the dollar—

Mr PETERSON: I said that there is a gambling dollar, which is true, and that is reflected again by the comments of previous speakers. When lotteries first began in the State, we took the trade from interstate (Victoria and Tasmania). There were a few lotteries (for example, the Golden Casket and Tattersalls), and we brought the lottery ticket into the State, but that was not enough. A $500 000 lottery at present appears to be having difficulty in attracting subscribers. There seems to be some problem in screwing that extra dollar out of the community. As the member for Gilles said, people now want to spend less and win more, but I would have thought that, even at today's values, $500 000 would be very attractive.

As the income from one form of gambling goes down, there is a desire to find another door and squeeze another dollar out of people. It was mentioned earlier that clubs in general are finding times hard. I do not think the answer to their problem is in gambling machines, but that again shows that the dollar to be spent on gambling or recreational investment is diminishing. As the member for Gilles mentioned, the economic situation is probably also having a great bearing on the community's attitude towards gambling, and from what I see of the recent budget the situation will get worse—unemployment is going up, wages are to be restricted, and we are still trying to screw more and more out of the community. Somewhere there has to be an end to how many dollars we can screw out of the public. Not one person has come to me saying, 'I want to bet on the Grand Prix.'

An honourable member interjecting:

Mr PETERSON: I cannot say that anyone came to oppose it, either. It has not been promoted yet, but this will be law before the average person can have a say about it. I would suggest to people who are worried about betting on the Grand Prix that they bet on it when it is in Brazil or Europe. If there is great public interest in betting on this sort of operation, it should be open wherever the race is. I notice that there is a possibility that it may be extended, and I would think that it is about 99 per cent sure that it will be extended, to the America's Cup.

Mr Gunn: It is.

Mr PETERSON: So, it has been confirmed that there will be betting on the America's Cup. How is such betting run? Is it first past the post?

Mr Ingerson interjecting:

Mr PETERSON: Let me have a go.

The SPEAKER: Order! The honourable member should continue instead of responding to interjections.

Mr PETERSON: My abject apologies, Sir. I shall ignore the interjections, which are out of order. I am doubtful about the extension of gambling. I have listened to the debate, and I am tempted not to vote for the Bill. I do not know what I will do yet. I could toss a coin—it is a form of gambling and it may be the right decision. The point I make is that there must be a stage at which we stop trying to get more money out of people. We tax small lotteries, bingo, the lot. Is it need or greed? Do people really want it, or is it just a device to screw more out of people? I believe that it is the latter.

The Hon. TED CHAPMAN (Alexandra): A couple of matters need to be cleaned up before I address my remarks to a few comments made from the other side of the House. It appears that the Bill, which proposes to amend the Racing Act, does not deal with those specific sporting events on which we may allow totalisator betting to occur. All the Bill really does, on my reading, is transfer the authority, which has traditionally been with the Parliament, to the Minister with respect to the identification of sporting codes on which a bet may be laid through the TAB, either for a win of the successful team or participant, for a place bet in that field, or a trifector, etc, as ordinarily applies in the racing codes. I do not think that all this other stuff that has been discussed tonight is really relevant to the core of the issue before us. Frankly, I do not believe that the authority, as sought by the Minister for Recreation and Sport at the moment, should be granted him thus laying aside the opportunity for members to speak on each individual event as it is brought to the attention of the public and of this place, the Parliament.

Certainly, there is merit in extending the opportunities for legal betting on sporting events of various kinds, but in each and every case in my view they ought to be dealt with on their merits specifically and individually. To give this sort of broad open ended authority to the TAB through its respective Minister is usurping the very role of this Parliament. I join with the Deputy Leader of the Opposition, the member for Kavel, in his views on that aspect.

However, other members, not the least of whom is a former Minister of Recreation and Sport, canvassed a whole range of issues under the canopy of this Act, given licence to do so, I suggest, by the Minister's own second reading explanation wherein he talked about the Grand Prix, other sporting codes, the casino and its operation, its impact on the racing industry as a result of diverted funds in that direction, and so on. Therefore, I am not embarrassed as I would ordinarily be in widening the approach to this subject.

I want to take the opportunity of saying a few words about the Adelaide Casino. We have heard a few criticisms and have heard from the former Minister of Recreation and Sport, from the member for Semaphore and one or two others about their fears of widening opportunities for punters in our community, its social impact and the destruction that occurs.

Ms Lenehan interjecting:

The Hon. TED CHAPMAN: I beg your pardon! That mouth from the south is getting you into trouble again. I am sorry, Mr Speaker, but I was diverted by a nasty little comment from a member opposite.

The SPEAKER: Order! The interjection was quite out of order.

The Hon. TED CHAPMAN: Dicken it wasn't! I supported the licensing of the Adelaide Casino and its operation in this State. I gave that support in the face of some concern at constituent level but, given the opportunity again, after a number of short experiences in those premises, I would support it again. It is a delightful asset to South Australia—there is no question about that. The decor, the facilities, the gaming tables, the security (which I mention with some emphasis), the courtesy and service offered to the patrons of that establishment are quite outstanding. I say that with just a little experience in premises of that kind around the world as well as in most, if not all, States of Australia. Members can read from that what they like. I enjoy gambling and intend to continue to enjoy gambling, recognising at the same time that if you let such premises get on top of you they will burn you—there is no question about that.

Members interjecting:

The Hon. TED CHAPMAN: I have had those experiences, but that is part of the deal. I can tell all members on both sides of the House, and you, too, Mr Speaker, that there is nothing worse than punters colic. Members have seen colic screw up horses. It does worse to punters if they go bad—but that is part of the deal. Patrons know, upon entering the centre hall through the glass doors of that magnificent structure over the way and fronting the gaming tables, that they take the risk as the premise invites and, I suppose to some extent, promotes.

So, it does please me to have the opportunity, albeit at short notice, to say a few words on this Bill, to identify the real sting in the Bill and the real core of the issue before the House, and indeed take the view that I have expressed, despite continual interjections of the member for Mawson, and also to canvass a few remarks about the premise over the way. I suppose it takes all sorts to form a Parliament—they come from all walks of life. We have the wild ones, the do-gooders and those in between, and they are all entitled to have their say. In my view the premise that we speak about over the way is a great asset. It was a tremendous decision of this Parliament to proceed in that direction. I am only disappointed that as a progressive Liberal Party in South Australia we were not more clearly identified with the renovations of that premise to the standard that has been achieved and the licensing of its operators.

Mr Lewis interjecting:

The Hon. TED CHAPMAN: My remarks are attracting all sorts of comments from my colleagues on this side of the House—

Mr Becker: The member for Mawson—

The SPEAKER: Order! The Bill may be related to gambling, but the member for Hanson is pushing his luck too far.

The Hon. TED CHAPMAN: I do not mind having a match, but I will not be in the caper of matchmaking. In summarising my earlier remarks about the casino, I point

out that the State having issued a licence and chosen the operators, I commend the staff of the casino for their attention and service to the patrons there. Extreme care is taken in relation to the security of the premises. I also want to say how pleased I am that the management has insisted on proper dress and behaviour of the patrons. It is indeed now a place for tourists and visitors from interstate and overseas. It is a place to which all South Australians can go after going out to dinner, for example. If one is not a theatre goer in Adelaide, until now there has been nowhere to go. It provides opportunities to fraternise in the very best of surroundings, and one does not necessarily have to gamble.

Ms Lenehan interjecting:

The Hon. TED CHAPMAN: The honourable member opposite should not go crook. I have another 11 minutes, and we have all night. Why must we hurry these things? This subject requires a bit of careful thought and homework.

Mr Becker interjecting:

The Hon. TED CHAPMAN: No. I will not use up my time explaining that sort of delicate detail to the member for Mawson.

Ms Lenehan: Why am I being selected?

The Hon. TED CHAPMAN: Because the honourable member made an outrageous remark earlier in my address. I would be the easiest going fellow in the outfit, but I am also subject to offence, and when the honourable member makes those nasty remarks to old Ted he gets a bit upset. Therefore, I will not take out the member for Mawson at night, and I certainly will not take her to the casino and teach her the finer details of that practice. If the member for Hanson wants to pursue that line, then the best of luck to him. I can tell him that it would be a gamble. However, we are being a bit flippant about what is really an important issue.

The underlying factor in this Bill is important and involves a very important principle. For the benefit of those members who were not in the House earlier, I oppose the Minister's proposal to capture and hold the authority to expand the licensing and operation practice of the TAB. In other words, I support the right for all members to participate in the decision whether or not TAB facilities are expanded to cover further sporting codes and activities in South Australia.

Mr S.G. EVANS (Davenport): I oppose the Bill. At the beginning of his speech I think the member for Alexandra said that the Minister's explanation really broadened the debate. I think the principal thrust of the debate concerns the following statement:

> The purpose is to conduct, with the approval of the Minister, totalisator betting on the results of any major sporting event held within or outside Australia other than a race or a football match.

The definition of 'a race' is strictly related to horse racing, whether harness or galloping, and dog racing. It does not include what a normal citizen might consider also to be a race, be it a foot race, boat race, motor car race, or whatever. So, the intention of the Bill is quite clear, but the Minister did not point this out in his second reading explanation. In fact, the Minister said:

> If the demand for this facility becomes evident, the Racing Act will enable it to be extended to facilitate betting on the Grand Prix events and other sporting events held outside Australia.

In fact, the proposal goes further and gives the Minister the opportunity to declare any sporting event within Australia suitable for betting. It is not just outside Australia, but would include also any event, including the Grand Prix, within Australia. I am not out to try to decide what is a sporting event. I take the same objections as other honourable members to giving the Minister that sort of power. But deeper than that, I oppose gambling on the Grand Prix. I know that it is allowed in some countries overseas. I know what we are dealing with. I have raced on the track myself, not in formula one racing but with cars in a lower class. I know how fair dinkum people can get once money is involved in the field. As far as I am concerned, there is always a risk that in exploiting the field one can put at risk another person's life.

I refer not only to the drivers of the cars but also to the spectators. One can make all the rules that one likes to say that drivers cannot gamble on the possible result of a race, and so on, but if the stakes are big enough on a race problems can occur. I just do not condone that sort of gambling. Honourable members know that I oppose the casino. I congratulate the member for Gilles, and my view is a little different from that of the Deputy Leader of the Opposition. I have agreed with the member for Gilles on more occasions than I could count on the fingers on my hands. On this occasion the member for Gilles, like many other people, has realised that there are not many gambling dollars left. I well remember the words of the Italian Finance Minister, when I asked him what was his Government's attitude to gambling. He replied, 'The same as every other Government in the world: it is bad but we will licence it wherever we can if we get some money out of it.' That is true. If we believed that there was nothing wrong with gambling, we would not have a law to control it.

If we believed that gambling was all right we would allow gambling on every event. We might apply a tax to it, like we do for licensed premises, for alcohol consumption and for other community operations. However, we know that there are some doubts about gambling and that there is a limit to what a community can afford to gamble. This well reminds me that during the next session of Parliament I will move to prohibit advertising of gambling by the casino and other organisations. That is the law that pertains in England. There they do not mind people gambling. Indeed, they license certain operations, have casinos and allow betting on all sorts of things, including cricket (and in France even pigeon racing). However, in England advertising gambling is prohibited. They believe in the philosophy that, if a person wants to gamble, that person can seek it out and find it. They do not believe that the operators should advertise it. In this regard, our casino advertises that there is a pot of gold at the end of the rainbow—'Come along and spend your dough.' I believe we should object to that principle, especially when a lot the money collected at the casino is leaving this State and Australia and going to a business operation in an Asian country. I hope that the Parliament realises that South Australia will gain nothing. Casino gambling or gambling on football adds nothing to the South Australian economy.

The other point I want to make is this: earlier this year I said in this House that racing is not an industry in itself. I know that the horse racing game in this State employs possibly 20 000 people, if one considers the whole racing industry. That was the figure that was referred to. The racing industry has been given greater assistance from the Totalizator Agency Board and better facilities have been provided, on the industry's own initiative, at Morphettville. The racing industry told us that it was going great guns, paying off the new facilities more rapidly than expected and making more money. Suddenly, following the opening of the casino, the new President of the SAJC, Mr Fricker, made the point that the racing industry was concerned that the casino was having a serious effect on its operations. I make the point that gambling is an integral part of horse racing. If gambling were taken away from horse racing tomorrow, there would

not be half the interest in the game from people who make money out of buying, breeding and selling horses.

I am not condemning them for that: I am looking at the principle that the industry is gambling—it is not horses or dogs. Parliament gives certain organisations the privilege to run gambling, and the Parliament, through Government sponsorship or encouragement, sees this as a benefit and as a way to get a few more dollars out of the community for State Treasury. That is the truth of the matter.

I pick up the point made by the member for Gilles. We have never carried out a survey to ascertain the real effect of gambling in our society. This has been done in other countries. Many people argue that it has not affected America yet, but half the American States do not allow gambling. When I look at this Bill I see that the Minister can suddenly declare that the *Tour de France* is a sport on which people can gamble, or that the pigeon races of Holland, France, Germany, Switzerland or Sweden can suddenly be gambled on, and I am concerned. The Minister can pick any major sport from throughout the world and open it up for gambling: I do not support that.

I know that it is an individual's choice whether or not they gamble: I do not dispute that. However, this Parliament should be concerned about this matter, because we have tried all these social changes, claiming that they are great successes, yet we have more people on community welfare and waiting for subsidised housing, and more people in financial difficulty, than at any time since the Great Depression. This was happening before te recent recession; in other words, during the past 12 or 18 months. I am not blaming gambling for this, but as parliamentarians we have a responsibility in this area.

In giving the Minister this power we must realise that there are sporting clubs, community charity groups, or whatever who are trying to raise a few dollars through local raffles, bingo nights or bingo machines and who are struggling to make ends meet. They are all starting to say that they need Government support. In other words, we will collect $16 000 to $30 000 profit on the Grand Prix—and that is a guesstimate—while at the same time groups will be saying that, because we have taken their gambling dollar away, they want some of that money. New section 84j states:

(1) Where the Totalizator Agency Board conducts totalizator betting on an event or combination of events in pursuance of this Division—

(a) 20 per cent of the totalizator pool shall be set aside to be applied as soon as practicable after the end of each half-yearly period as follows:

(i) firstly, in payment of such amount, as the Minister directs, towards the administrative and operating expenses of the board:

(ii) secondly, in payment into a fund to be applied towards the capital expenses of the board of an amount equal to one per cent of the totalizator pool:

In other words, none of that is going to sport and recreation. The new section continues:

(iii) thirdly, in payment of such amount (if any) as the Minister directs to the body by which the event or events were conducted or to such other related body as the Minister may determine:

That is absolute power to the Minister, so one would not have a clue where it will go. The new section continues:

(iv) fourthly, the balance (if any) shall be paid into the Recreation and Sport Fund:

The member for Gilles was right when he said that we are taking the gambling dollar away from clubs, charities and local community groups and giving it to the casino and other areas. Now we want to allow gambling on the Grand Prix, test cricket, world cricket and whatever the Minister decides he would like us to gamble on, yet local groups are struggling to survive.

I do not support the Bill. I hold very strong views on this aspect of new laws, or changes in laws, and I will stick by those views. I do not think that anything we have done in the past has benefited to any great degree society or the families out there who are trying to make ends meet at a time when the economy is running low. I therefore totally oppose the Bill.

The Hon. JENNIFER CASHMORE (Coles): I oppose the Bill. In fact, I am opposed to any extension of gambling in South Australia on moral, economic and social grounds. This Bill is particularly offensive in so far as clause 2 gives the Minister power to make a unilateral judgment which can have a quite profound effect on the social fabric of South Australia. I do not believe that any Minister should have that power. I agree with my colleagues, quite outside my general opposition as a matter of principle to this Bill, that if it is to become law at least the Minister's power should be modified so that a reference to Parliament is necessary before any particular event on which the Minister wants betting to be allowed is approved.

There are three principal grounds for my opposition to this Bill. First, as I have said, it gives the Minister blanket approval to make unilateral judgments. Secondly, those judgments could easily encompass—and there is nothing in the Bill to say that they could not do—the Minister's providing the community with a capacity to bet on children's sporting events. I find that notion particularly offensive. Clause 2 states that the long title to the principal Act is amended by inserting the words 'or other sporting events' after the words 'totalizator betting on football matches'. In effect, that means that there is nothing to stop the Minister from permitting betting on Little Athletics events, junior district matches, inter collegiate football, cricket or rowing, or on any adult match, for that matter, in amateur sport.

I opposed the Bay Sheffield betting, and I opposed Footypunt. I think that there is something particularly odious in betting on human performance. The notion of betting on animals, particularly horses, is so inbuilt into the cultural traditions of western society that it is accepted and would be impossible to eradicate. However, the notion of betting on the performance of human beings is something which is wrong in principle and which can lead to very damaging outcomes in practice.

My third ground for opposing the Bill is that it creates the potential for the rigging of games, races and other events. It is one thing to devise all kinds of means of ensuring that there is no rigging of the outcome of horse races, but it is beyond the wit of the law, or of any Minister, to devise a means of preventing human beings from succumbing to temptation and greed when the temptation is very strong indeed or of rigging a match, game or race in order to ensure a rewarding outcome for one individual or group of individuals. When we think of extending betting in the way that is proposed here, we are really providing an open book for that to occur. Other members have spoken, but none at length, so I do not propose to elaborate on my arguments, which I believe speak for themselves. Parliament would be most unwise to grant this blanket power, which could have a quite profound impact on the community, this Minister, or indeed on any other Minister. I oppose the Bill.

Mr OSWALD (Morphett): I oppose the Bill as it stands. I know that the member for Bragg will introduce amendments during the Committee stages which, if passed, may cause me to review my decision. There are a few aspects of the Bill that concern me. New section 84i (1) states:

The Totalizator Agency Board may, with the approval of the Minister, conduct totalizator betting on any major sporting event or combination of events.

It is my belief that the State has almost reached a saturation of types of betting which should be permitted. I believe that there is nothing wrong with the Government bringing to the Parliament from time to time new forms of betting that it wishes to introduce to the State and to let the Parliament scrutinise them and give its approval or otherwise. However, to give the Minister and the Government this blanket power to organise betting on anything that is put up to it is wrong.

The end result of this legislation could be that we have betting at the Birdman Rally; we could have TAB operating at the Royal Adelaide Show in relation to the log-chopping and, taking it to its extreme, we could have betting on the milk carton regatta on the Patawalonga. On a more serious note, we could have an extension of TAB betting to include juvenile sport. I think the member for Coles made an excellent point when she said that betting originally began on horses and animals where one had some skill in training the animals and breeding them to a high standard. We had betting in that instance and that was fine but, once it is extended to include human beings, all sorts of implications and complications arise.

The Government should be condemned for attempting to introduce into this State a blanket provision enabling people to bet on whatever they like. This House seeks to reflect community opinion, but the Government and members opposite obviously are not too interested in reflecting community opinion. From time to time community opinion varies, and members in this House would be well advised to review the whole aspect of gambling and the matters on which gambling occurs. I do not believe that the public are looking for an extension of gambling. Community standards are constantly on the decline, and this Government is well known for assisting with that.

I will not canvass other Bills coming before the House, because I would be out of order, but over the past 10 or 15 years the whole move has been towards relaxing community standards, all of which has been led by the socialist Government opposite, and we now have an additional aspect to consider, namely, gambling. We will now say, 'Let's gamble on anything and authorise the TAB to set up shop.' There are some people in this community who are concerned about lowering standards. To turn around and say, 'Right, we are to throw open TAB gambling to the whim of the Minister', is just one further step being taken by the Labor Government towards reducing overall community standards.

Also, I believe that the Minister should not be given the power on the basis that we will be subjected to his personality. Some Ministers of Recreation and Sport may be happy to approve a particular form of gambling while others may not, but to turn around and say that South Australia will accept X type of gambling on the whim or personality of a Minister is indefensible and morally wrong.

In summary, I would like to see something inserted in the Bill that will remove this power from the Minister and return it to Parliament. On this occasion, I do not object to betting on the Grand Prix; that is a matter that has been brought before the House and I concur; but, to turn around and extend the provision in this Bill far beyond the Grand Prix is just not on. On that basis, if the Bill comes to the third reading unamended, I would have no hesitation in voting against it. I hope that the House will support the member for Bragg in his attempts to amend the Bill so that betting on the Grand Prix can proceed but so that we do not have this imposition placed on Parliament whereby, in the future we will not have the opportunity to consider the various types of gambling to be conducted within the State.

Mr GUNN (Eyre): I support the second reading. Even though I supported the Casino Bill (and I have no regrets about supporting it), I am not a gambler. I believe that people should have the right to choose what they wish to do with their money. However, the only reason that we are debating this legislation to place further restrictions on gambling is so that the Government can get a little more taxation out of it. The only reason for introducing these sorts of controls is that the Government wants to make sure that it takes its share.

I do not object to gambling on the Grand Prix. However, I object to Parliament handing over its rights to determine any other form of gambling which may take place. I believe that Parliament is the place where debate should take place on such matters; the matter should not be determined in Cabinet behind closed doors. Therefore, I will support the amendment moved by the member for Bragg. I do not think there would be many occasions when the Minister of Agriculture and I see eye to eye on any matter. On this occasion I support the second reading, but I share the concerns expressed by the member for Gilles in relation to the general area of gambling. The original three racing codes enabled the people who benefited from gambling to put the funds back into their industry, and that helped those respective industries to develop.

Recently, I was somewhat disappointed with the TAB when it withdrew its services at Port Augusta. I believe that that was a short-sighted and foolish move, as well as being wrong in principle, and it should not have taken place. The country racing clubs are entitled to a fair cut of the cake. As far as I am concerned, whoever was responsible for that withdrawal has caused a considerable amount of harm. I have been subjected to lobbying over other matters and, in relation to this situation, the people who were involved in curtailing that activity at Port Augusta can count me out. I am not a member; I have been to the Port Augusta races only once, but I hold the strong view that it was a wrong course of action to adopt.

I cannot see anything wrong with this legislation, which will enable betting on one day a year on this major international event. I therefore support the second reading and I sincerely hope that the proposed amendment will be accepted. I believe that it will improve the legislation and, in that event, I would have no trouble in supporting the third reading.

Mr MEIER (Goyder): I oppose this Bill.

An honourable member: Surprise! Surprise!

Mr MEIER: Surprise—I do not think so. The success of the Grand Prix has been established; it is guaranteed and I do not see any need to introduce betting in an endeavour to promote the Grand Prix as such. I believe that there has been little opportunity for the community to voice its opinion on what is perhaps the key provision in this Bill, and that is the clause that gives the Minister the power to decide where betting can or cannot occur. As many members have pointed out, that is an important element.

I draw members' attention to the debate in 1982 when we were considering betting on the Bay Sheffield. At that stage the Government had recently come to power and one of its commitments was to allow betting on the Bay Sheffield. That was perhaps accepted because they had received a mandate, but on the night when we were due to rise, I think it was for the Christmas break, the then Minister of Recreation and Sport decided that he would agree to an

amendment allowing the Minister to determine when betting could occur on any professional road or foot race. There was extended debate on that matter, and finally I think it was the Premier, and obviously the Minister and one or two others, who had a conference with this side of the House. It was decided that that part of the legislation should be removed and that any proposal to allow a Minister to decide when betting could occur would have to pass both Houses of Parliament. Now, 3½ years later, this Government has decided that the time has come again to try to seek that same provision. I believe that too many people are being caught off guard on this issue.

There are more fundamental reasons why I am opposed to allowing betting on the Grand Prix. Betting is with us—there is no question about that—but why should we continue to extend it? There have been some very good arguments put forward tonight as to why it should not be extended. The casino has provided a classic example of what betting can do to many people. The *Sunday Mail* has carried several stories on it and one article, which appeared on 12 January, contained a few interesting paragraphs. It stated:

> Many Adelaide families had their Christmas and New Year shattered by big money losses at the casino. This was confirmed yesterday by Mr Robin Tredrea, of the pawnbroking firm of Laurie Tredrea Pty Ltd. . . . The big losers are among the more than 300 000 visitors to the casino in its first 30 days.

Mr Tredrea said:

> We had a man banging at the door at 5.30 p.m. on Christmas Eve, wanting to pawn something for $60 so he would have enough money for food for the family over Christmas.

Then we saw in the same article (and I could refer to other articles):

> The Secretary of Gamblers Anonymous in South Australia, Mr Les Pedler, said today that he believed the real casino tragedies would not begin to emerge until the end of the year—

that is, the end of this year—

> Already I have had some distressing calls for help, he said. A day or two before Christmas the distraught wife of a chronic gambler called me at 3 a.m. Her husband had just arrived home after gambling away his entire holiday pay at the casino. They were a couple in their late 30s, with three young children, and she simply did not know where to turn for help.

Then example after example was cited. Later, the article states:

> Mr Tredrea said he believed the situation would worsen.

Gamblers Anonymous has made various comments on this issue in another article in the *Sunday Mail* dated 23 February this year, as follows:

> . . . Gamblers Anonymous used to be busiest after the Saturday races, but now there were so many forms of gambling it was possible to bet every day of the week. Compulsive gamblers also were at risk from the 'softer' forms of gambling. We had a girl come in the other night—she had lost about $12 000 on bingo tickets.

Why? Why would a responsible Government decide to extend gambling when obviously there are such dire social consequences? Yet people on the other side of the House seem to ignore this fact; they bury their heads in the sand and do not care about the social problems that this State is facing. It is not only the small people who are losing; an article in the *Advertiser* of 10 May 1986 states:

> An Adelaide businessman claims he has lost $70 000 at the Adelaide Casino and knows of others with similar huge losses.

The person in question is quoted as saying:

> I lost so devastatingly in the beginning ($23 000 in the first month after the opening of the casino) I wanted to prove to myself that I could win a sizeable portion back, then never go again. But the lucky streaks never came.

The evidence is there time and again and to open up the opportunity for Grand Prix race betting simply opens up another area where more people are going to lose money unnecessarily. It is a great shame that this Government did not give proper forewarning to the people of South Australia in relation to the Grand Prix—and I understand that there is not going to be so much opposition to that—but, more importantly, that the Minister will now virtually have control over whether betting can or cannot be allowed on various sporting events, and that opens up a Pandora's box.

We come to the point made by the former Minister of Recreation and Sport. It was very interesting to hear the member for Gilles make his comments — a man who was obviously close to the industry, and close to the TAB organisation, who, if this Bill had been brought in a year ago, would actually be handling it, but obviously it would not have been brought in a year ago, because he expressed his thoughts very clearly tonight. It is so obvious that the fight for a share of the gambling dollar in South Australia is heating up—in other words, the dollar cannot go around any further. Why does the Government want to pursue this course of action?

In earlier debate we heard that all the racing codes—horse-racing, trotting and dog-racing—have lost turnover since the casino started operating and it now seems that the three codes will lose more with the Grand Prix coming in to take further money away. I guess those results will be tabled clearly in this House some time after the Grand Prix. However, there is more to it than that: recently the football clubs reported that they too were losing some of the gambling money—they were losing the money that was normally put into their clubs.

Why should the football clubs, at a time when we are trying to contend with the National Football League, be penalised in this respect? At a time when we are trying to promote our South Australian Football League, when we have some excellent players and when interest should be encouraged to a greater level, people are nevertheless finding it more attractive to turn to other forms of gambling than to spend money in their own clubs, let alone other community club (in both the city and the country) and other sports clubs.

Gambling also seems to have hit the restaurant industry, as one *News* article, entitled 'Casino blamed for "big slump"' reported on 14 April 1986, as follows:

> [SA Restaurant] Association President, Mr Paul Sandercock, said restaurants were suffering because diners were leaving early to go gambling or were giving restaurants a miss and eating at the casino.

The evidence is there overwhelmingly that an extension of gambling will not create boom conditions for South Australia as a whole. Oh yes, it might help a certain area and it will attract a different group of people. Certainly some of these may be overseas tourists, and I guess nothing is wrong in endeavouring to take as much money from them as we can when they visit South Australia, but the worry is that it gives the Minister further powers and that it will create more social problems.

In a way, it is the height of stupidity for a Government, on the one hand, to be encouraging this type of thing and, on the other hand, having people on both sides of the House saying that more money has to be spent on welfare to help the poor unfortunate people who perhaps have suffered from gambling losses, or the like. Commonsense should come into this House rather than the nonsensical approach we have at present. I oppose the Bill.

Mr S.J. BAKER (Mitcham): I intend to support the second reading of the Bill because I believe that certain aspects of it should go further than the second reading debate that we are hearing now. Unless the amendments are passed on this side, of course, I will not be supporting

the Bill. There are three propositions that have to be canvassed in this debate: two of them have been thoroughly canvassed, namely, economic viability, in the widest sense (which includes the community), and public support—and accountability is the third.

I bring to the attention of the House the fact that in the established codes of gambling there are some established controls. The Minister would well realise that in the horse, trotting, racing and dog arenas there are betting control boards that are used to monitor the sport and if not to prevent abuses, to diminish the impact. If people are caught, they pay a reasonably heavy penalty.

We departed from that principle when we took on Footy Punt, and there are questions as to whether any sport should be given the imprimatur and use of the TAB facilities unless it has a control board which is used not only to monitor the sport but indeed control it. We know that, in those sports which have long been recognised in this State, abuses are caused by the trainers who wish to make a dollar through the gambling medium. Whilst all abusers are not necessarily apprehended, those who are caught face heavy penalties.

In the field of human endeavour, like Footy Punt, there are no such controls or monitoring and therefore we transgressed a little when we allowed Footy Punt. At some time in the future if those TAB pools build up we will have to look seriously at accountability of the football code, given that it now has the use of Government facilities to increase its and the Government's revenue base. On the question of how wide it should be, I am not overly upset if Grand Prix betting is given the go ahead. I do not believe that it will be an outstanding success as a betting medium but, as members on this and the other side have mentioned, it is up to everyone to determine whether or not they wish to make a bet. That sport is accountable because the amount of dollars spent on it far outweigh anything our TAB can offer. Therefore, the betting medium will not impact on the results in the Grand Prix sport. In other areas a real risk exists that they will.

It is not competent for a Government to allow a betting medium without proper controls. Footy Punt has gone beyond those bounds and within the space of a few years we will see controls having to be exercised in that area, because we will find that teams will start to know how to organise their scores within a reasonable range and get a return on their money. There is no accountability. Unless we have accountability the Government should not be supporting any endeavour and using TAB facilities to promote it.

The Hon. H. ALLISON (Mount Gambier): I do not wish to protract the debate, as the issues have been well and truly canvassed. However, I will be opposing the legislation at the third reading. I have already seen enough suffering as a result of gambling in South Australia through the many clients of the Department for Community Welfare who have come to my notice over the past few years. I have had absolutely no representation from any member of my electorate requesting an extension of gambling facilities, particularly with reference to the Grand Prix or any of the other targets listed by the Minister in this Bill, but I have had substantial opposition mounted against gambling in general.

I particularly object to the fact that contained in this legislation is a clause permitting the Minister to exercise his unilateral discretion should he wish to extend gambling facilities in South Australia even further to cover national and international events. I say, as have many of my colleagues, that it is far more appropriate in each and every instance where a request is received by the Minister for such additional gambling facilities that the matter be brought before members of the House. It is ridiculous to say that the Minister can, whilst the Parliament is out of session, simply gazette an event as one for which gambling facilities are to be provided, whilst members may have absolutely no chance at all to debate the issue or exercise their customary right to vote against the regulations and seek their rejection in the House. Therefore, I would oppose the legislation at the third reading.

The Hon. M.K. MAYES (Minister of Recreation and Sport): I am deeply hurt by some of the comments of my colleagues opposite in regard to my personal character. As a lad brought up as a Baptist, I resent the comments of the Deputy Leader of the Opposition.

The Hon. E.R. Goldsworthy: Are you thin skinned?

The Hon. M.K. MAYES: Not as half as thin skinned as you are, Roger. In regard to the possible application of this Bill—

The Hon. E.R. Goldsworthy interjecting:

The SPEAKER: Order!

The Hon. M.K. MAYES: You said more than that. Perhaps you are getting on in years and cannot recall exactly what you said.

The SPEAKER: Order! I caution the Deputy Leader of the Opposition against excessive interjection and caution the Minister, first, against provoking the Deputy Leader of the Opposition and, second, in addressing the Chair and referring to members opposite in the second person as 'You'. The Minister should refer to them by their title or district.

The Hon. M.K. MAYES: I was not intending to stir up the Deputy Leader. If one refers back to *Hansard*, one will see that I was replying to the points he raised and the way in which he reflected on me as an individual and what possible sinister motivation or intent I might have in applying section 84 with regard to approval to be given by the Minister for any major sporting event.

I appreciate the support of members who can see the benefit that this Bill offers to the community involved in motor sport or major sporting events at which we are directing this Bill. Members opposed to the Bill are enunciating reasons for not providing for people interested in some major sporting event the opportunity to place a bet. It is interesting that the member for Mount Gambier, with his origins, should oppose it. If one goes to the United Kingdom one will see that for most major sporting events in the United Kingdom the opportunity is provided by major betting houses to have bets placed on them by those wishing to so do. That is something at which we are looking and, rather than having people go outside the legal net of gambling into the illegal area, this Bill provides for the Minister of Recreation and Sport, who is accountable to the Parliament (there is no question about that, although the point has been hounded by those members opposed to the Bill), to allow these people who are supporters of major sporting events to bet. It is not the peewee surf lifesaving championships at which we are looking, in terms of junior sport—

The Hon. E.R. Goldsworthy interjecting:

The Hon. M.K. MAYES: I will resist reacting to the Deputy Leader's interjection and assure him that it would not be a major marble competition to which he refers—whether it be a junior or adult sport that might be involved with marbles. We are talking of major events, and I have cited them in the second reading. To reinforce that point, we have talked about the Grand Prix and the idea is to allow these people who suppport major motor sport in this country and internationally the opportunity to have a bet on the Grand Prix—not only a single win or place but a

combination to allow them to enjoy the races as they would like to enjoy them rather than not have a bet or to go into illegal betting with an SP bookmaker or other facility.

I am not a great gambler. I admit that I grew up in a family where gambling was frowned on—not too many things are permitted in a Baptist household. However, it is not necessary for one to stand on what one might call higher moral ground and make judgments about what other people might do. I do not agree with that at all. I am not trying to force a viewpoint on anyone else. I think it is important for people to be given the opportunity to gamble legally and to provide entertainment opportunities on these major sporting events.

Mr Meier: What about the social problems that are created as a result?

The Hon. M.K. MAYES: We have many social problems that come, I suppose, from the type of society in which we live. Perhaps they might relate more to the economic mechanisms of our society than the fact that we have gambling, which has been and always will be with us.

Mr Meier interjecting:

The Hon. M.K. MAYES: We can address a whole lot of those issues, and I believe that a caring society will address them in the terms of its economic and social framework, and the Government will address those matters. In considering the money that might be attracted to gambling on this type of major sporting event, we can consider the visitors who will be here, particularly those from overseas. I think they would enjoy an opportunity to gamble.

The Hon. Jennifer Cashmore: The story of the casino.

The Hon. M.K. MAYES: The member for Coles interjects, 'The story of the casino.'

The Hon. Jennifer Cashmore interjecting:

The Hon. M.K. MAYES: It is quite a good percentage in terms of absolute receipts. It is quite a good turnover for the casino. Never has there been such a success story in relation to casinos around Australia.

The Hon. Jennifer Cashmore interjecting:

The Hon. M.K. MAYES: We know how the honourable member voted for that. We know what she did for South Australia. The member for Alexandra has given us quite a dissertation tonight on the benefits of the casino to South Australia as a tourist attraction. People from interstate have enjoyed the casino and they cannot believe how good the facility is. It is probably the best in Australia. I have been to only two casinos overseas and the casino here is certainly equal to, if not better than, anything I have seen overseas. I cannot say that I meet the criteria outlined by the member for Alexandra. The facility is quite spectacular, and the environment is unparalleled. The people involved in the building and the organisation of the casino are to be congratulated, as the member for Alexandra said.

In relation to the measure before us, we have an opportunity to attract further money apart from the present gambling dollar in South Australia. I think this is an opportunity for us to provide an additional mechanism by which people can enjoy the Grand Prix, as well as, say, test cricket and the one day internationals. I believe that probably support for the cricket will be far greater than for the Grand Prix. We have been fairly conservative with our estimates about the money that the Grand Prix is likely to attract. We certainly do not expect to see a great windfall for the TAB or for any sporting organisation that might receive a return from this.

Let me just stress that, as far as the reference to tax coming to the Government is concerned, money received from this measure will go towards sporting events and organisations in this State and the support of our young kids in South Australia in their endeavours and achievements in sport. I think that that is an important part of this matter. Let us not just wipe this aside as providing tax for a greedy Treasury that can consume any quantity of funds, with no-one seeing any benefit. We want to ensure that the money coming from this measure will go towards supporting sport in this State.

Believe me—and I am sure the shadow Minister will appreciate this—the number of clubs that come to me each day and ask for additional funds to support junior sport, the development of junior sport in this State, is quite extraordinary. Of course, with the increase in demand and a reduced budget, unfortunately we cannot continue to meet those demands as much as we would like to be able to do. That is another aspect of this Bill, and an important one. This does not involve simply money coming into general revenue and being consumed for the overall benefit of the State, as suggested by some members, constituting an avaricious desire within Treasury to collect further funds. I really stress that the major sporting events only (not the junior events and not events that involve children), such as the Grand Prix and international cricket matches, will be involved. Concerning the suggestion of there being some resistence within the community, I have not received one call of complaint about the suggestion. I have not received one letter of complaint.

The Hon. Jennifer Cashmore: How many requests did you get for the Bill?

The Hon. M.K. MAYES: I have had numerous requests from people within the industry and all the member for Coles need do—

The Hon. Jennifer Cashmore interjecting:

The Hon. M.K. MAYES: No, from the people involved in the TAB and the Grand Prix, the people involved in the major events. So, we are talking about people who are involved in promoting the major events.

I want to turn for a moment to the Grand Prix. I think it is very important. Last Tuesday I had the opportunity to see the General Manager of Carlton United Brewery launch the Fosters promotion, which will hit the airwaves on 1 September. It is a quite magnificent promotion which will involve South Australia. It has a very clear identity with the City of Adelaide. The promotion will involve saturation coverage throughout Australian television programs and during peak coverage. After seeing that, no-one will forget where Adelaide is, and everyone will know that Adelaide is hosting the Formula One Grand Prix.

The Grand Prix Board and the TAB want to put together, as part of the package, the opportunity for people to participate in not only the Grand Prix but also the associated family carnival events, which in fact we saw last year but which this year will provide even further entertainment for the community. A family day will be provided that offers everyone in the family an opportunity to enjoy the Grand Prix. So, this is one additional package attached to the great event of the Grand Prix.

In relation to the TAB, the member for Gilles raised some questions about turnover. In effect, this year we have seen quite strong support for the TAB. There has been a 9 per cent growth in TAB turnover and a 19.7 per cent growth in TAB profit this year. In itself that is quite a handsome result. I included comments about the casino in my second reading explanation to draw attention to the fact that concerns have been expressed about the impact that the casino is having in terms of gambling in this State. But I really do not want to overemphasise that, as I think that in fact it could be a quite minor aspect in relation to a number of areas of activity affecting the racing, harness and dog codes

in this State. I do not want to elaborate on those matters, as they may come to the fore later through other circumstances. But it is a significant result in growth in profit and that growth has been quite exceeded in terms of turnover because of the containment of operator costs. I think that is an important aspect as well, and the TAB is to be congratulated. The Deputy Leader of the Opposition raised the point that having no limits on betting could give me power to extend betting coverage into new areas.

The Hon. E.R. Goldsworthy: I didn't say that. I said that the Minister would have complete say over what he thinks would attract TAB coverage.

The Hon. M.K. MAYES: In fact it is the same thing as saying that there would be no limits on the betting forms that I could sanction as Minister. In effect, under the current provisions of the Racing Act the TAB is able, by recommendation to me, to extend its coverage to other forms of betting within its structure. So, in effect, that partial power already exists.

The Hon. E.R. Goldsworthy: Different forms of betting within a given code is a different question.

The Hon. M.K. MAYES: It is a matter of degree.

The Hon. E.R. Goldsworthy: It is not a matter of degree. The Minister must be completely thick if he cannot understand that.

The Hon. M.K. MAYES: It is a matter of degree. New South Wales and Victoria, for example, already have far greater power vested with the Minister of Recreation and Sport and the Minister of Racing. In particular, they allow any sporting contingency to be subject to ministerial approval.

In effect, there are complete powers for the Ministers in New South Wales and Victoria to institute any form of betting in those States. Therefore, there is no control and no limit. We have placed limitations in this Bill in relation to ministerial approval of any major sporting event. I think that it is important to note that we have designated particularly a form of event which can take place and which can be subjected to approval by the Minister for gambling on it through the TAB agencies.

It is important that we look at the impact of that matter. Also, I am happy to put on record that in no way do I intend introducing betting on any form of junior sport. A complication arises if the amendments that are moved in Committee prevent our allowing gambling on an event involving a junior player. That, in effect, would be self-defeating. For example, there could be a person under the age of 20 years playing test cricket for Australia, which is highly likely and which would prevent the TAB conducting gambling on that major international event, thereby defeating the purpose of this Bill.

Mr Becker interjecting:

The Hon. M.K. MAYES: The honourable member for Hanson makes the point that apprentice jockeys ride in races every day of the week. I accept that for moral and conscience grounds, or for personal reasons, some members oppose this Bill. However, in terms of the whole issue this is a matter of finite degree: we are extending an opportunity for people who support other major sporting events to bet on those events on the TAB. Therefore, I seek the support of all members to allow this amendment to the Racing Act to pass so that the Totalizator Agency Board in encouraged to support major sporting events and so that the State can take returns from those events to support sport, particularly junior sport here.

The House divided on the second reading:

Ayes (26)—Mr Abbott, Mrs Appleby, Messrs P.B. Arnold, S.J. Baker, Becker, Crafter, De Laine, Eastick, M.J. Evans, and Ferguson, Ms Gayler, Messrs Gregory, Groom, Gunn, Hamilton, Hemmings, Ingerson, and Klunder, Ms Lenehan, Messrs McRae, Mayes (teller), Payne, Peterson, Rann, Robertson, and Tyler.

Noes (10)—Messrs Allison, D.S. Baker, and Blacker, Ms Cashmore, Messrs Chapman, S.G. Evans, Goldsworthy (teller), Lewis, Meier, and Oswald.

Pairs—Ayes—Messrs Bannon and Plunkett. Noes—Messrs L.M.F. Arnold and Wotton.

Majority of 16 for the Ayes.

Second reading thus carried.

In Committee.

Clause 1 passed.

Clause 2—'Amendment of long title.'

The Hon. E.R. GOLDSWORTHY: This clause gives the Minister authority to decide which sporting events will attract gambling in South Australia. The long title of the principal Act is amended by inserting the words 'or other sporting events' after the words 'totalizator betting on football matches'. Clause 8 spells out in more detail how to go about matters, but this is the first of the clauses which vest in the Minister an authority never before enjoyed by any Minister in South Australia—that to decide what we are to bet on. The Minister gave a very hazy and sketchy description of what happens in other States. He managed to muddy the waters when he suggested that we are arguing that various forms of betting can be authorised within a code. This is what we are on about, not about betting within a particular code.

We are talking about widening the whole scope and purview of this legislation so that the Minister can designate any sporting event he may deem to be major (and there is no definition of 'major': it is something that will just be in the mind of the Minister), and he will have the authority to say whether or not the TAB can operate in that sport. I still think that Parliament has a role to perform. Indeed it has performed a role in this area since this Parliament was first established some time in the 1850s, yet tonight—

The Hon. Ted Chapman interjecting:

The Hon. E.R. GOLDSWORTHY: It was a hell of a long time ago—we are going to change the ground rules. We will dispense with the deliberation of Parliament on this social issue, something which, as I say, has been the habit and the authority of this place ever since it was established. There is no way in the world that I will agree to any measure in this day and age that vests more authority in the Minister and the Executive than in the Parliament, let alone on this sort of issue. The Government would be very hard pressed indeed to convince me that we ought to give more authority to Executive Government and less to Parliament. I cannot think of any area (let alone this one) where I would give my concurrence to that proposition. I should have thought that the Labor Party would be rather wary about that, in view of some of the recent decisions that have come from the Executive in Canberra which they must find acutely embarrassing. However, the idea of Executive Government by ministerial decree in this day and age is just not on. I cannot think of any measure where I would be prepared to vest authority in the Minister that is currently vested in Parliament, and least of all this sort of measure.

Members who have been in this House for any time at all know that these sorts of issues generate more debate than any other type of matter which comes before Parliament. That is because people have strong views on it. Maybe the minority have a view that is totally opposed to any form of gambling, but there is a whole range of views in relation to these social issues starting at one end of the

spectrum and going to the other end which appear to be embraced by the Minister.

I think that this State will be much poorer and, as I say, the Minister muddied the waters. He talked about a certain authority being vested in Ministers interstate. It was far from clear to me as to precisely what he was talking about, and I am not too sure that he himself is clear on that. But in terms of the variations within a code, we are not talking about that authority at all; we are talking about the authority of a Minister to decide, firstly, what is a major sporting event and, secondly, whether or not he will let them bet on it.

There is no way in the world that we will change the ground rules as extensively and as dramatically as that by what purports to be a minor change to a Bill. It is a major change to the whole operation of this place and as to who will decide on the extension of these sorts of amenities. This is the place to discuss it and for the decision to be made, even though a minority of only 10 members are opposed to the so-called basic intent of this Bill. I certainly hope that, if this Bill escapes the Committee unscathed, more than 10 members will subscribe to the principle that I am enunciating, namely, that we do not give to the Minister this unfettered power to decide what is a major sporting event and whether or not they will have betting on it. I certainly hope that, when we come to the third reading, members will be far more convinced of the merits of keeping that decision in the hands of Parliament.

The Minister gave some sort of undertaking that he will not authorise it on junior events. We have had these ministerial undertakings before, and they are not worth a crumpet: they are not worth the breath with which they are uttered. Members might as well save their breath. It is worth nothing unless it is written down in black and white in the law of the land. As circumstances change, the present Minister may forget that undertaking, and certainly anyone succeeding him will not take the slightest notice of some undertaking that some Minister gave to try to pacify an awkward Opposition. It is not worth uttering that sort of undertaking. It is there: there could be a major sporting event involving anybody. If it is there in black and white, I would bet my bottom dollar that in due course somebody will want to exercise that authority.

So, the ministerial guarantee in relation to sporting events involving minors might, as far as I am concerned, just as well have not been uttered. That is the case which I put to the House tonight. If we are prepared to go along with the Minister on this, we are giving him a *carte blanche* to decide on what events gambling will occur in South Australia. I picked it up somewhere or other that he has already told the public he is keen to get it in for cricket matches. It is not only just for the Grand Prix, but he will extend it to cricket.

Mr Tyler: A great idea!

The Hon. E.R. GOLDSWORTHY: The honourable member has his democratic right to vote if he thinks it is a great idea. I do not think it is a great idea, and I have my democratic right to vote against it in representing the people who expressed those views to me. I am not denying him his opinion, but I resent and object to being denied my opinion and my view and my vote in this place, because I have been elected by people who have a view which I am expressing right now on this Bill. Why should they be disfranchised? Why should their views in relation to social issues be denied representation in this place? I think it is an appalling move for a Government to go down this track. If we believe in representative democracy, the more we leave in this place the better. There is no way in the world that I will vote for a Bill which will vest this sort of authority in the Minister.

The Minister suggested that I was rude to him or that I had been disparaging. All I said was that the last Minister was better than he was. I suppose that was a bit personal, but I am entitled to my judgment. I did not have a terribly high opinion of the former Minister, but when he resigned I realised he had some qualities that were not so apparent when he was holding the job. The fact remains that he certainly made a very thoughtful contribution to this debate and I guess (now that he feels that the weight of the iron fist of discipline, which is exerted on Labor members, has been lifted from him, having announced his intended retirement) he now has a degree of freedom that he did not previously have. That may account for the fact that he made what I thought was a sensible contribution to this debate, and I am pleased to know that he will not go along with it.

I certainly hope that a number of other members on the other side of the House in this so-called conscience vote, as I understand they are having, may disagree with the member for Fisher, who seems so intent on impressing his view on us by way of interjection. If the member for Fisher wants to make a contribution to this debate, let him get up on his hind legs and make it, but do not let him try to tell me the way I should think and vote. That is my right and I will fight in this place to preserve it in matters such as this. I oppose the clause.

The Hon. JENNIFER CASHMORE: I oppose the clause. Clause 2 is a pivotal clause of the Bill, because it is this clause that gives the Minister this unfettered power to determine which sporting events shall attract betting. In his reply to the second reading debate, the Minister claimed or promised that it would only be major sporting events that attracted international money. The law says exactly what it says. It does not say what the Minister says: it says what the words in the Bill, which will become an Act, say, and clause 2 says:

> The long title to the principal Act is amended by inserting 'or other sporting events' after 'totalizator betting on football matches.'

There is no qualification, no limitation, no restraint. There is nothing whatever to stop any future Minister from exercising complete power and total discretion unilaterally without any judgment exercised by the Parliament or any restraint placed upon him or her by anyone. For the Minister to suggest that he does not intend to exercise this power in respect of junior sport is just nonsense. That might be his intention today, but if this Bill is passed—

The Hon. Ted Chapman: If Jack Slater got back, it might be different.

The Hon. JENNIFER CASHMORE: Indeed. If this Bill is passed, the Minister, in law, will be able to choose any event he likes and there is nothing to stop him exercising that power in respect of a little athletics race or an inter collegiate football match. If the law reflects, as I believe it does, the social mores of the community and if this provision is passed, those mores will say that we have no restraint whatsoever, and that we do not care where betting is applied, whether to children, minor events or major events; it will be open go and anyone will be able to bet on anything. The law will say that the Minister has the power to put that system into practice. The clause cannot be interpreted in any other way, and all the Minister's protestations will not change that. The clause is thoroughly wrong in principle and can lead to very bad practice. I oppose it.

The CHAIRMAN: I point out to honourable members that this clause deals with the long title only. The powers given to the Minister are in clauses 4 and 6.

The Hon. TED CHAPMAN: Sir, I note what you say in bringing the Committee back to the words of the line that we are dealing with at the moment, but I think the references made to these words 'or other sporting events' referred to by the member for Coles, are indeed relevant. Elsewhere in the Bill, reference is made continually to major sporting events. Why did the Minister not insist on the words in the long title being consistent with the import of the Bill? I just cannot follow that a Minister would allow that sort of thing to slip through. He has identified major events as being those on which he intends to exercise authority, but the long title embraces any sport. Why has the Minister allowed that inconsistency to slip through?

Mr S.G. EVANS: I oppose the clause. As the member for Alexandra said, the clause does not refer to major sporting events. The Bill refers to major sporting events within or outside Australia but the second reading explanation only refers to events outside Australia. The Minister used the word 'major' on all occasions but the title does not say 'major'. If we are not going to put 'major' in the title, we should at least have a definition of a major sporting event. What is the definition of a major sporting event? Surely the Minister is asking us, in accepting this long title, to agree to other sporting events. I have been told that there is a definition in clause 8, but I do not believe it is defined amongst the other definitions included in the Bill, which is where I would expect a definition to be.

I am not prepared to give this power to the present Minister, who, like each of us in Parliament, is only here at the whim of electors and at the whim of caucus, or whatever, as a Minister. Guarantees have been given in this Chamber before by Ministers, and subsequent Ministers have not abided by them at any time while they have held office. Why do we give that permission now? I will comment more about the Minister's powers later. I am dealing with the long title. It is not a clear definition, according to the Minister's own speech, and I oppose it.

Mr PETERSON: I am concerned about other sporting events. Most major sporting events occur during the week or on Saturday when the TAB is normally open. What if a sporting event is held on a Sunday? Will all TAB subbranch offices have to open to service that event? If only one event catered for by the TAB on that day and it was not a major event, are significant such as the Grand Prix, but was, say, a boxing match, and all the facilities had to be open the TAB might get a negative return, because it would not get enough support to cover costs. Has the department looked at that? I believe that the only time we had betting on a Sunday was for Sunday trots—

The Hon. J.W. Slater: The betting was on a Saturday.

Mr PETERSON: As the former Minister says, the betting was made on the Saturday for the Sunday trots. For an event in Adelaide I am sure that many people would not bet until the day of the final—the Sunday—and that would mean every branch of the TAB having to open for perhaps a minor support. What would be the ramifications in remote areas?

Mr LEWIS: I am amazed that the Minister has such arrogance to sit there and wait for the clause to be put before rising to answer any of the queries.

Members interjecting:

Mr LEWIS: You called me a clot and I take exeption to it. I ask the Chairman to require you to withdraw that remark.

The CHAIRMAN: First, I ask the honourable member in his address to address the Chair.

Mr Lewis: I thought I did, Mr Chairman.

The CHAIRMAN: I ask you to do so from here on. As I understand it, the word is not unparliamentary, but I ask that the honourable member withdraw the actual words used.

The Hon. M.K. Mayes: I withdraw.

Mr LEWIS: Can you tell me, Mr Chairman, what the outcome was of your request? I did not hear.

The CHAIRMAN: The Minister withdrew.

Mr LEWIS: I am amazed at the arrogance of the Minister in ignoring the requests for clarification or information made to him by members concerned about this clause.

Members interjecting:

Mr LEWIS: I know that there are legitimate reasons for some members thinking that the Minister should be considered to be thrombosis. That is beside the point: the important thing is that this clause what the Minister may say, does not mean a thing. What this Minister has said on other occasions does not mean a thing long before he came into this place, he said things publicly that did not mean a thing, so why should we accept now that anything he says means anything more than nothing?

This clause ought to be deleted from the Bill. It will not change the capacity of the Parliament to ultimately determine which sporting event should be given the imprimatur of the Parliament for the conduct of TAB betting. To retain this clause in the Bill is to leave with this and subsequent Ministers the unfettered power, without account to the Parliament, at any time to decide that any event can be the subject of betting.

If Government members sincerely believe that it is legitimate to bastardise the power of Parliament and hand over this power *carte blanche* to a Minister—a Minister such as this one who has so little principle, or any other Minister who may have more or less principle—I am amazed. I would be aghast if we collectively decided to allow any Minister that power. It cannot and will not enhance the respect that the general public have for us as members of this place if we hand over the power to decide which ordinary sporting events covered by this clause should be the subject of TAB betting arrangements without any argument—without so much as a whimper—from us. We would quite legitimately have to be regarded by the general public as contemptible if we did not have sufficient regard for our responsibilities here to decide which of those events ought to be events on which members of the general public could gamble.

I cannot understand why any member in this place would want to be the butt of that public contempt. If we pass this clause, we will most certainly be handing over to Executive Government the responsibility of deciding what it is legitimate to bet upon, where and when. Parliament may not be sitting and may not indeed be recalled to sit before the event is held which that the Minister decides shall be an event on which Totalizator Agency Board betting will be conducted, and we will have no chance to have any say whatever in whether that was a wise judgment or otherwise. Our constituents, through us, member by member, are entirely disfranchised in that process.

To pass clause 2 is to admit that we do not care. It is to accept in a gutless way that Parliament does not matter: Executive Government and political Parties are more important than Parliament.

The Hon. M.K. MAYES: I think the utterances of the member for Murray-Mallee and his past utterances in this place would probably lead the public to deny the Parliament the privilege of actually accessing Bills, and probably encourage them to seek greater Executive Government, but

I will not pass much time on his comments because I can see—

The Hon. E.R. Goldsworthy interjecting:

The Hon. M.K. MAYES: The Deputy Leader is on the ball for a change. In the sense that the questions are directed to me—

Members interjecting:

The CHAIRMAN: Order! I call the member for Murray-Mallee to order.

The Hon. M.K. MAYES: Those sensible questions which have been directed to me I will endeavour to answer to the best of my ability. The question of 'or other sporting events' is, of course, the issue before us in regard to clause 2. As to 'totalisator betting on football matches', the Parliament did not bother to spell out which football matches should be involved, whether junior, SANFL or VFL, etc. The legislation does not spell it out, nor have we spelt it out in the general title. We have gone on in the body of the Bill to add 'major sporting events', so the intent of the long title is quite clear.

We are extending to other major sporting events the opportunity for people to place bets with the Totalisator Agency Board. That is the crux of it. Members can take a high moral stance if they wish, and they may take political points if they wish.

The Hon. E.R. Goldsworthy: You're not giving them the chance, though. You're going to take it out of Parliament.

The Hon. M.K. MAYES: That is not true. In relation to the points—

The CHAIRMAN: Will the Minister please sit down. I call the House to order, and I am not going to have the Chair defied. I call the member for Mitcham to order, and if this happens again I will start warning people, and then I will start naming people. I have called the House to order on several occasions, and members are taking no notice. The honourable Minister.

The Hon. M.K. MAYES: In relation to the questions raised by the Deputy Leader of the Opposition, I had the opportunity of seeing at close hand the way the then Tonkin Government operated (the Government in which he was the Deputy Premier), and I found it quite amusing, to say the least, to hear him pronouncing from the Opposition benches the evils of Executive Government when I saw so many decisions taken which involved Executive decision rather than a decision by the Parliament.

An honourable member: Name one!

The Hon. M.K. MAYES: I could name them if you want to sit here tonight, but I do not want to delay the Bill. Industrial relations—they were endless—

Mr Lewis: Name one!

The CHAIRMAN: I warn the member for Murray-Mallee.

The Hon. M.K. MAYES: They went on and on, and I can cite a particular day in which a number of Executive decisions were taken by that Government in relation to a particular issue.

The Hon. E.R. Goldsworthy: Not of this type.

The Hon. M.K. MAYES: Yes, indeed. I find it quite amusing that the Deputy Leader should criticise, condemn and personally attack me as an individual, as a Minister, in relation to Executive powers which may be vested in me under this Bill. One has to disregard any attacks from the Deputy Leader, and any reflections on me or on Executive Government in relation to this clause. In relation to a suggestion that the statement I have made in regard to junior sport was designed to pacify the Opposition, I would personally find it unacceptable and untenable to see betting take place in relation to junior sport, whether it be Little Athletics or anything else.

Members interjecting:

The Hon. M.K. MAYES: No, it is not intended in any way that this should take effect. A 'major sporting event' would be interpreted, I imagine, by those people in the law as being something of the magnitude of a Grand Prix, international cricket match, America's Cup or some other significant event.

The courts often interpret those types of phrases in that way. I would not see the Little Athletics Association being a major sporting event in that sense. I would certainly not in any way countenance, enjoy or encourage betting to occur in any way. I am sure that any Minister with responsibility for this legislation would feel that way. So, I think that red herring that was drawn well and truly across the trail will not be further used to mislead me or the public in the general debate on this issue.

The Hon. Ted Chapman interjecting:

The Hon. M.K. MAYES: The honourable member said that once before, and he was wrong, so I think we should ignore his prediction on that one. In relation to New South Wales and Victoria I want to make clear that the Ministers there have no curtailment of power whatsoever in relation to allowing betting on any sporting events. Let me make that very clear so that the Deputy Leader of the Opposition understands it. The Ministers there can allow betting on any sporting contingency. It is subject only to ministerial approval and so let us not say that the waters have been muddied or are confused at all. It is quite clear. If the Minister in New South Wales or Victoria decides that the TAB will be allowed to conduct betting, that is done and that is the situation. There is no accountability other than through the normal processes of Parliament. Therefore, let us put that one to rest well and truly. It is quite clear. In relation to the member for Semaphore's question about Sunday events, I think it is important that members recognise that we are testing the water with the Grand Prix. The TAB is quite excited about this proposal and is very keen to have it established.

Mr S.J. Baker: That is the betting authority—what about the sporting authorities?

The Hon. M.K. MAYES: The sporting authority is more than excited about it.

The CHAIRMAN: Order! I ask the Minister to address the Chair and to not answer interjections.

The Hon. M.K. MAYES: I will address the honourable member's comment in the process of answering the matter raised by the member for Semaphore. The Totalizator Agency Board, the statutorily appointed board, for the member for Mitcham's information, is very excited about the concept. The TAB will have open on the Sunday about 43 agencies and subagencies within the State and it will also have available at the Grand Prix itself six betting facilities.

Mr S.J. Baker interjecting:

The Hon. M.K. MAYES: I will proceed without the help of the member for Mitcham. I have not found him to be of too much help in relation to this issue, anyway. In answering the member for Semaphore's question about Sunday facilities, I point out that they will be open and that on this occasion this will be used as a test to see how it proceeds. So, that is the analysis from the TAB itself. I think I have answered most of the relevant questions that were put to me.

Mr INGERSON: I would like the Minister to comment on a couple of points that have been raised. In relation to the TAB, I understand from discussions with the previous Minister that last year the TAB indicated to him that it was

not economically viable to run an event on the Grand Prix. Perhaps the Minister can advise us why suddenly it will now be economically viable this year. Secondly, will the Minister explain to the Committee how and under what conditions the TAB will be able to open on Sunday?

The Hon. M.K. MAYES: I am not privy to what the former Minister said, and I do not think the honourable member would be either. But it is quite clear to me that the honourable member has available to him the opportunity to talk to the TAB, which I agreed to, and he could have asked the question of the TAB quite easily. I hope that he did. The answer to the question is that I understand that the TAB has always been in favour of promoting the event.

That is the simple answer to that question. In relation to the parameters of the TAB operation regarding on-course facilities, those details are still being negotiated with the Grand Prix board. In regard to the agency facility, it has determined that it will be viable, and it is obviously very supportive of it.

Progress reported; Committee to sit again.

The Hon. M.K. MAYES (Minister of Recreation and Sport): I move:

That the time for moving the adjournment of the House be extended beyond 10 p.m.

Motion carried.

PLANNING ACT AMENDMENT BILL (No. 2)

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill is designed to expedite the workings of the Planning Appeal Tribunal. At the present time, appeals which were lodged with the Planning Appeal Tribunal in February 1986 are being listed for a September hearing—a delay of some seven months. The rate at which the Planning Appeal Tribunal has been able to hear and determine appeals is substantially below the rate at which appeals are now being received. This has resulted in a 'backlog' of appeals. Delay in the planning jurisdiction is of particular concern as potential development may be abandoned if the appeal processes are drawn out.

An informal *ad hoc* committee comprised of three commissioners of the tribunal, two legal practitioners who work regularly in the planning area and one senior practitioner from the Crown Solicitor's Office, has made some suggestions concerning improvements in the planning appeal mechanisms.

The committee's recommendations were based on two factors: first, the fact that many planning appeals deal with limited issues and do not justify consideration by a judge and two commissioners; and secondly that the current 'backlog' of appeals could be reduced if the need for a judge and two commissioners to determine an appeal was dispensed with in a significant number of cases.

This Bill encompasses the suggestions for reform made by the committee. The principal change effected by the Bill is that matters coming before the tribunal may be heard and determined by a single judge or commissioner, or, as is presently the case, by a full tribunal comprised of a judge and not less than two commissioners. This additional flexibility in the constitution of the tribunal should result in more appeals being heard simultaneously thus reducing delay.

The conference provided for in section 27 is given an expanded role by these amendments. The conference, chaired by a judge or commissioner will continue to address matters preliminary to the full appeal, and, in addition will be the forum in which it is decided whether the matter should be heard by a full tribunal or a single judge or commissioner. If the parties to the appeal request, the appeal must be heard by a full tribunal. If a section 27 conference is not held or if the conference chairman cannot or does not make a determination on the constitution of the appeal tribunal the decision as to the constitution of the tribunal for the appeal will be made by the Senior Judge or his nominee.

These amendments recognise that there are planning appeals which can be determined by a single judge or commissioner but it is expected that the full Planning Appeal Tribunal will continue to play an important role in the determination of planning appeals in this State.

Clauses 1 and 2 are formal.

Clause 3 replaces section 24 of the principal Act with a provision that gives overriding control of the business of tribunal to the Senior Judge but contemplates that day to day business will be dealt with by the chairman of the tribunal.

Clause 4 replaces section 25 of the principal Act. Under the new provision the Senior Judge or his nominee has power to give directions as to the constitution of the tribunal. This power, however, will be subject to the requirement of subsection (1) that the tribunal be constituted in one of the ways set out in that subsection. The judge's power is also subject to a determination of the chairman of a conference under subsection (4). Subsection (8) will enable a judge to whom a question of law has been referred to finally dispose of the matter.

Clause 5 is a transitional provision.

Mr S.J. BAKER secured the adjournment of the debate.

CORONERS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill, which seeks to amend the Coroners Act 1975, is designed to achieve two separate, but related, goals. The first is the rationalisation of the grounds upon which a coronial inquest may be held. That is to say, the bases upon which a coroner's jurisdiction may be invoked are consolidated and streamlined. The second goal is an expansion of the geographical area over which a coroner's jurisdiction can be invoked.

In relation to the present provisions of section 12 of the 1975 Act (which section exhaustively delineates the grounds upon which coronial jurisdiction is founded), the Crown Solicitor has observed in written advice that:

> . . . very often when ships are lost at sea, it is impossible to ascertain the point at which the vessel was lost or the point at which the crew may have drowned. It is thus not possible to determine whether the accident was within the limits of the State or whether the disappearance or death occurred within those limits. . . . In so far as the loss of vessels at sea is concerned, it is my view that a coroner does have jurisdiction to inquire into the disappearance of the crew of a vessel where the crew were last seen or heard of within the limits of the State. However, if the vessel was last seen or heard of outside of those limits then the crew have disappeared from a place other than 'the State' and the Coroner has no jurisdictions (or no further jurisdiction) to continue with the inquest.

This Bill seeks to overcome the possibility that these, and related, deficiencies may arise to deny, thwart or abort jurisdiction in the Coroner.

The existing grounds in paragraphs *(a)* to *(d)* of section 12, to inquire into death by violent, unusual or unknown causes, are subsumed under the proposed single paragraph *(a)* of clause 2 *(a)*. The requisite jurisdictional nexuses for inquests arising out of proposed paragraph *(a)* of clause 2 *(a)* are then clarified in proposed subsection (2) of section 12. Proposed subsection (3) of section 12 subsequently provides a definitional extension of the meaning of 'the State' which includes the area, known as the 'adjacent area', that is defined by the Commonwealth Coastal Waters (State Powers) Act 1980—one of the fundamental legislative instruments of the so-called offshore constitutional settlement.

By section 3 (1) of that Act the 'adjacent area in respect of the State' is defined, in turn, by reference to the area the boundary of which is described in Schedule 2 to the Petroleum (Submerged Lands) Act 1967 (Commonwealth). In this way, relevant causes or circumstances that arise in the adjacent area fall within the purview of the coroner's jurisdiction.

This statutory device is constitutionally possible in consequence of the enactment of the Australia Acts 1986 (which came into operation on 3 March 1986). In particular, section 2 (1) of both the United Kingdom and Commonwealth Acts provides:

> It is hereby declared and enacted that the legislative powers of the Parliament of each State include full power to make laws for the peace, order and good government of that State that have extraterritorial operation.

While the 'adjacent area' is, in strict terms, an extraterritorial geographical area (that is, outside the territory of this State) it is an area that is for certain purposes clearly within the juridical purview and competence of the Parliament of the State, freed as it is now from the shackles of colonial extraterritorial incompetence. The 'adjacent area' is also, up to this time, the most extensive geographical expanse known for the purposes of the law of Australia (that is, including Commonwealth law). It is, of course, an area over which certain South Australian laws already apply, that is, exploration for and exploitation of petroleum resources, pursuant to the Petroleum (Submerged Lands) Act 1982 (Act No. 19 of 1982).

Moreover, it should be noted that section 5 *(b)* of the Commonwealth Coastal Waters (State Powers) Act 1980 provides:

> The legislative powers exercisable from time to time under the Constitution of each State extend to the making of—
>
> *(b)* laws of the State having effect in or in relation to waters within the adjacent area in respect of the State but beyond the outer limits of the coastal waters of the State . . .

Section 7 of that Act goes on to make it quite clear that (in so far as it is material)—

> Nothing in this Act shall be taken to:
>
> *(a)* extend the limits of any State;
>
> *(b)* derogate from any power existing, apart from this Act, to make laws of a State having extraterritorial effect;

The net effect of the amendments sought by this Bill is the assurance that, consistently with the limits of legislative competence set by the Federal Constitution itself, this Parliament is ensuring that the Coroners of this State are given the most ample jurisdiction possible to inquire into and determine relevant causes and circumstances of deaths and disappearances.

I further seek leave to table the precise geographical limits of the adjacent area as that is defined in the Second Schedule to the Petroleum (Submerged Lands) Act, 1967 of the Commonwealth Parliament.

Finally, I seek leave to table a copy of a reference map, produced by the Division of National Mapping, Canberra, which will enable honourable members to see, at a glance, a simple cartographic depiction of the adjacent area referred to in clause 2 of this Bill.

Clause 1 is formal.

Clause 2 provides for the amendment of section 12 of the principal Act. Paragraph *(a)* of clause 2 consolidates the circumstances by virtue of which an inquest may be held under the Act and must be read in conjunction with proposed new section 12 (2) which rationalises the grounds upon which an inquest into the death of a person may be held. Proposed new section 12 (3) contains a definition of 'the State' under which the State is to include the adjacent area in respect of the State and the airspace that is above the State.

Mr S.J. BAKER secured the adjournment of the debate.

OIL REFINERY (HUNDRED OF NOARLUNGA) INDENTURE ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

MOBIL LUBRICATING OIL REFINERY (INDENTURE) ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

ROSEWORTHY AGRICULTURAL COLLEGE ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

SOUTH AUSTRALIAN COLLEGE OF ADVANCED EDUCATION ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

SOUTH AUSTRALIAN INSTITUTE OF TECHNOLOGY ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

RACING ACT AMENDMENT BILL (No.2)

Adjourned debate in Committee (resumed on motion).
(Continued from page 637.)

Mr LEWIS: On a point of order. Mr Chairman, there was a time when you were in the Chair as Deputy Speaker and even prior to that when the member for Fisher and the member for Todd were both in the Chamber. I note that the member for Fisher is not present at the moment. I am unaware of which Standing Order makes it possible for them, when you are on your feet, Mr Chairman, to both eat in the Chamber and move about. Mr Chairman, I ask you to rule one way or the other on whether the ruling, given by the former Speaker during the first of my terms in this Parliament, that members may not eat or move about in this place when the Speaker is on his feet, should be upheld or otherwise varied. I want to understand whether it is possible to eat at any time in this place or move about when you, as Chairman—

The CHAIRMAN: Order! I ask the member to resume his seat. The point of order is not applicable at this time. The point of order should have been taken when the offences were occurring. Therefore, I cannot rule on the point of order. I accept the point that the member is making, namely, that there should be no eating in this Chamber and that members should show the courtesy of remaining in their seats while other speakers are on their feet.

Mr LEWIS: Mr Chairman, for the purpose of future events, I ask you on another point of order—

The CHAIRMAN: No, it is out of order. I ask the member to resume his seat. It is out of order. A point of order should be taken at the time that it is applicable.

Mr LEWIS: Mr Chairman, I ask you to direct me to the Standing Order under which you have ruled out of order my request to have a Standing Order considered.

The CHAIRMAN: The position has already been put to the member that points of order must be taken at the appropriate time.

Mr LEWIS: Mr Chairman, with respect, how can I do that when you are on your feet as Deputy Speaker reading messages from another place?

The CHAIRMAN: That was the time to take the point of order.

Mr LEWIS: Mr Chairman, you did not acknowledge me.

The CHAIRMAN: I would have been prepared to be interrupted.

Mr Lewis: When you are on your feet—fair go!

The CHAIRMAN: I will not continue the argument with the honourable member.

Mr BECKER: Has the Minister, or his officers, considered an economic impact statement in relation to the impact of this amendment? It is quite serious that we have a major amendment to the legislation. In his second reading explanation the Minister was unable to provide information as to the impact of such an amendment. The Minister referred to the introduction of Footypunt. He said that TAB turnover had increased by about 9 per cent in the past financial year and that Footypunt had resulted in a significant increase.

We have not been told exactly what those figures really mean. It would be interesting to know how much Footypunt is taking at this time of the year, compared to the previous 12 months. I think that that comparison is important. If the TAB turnover on racing has been about 9 per cent, it means that the TAB is just keeping in front of inflation. We were also told that it is estimated that the Grand Prix will generate a turnover of between $160 000 and $240 000. That is a very wide mark. It is something like taking a figure of $160 000 and adding another 50 per cent. So, it is really an educated guess. It would be interesting to know what experience that figure was based on. Is it taken from the experience in Britain, where I believe there is gambling or betting on the Formula One Grand Prix?

The proposed net profit is shown as a figure between $16 000 and $30 000. The Minister has indicated that there may be 43 TAB agencies open on the Sunday and that six agencies could be located on the Grand Prix track area. If that is so, I suspect that the operation of those TAB agencies could well involve an amount in the vicinity of $20 000 to $25 000, but that also is an educated guess.

There is a very important principle that in all legislation involving money matters the Parliament should insist on an economic impact statement. Had the Minister given us some comparison figures for TAB turnover and Footypunt for 12 months as a package, I do not think members would have had as much trouble in dealing with this legislation. We cannot be too airy-fairy about this legislation. Parliament should not be taking a punt on whether or not the legislation will be successful. This is such an important moral issue that it should be backed up with figures. Therefore, did the Minister give consideration to an economic impact statement and, if so, what were the findings of that statement and, if not, why not?

The Hon. M.K. MAYES: The honourable member's questions have a great deal of relevance. I did not have an economic impact statement done. However, I am informed that the TAB undertook an analysis of estimates of turnover, particularly in relation to the Grand Prix. Also, it is currently undertaking a thorough economic analysis of the impact of the coming test cricket series which commences in Perth in October and which is tied up with the America's Cup challenge. It has conducted that economic analysis, and I have been giving to the community its estimates in relation to expected turnover and the returns, in consequence, that will go to sport in this State from the return to the Government.

The figures to which the honourable member referred have been presented to me as being in a fairly conservative framework, which I think they are. I think that the honourable member is right in saying that the Parliament should have the best estimate of what the TAB believes will be the turnover. It has given an amount of $250 000 as a likely figure, but erring on the conservative side. I can give figures and a breakdown in relation to turnover for Footypunt, as there needs to be an analysis of what has happened with Footypunt. During the period to 30 June 1985 the figure involved was $688 401, and for the period to 30 June 1986 it was $1 084.085. The overall turnover for the TAB last year was $237 million, so one can see that an amount of $1 million is a fairly small proportion of TAB turnover on the other codes. Its impact is small and almost insignificant. I am sure that the SAJC will not say that. I know that it has been telling members that that it has had an impact. However, if one makes an analysis one sees that it is an impact of about .3 per cent of total turnover.

The Hon. TED CHAPMAN: Far be it from me to suggest that discussions in Committee on this subject by any member from either side of the House should be curbed. However, the interesting facts quoted by the Minister and requested by the member for Hanson are quite irrelevant to this Bill, which deals with one single issue under the canopy of clause 2, the title; that is, whether the Parliament shall be usurped in its traditional role of determining such matters and whether or not that role should be taken up with the Minister.

Frankly, I cannot see any benefit in seeking to canvass details of the kind that have already been provided by the Minister during this debate. The real argument rests on that matter of principle which was widely canvassed by the Deputy Leader of the Opposition and supported or not supported by virtue of vote. I think, Mr Chairman, that it would enhance the workings of this Committee, and indeed your role as Chairman, if the debate were confined to the matter that is before the Chair. The other questions and answers of interest that are being sought can be sought by some other means, namely, by question on notice, by a discussion with the Minister, or by a letter to him.

Mr S.J. BAKER: My question relates to the revelation that we have just heard from the Minister that the TAB agencies will open on Sundays. I went through the Minister's second reading explanation and I thought that the first time round I must have missed it.

The Hon. M.K. Mayes: You don't read the paper.

Mr S.J. BAKER: Obviously I have not been reading the paper in reference to the opening of TABs on Sundays. The Minister is using the Grand Prix event as part of the leverage on this Bill and we should address that question separately but, as far as I can remember, no TAB agency has ever opened on a Sunday in this State. When TAB coverage has been provided, it has been by way of forward betting and not by opening TAB agencies on Sunday. In the past, that issue has not been canvassed. I understand that it is now part and parcel of the deal that is incorporated in the Grand Prix situation. I did not envisage that we would depart from these established principles of betting which are that the agencies open on those days excluding Sundays, so we get into other questions besides the three that I mentioned earlier.

I have done some very quick estimates and I find that the Minister's estimate of between $160 000 and $240 000 is quite significant in terms of what I understand the patronage of the TAB would be for those purposes. I intend now to withdraw my support for our amendment on the basis that I understood that it would be forward betting and not on-the-day betting. Can the Minister enlighten us as to the basis on which he came to the conclusion that turnover would be between $160 000 and $240 000? Secondly, what is the estimated expenditure on the opening of the 43 TAB agencies? On my calculations, that will be probably about $12 000, but could the Minister confirm that figure.

The Hon. M.K. MAYES: I am surprised that it comes as a revelation to the member for Mitcham that the Grand Prix happens to be on a Sunday and that the event will be able to be serviced by TAB agencies opening on Sunday. He is probably surprised to know that, for many years, bookmakers also have been able to operate on Sundays. In relation to the basis of estimating turnover on the Grand Prix—

Mr S.J. Baker interjecting:

The Hon. M.K. MAYES: This will be on course also.

Mr S.J. Baker: I was talking about first time off-course betting being by TAB.

The Hon. M.K. MAYES: That is so and that is why we will provide a service to the community. That is how we made part of our estimate, but the TAB has provided an estimate based on the New South Wales TAB, which provided a betting service on the 1985 James Hardie 1 000 motor race. That was one of the factors that was used. It made estimates based on turnover from that event and transposed them to its turnover here based on the trifecta, its pre-sale betting available offcourse and oncourse which was provided at that event. So, they have done their calculations on the combinations—

Mr LEWIS: A point of order, Mr Chairman. What the hell has this to do with clause 2?

The CHAIRMAN: Would the member for Murray-Mallee resume his seat? The Minister is entitled to answer the question as he desires.

Mr LEWIS: Notwithstanding your explanation, I am asking you what has it to do with the clause—

The CHAIRMAN: I am warning the member. This is the second and last warning. When I ask the member to resume his seat and I stand up, the member will resume his seat and be quiet. If it happens again, I will name him. This is the second and last warning. We might have a long way to go tonight. I can assure the honourable member that I am not fooling. I have given the member his answer, that the Minister is allowed to answer in his own way, which has always been traditional in this House.

The Hon. M.K. MAYES: I am, in fact, answering the question of the member for Mitcham in relation to the estimates which were used by the TAB to calculate the figure which has been used, and I believe that it is a conservative figure. The estimated costs for the operations on the day are approximately $17 000—

Mr LEWIS: A point of order, Mr Chairman. Under what part of clause 2 is it legitimate for the question to be asked or even the Minister to answer the question about statistical reasons for betting on Sundays or any other day? I understand, with your indulgence, that clause 2 reads:

> The long title to the principal Act is amended by inserting 'or other sporting events' after 'totalizator betting on football matches'.

What has that to do with percentages or projections or anything else? It is clause 2 that we are considering, is it not?

The CHAIRMAN: I have accepted that clause 2 has broadened the principle of the Bill and it was on the insistence of the members on the other side that this is so. I have given a lot of tolerance to the debate from the members on my lefthand side, and I am giving the same latitude to the Minister.

The Hon. M.K. MAYES: I am happy to answer questions on any clause. Since the member for Mitcham has asked me the question, I will continue as best I can, given the interruption. In relation to the total sales on the James Hardie event, it was $145 000 or thereabouts. They offered a trifecta—I think I made that comment—in relation to the betting only. The SA TAB will be providing on the Sunday operation a further win, place, quinella betting which will be provided in addition to the trifecta. So, based on those estimates and the turnover takings and the proportion which has been calculated by the SA TAB based on what occurred in New South Wales and the TAB figures there, the following proportions are estimated: a win would be 35 per cent; a place would be 20 per cent; a trifecta would be 35 per cent; and a quinella would be 10 per cent. These figures have been calculated, and I am putting this information in *Hansard* for the benefit of all members. Based on these percentages, the New South Wales TAB would have taken in the following turnover: $290 000 for a win, $166 000 for a place, $290 000 for a trifecta and $84 000 for a quinella, giving a total of about $830 000. That is the basis of the calculation on which they made their estimates and how they have transposed those figures into South Australia.

Mr S.J. BAKER: I am pleased that the Minister has revealed that estimation and has talked about administrative costs of about $17 000, so my estimate was well under what it would actually cost. Both the Minister and I can claim some knowledge about statistics. Based on my calculations, we cannot go through that exercise. As the Minister admitted, the only betting facility was the trifecta on

that particular event. Given that that was the only facility available, there are two possibilities for people who want to bet: either not to bet at all or place the money they wish to bet on the trifecta.

While I cannot argue with the Minister's figures about the relativity that exists between the various forms of betting, the inclination of a person to bet on that event would be in some ways directed by the availability of betting mediums. More importantly, it would be dictated by the amount that that person wished to spend on the event. The $830 000 might be a gross over-estimate of the potential betting based on the James Hardie event. If we discount that sum for the turnover differences between the two TABS and we use the factor of one in five or one in six, even on $830 000, which I have suggested is grossly inflated, we get back to about $160 000. So there seems to be an over-estimate.

The Hon. M.K. MAYES: I enjoy an argument with figures because it can add to the truth, although there is a famous saying about statistics: they can be made to say what one wants. As to the figures, the calculation has been based on South Australia having a quarter of the population of New South Wales—the figure has been devalued.

Members interjecting:

The Hon. M.K. MAYES: There is another assumption. The member for Mitcham would appreciate the assumptions that are behind any assessment before one makes any statistical analysis. One should look at what happens when there are multiple betting alternatives for punters. Let us get down to the facts and not gloss over it: in Footy Punt, turnover in terms of just win, for example, represents only 36 per cent of the investment. For a treble, for multiple betting (and most people probably enjoy taking that additional risk and getting the additional return), it is $684 000 out of the $1 million or 63 per cent.

The TAB has been fairly conservative in its calculations through its place, trifecta and quinella in particular.

We are talking about 100 000 plus people on the day. We are looking at at least 250 000 people being at the event over four days. If one looks at that figure and builds in other multiple betting configurations, then the TAB is being conservative.

I accept that we could be making some high estimates, but I believe it is a fairly conservative figure. Indeed, I have a fair amount of trust in the statistical skills of the TAB. The member for Bragg, as shadow Minister has spoken to the TAB and could comment in relation to his conversations with the TAB General Manager. We can be reasonably confident that it is a conservative figure. Indeed, I accept that there could be a higher estimate on the calculations, given the assumptions made to build those figures.

Mr INGERSON: In relation to the question of opening on Sunday, can the Minister say whether this has been the first decision in which he has changed the function of the board, using the power that he has to control the board? Section 51 (1) of the Racing Act, sets out the functions of the board. It enables it to conduct off-course totalizator bets, to act as agent for on-course bets in relation to racing clubs, and to run Footy Punt. Section 52 relates to performance, exercise and discharge of functions subject to the general direction and control of the Minister. It seems that, in this instance, the only way in which we can run the TAB function on course and on Sunday is for the Minister to exercise his power. That seems to be exactly the purpose of all the comments here tonight—that we have the Minister changing the functions of the board by ministerial direction, as he is entitled to do. Would the Minister clarify that situation?

The Hon. M.K. MAYES: I disagree with the honourable member's interpretation. I have not directed—

Mr Ingerson: How else can it happen?

The Hon. M.K. MAYES: It has the power under section 52.

Mr Ingerson interjecting:

The CHAIRMAN: Order! This is not question and answer time.

Mr INGERSON: As betting on the Grand Prix is the principal function that the Minister has put forward, I would have thought that it is fairly fundamental that the Parliament be told how the functioning of the TAB can take place under the Act. I am not trying to be smart but am asking under what provision it can happen. There is no mention in my copy of the statement of those functions in relation to the board, but of course the Minister has the power to direct. I am not disputing that, but the Parliament ought to know whether that has occurred to enable the TAB to do it.

The Hon. M.K. MAYES: I disagree with the honourable member's interpretation, and I am supported by the advice I am getting from the experts. There is no limitation on the power of the board to conduct betting on any day, and that has always been the case. I am not suggesting that the honourable member is being smart. I am surprised at his interpretation. It has always been my understanding that the TAB had the authority to conduct its offices and agencies on any day of the week, and that is the expert interpretation as well.

The Hon. J.W. SLATER: Will the Minister say whether, in the case of a sporting event not being financially successful from the TAB viewpoint, the distribution of profits to the racing codes will be affected in any way? If betting on an event such as the Grand Prix is not financially successful, I take it that the TAB will bear the loss. I want to be assured that, in the event of a loss or betting on any sporting activity, it will not affect the three racing codes.

The CHAIRMAN: I will call on the Minister to answer, but I remind members that we are dealing with the long title and that this question might be asked on a subsequent clause.

The Hon. M.K. MAYES: I do not accept the honourable member's negative and pessimistic view in regard to the possibility, because I believe that, given the track record of our TAB and the obvious enthusiasm there is within the agency itself and among its board members, they have done their homework pretty thoroughly. It would seem from their calculations and the discussions I have had on the matters raised by the member for Mitcham that it will be profitable. It is probably a question of how much: that is really the matter we are debating tonight—how much will go towards State sport. It would come out of general revenue, which would affect distribution. It would affect the Government as well as all parties involved.

Mr BECKER: Because of the implications of the amendments to this clause, I am taking the opportunity to ask the Minister what applications he would receive from sporting organisations to be included for consideration in betting on their particular sporting function or event. As the Minister knows, I am patron of the Auto Cycle Union in South Australia and there are some motor cycle events which attract very large crowds, for example, Motocross. In 1988 we have the world title six-day endurance championships which it is hoped will attract many thousands of visitors from interstate and overseas.

Would those types of events be accepted, should the organisations concerned apply, and might other sporting organisations which attract large community support and

interest also apply, or would it be a matter of the department making a selection from time to time?

The Hon. M.K. MAYES: As I understand it, applications would be made for recognition as a major sporting event. It would come through the TAB, and be processed by that organisation, requesting recognition of that sporting event by the Minister. I would think that an event such as the six-day endurance event will be of such consequence that it will probably attract the attention of the TAB. It seems to me that is the standard: the national and international events which are being staged in this State.

The Committee divided on the clause:

Ayes (21)—Mr Abbott, Mrs Appleby, Messrs Becker, Crafter, De Laine, and M.J. Evans, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, and Klunder, Ms Lenehan, Messrs McRae, Mayes (teller), Payne, Peterson, Rann, Robertson, Trainer, and Tyler.

Noes (14)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker, and Blacker, Ms Cashmore, Messrs Eastick, S.G. Evans, Goldsworthy, Gunn, Ingerson, Lewis (teller), Meier, and Oswald.

Pairs—Ayes—Messrs Bannon and Plunkett. Noes—Messrs L.M.F. Arnold and Wotton.

Majority of 7 for the Ayes.

Clause thus passed.

Clause 3 passed.

Clause 4—'Interpretation.'

Mr LEWIS: I must rise to protest that it is not legitimate for us simply to pass this clause as it stands. Is it possible for the Minister to simply direct that two or more events can be amalgamated in determining how much, if anything, the agency pays back to the sponsoring organisations? Does the Minister really understand what this part of the Bill proposes to do in connection with the concern that I have raised?

The Hon. M.K. MAYES: The simple answer to that is 'Yes'.

Mr M.J. EVANS: In relation to the definition of a 'totalizator pool' for the special events that it is proposed will be the subject of these new provisions, is it intended, as I read paragraph *(c)*, that a separate pool will be formed in relation to each designated special event or sequence of events where a sequence of events must relate to the one event? The sequence of events will relate to one Grand Prix, for example, not to a Grand Prix, plus a football match, plus another athletics match. Is it intended that a pool will be formed in relation to each separate special event?

The Hon. M.K. MAYES: Yes.

Mr LEWIS: Given that the Minister has assured us that he understands the meaning of this provision, will he mind informing the Committee of this?

The Hon. M.K. MAYES: I think that I have outlined to the Committee *ad nauseam* the implications of this Bill. The understanding that I have of the Bill I am sure is shared by the majority of members. Those who have not come to understand it I cannot account for nor can I explain it to them in any great depth. The second reading explanation outlines the implications. The member for Murray-Mallee's colleagues have outlined their moral and, I suppose, social objections to this Bill. I really cannot add anything more than to say that this paragraph deals with some of the structure of establishing the ability of the Totalizator Agency Board to actually conduct betting on major sporting events. I do not believe that I can add anything more to what has already been said.

Mr LEWIS: I am disappointed because, notwithstanding my moral reservations about the legislation, it does not mean I am completely bereft of any practical capacity to, as it were, divine the implications of the measure in real terms. The Minister has failed to explain to me why it is not possible for him now to simply pool the Lions Club frog race in Meningie with the Bay Sheffield and determine that, if the majority of the Lions Club in Meningie are Labor Party supporters, they will get the half slice of the proceeds of the bet that is placed on that day in the pool that he may choose to declare. I find that, as a matter of discretion left to the Minister—

The Hon. H. Allison: Will that be totalizator betting on the frog race?

Mr LEWIS: Totalizator or anything. I find it amazing that the Minister can arrogantly dismiss my concern. The fact that I have quite legitimate moral reservations about the overall impact of the legislation does not mean that I am an absolute ass when it comes to analysing the statistical consequences of the Totalizator Agency Board's recompense to each of the contributing organisations in the pooled arrangement. If the Minister cannot give me and the Committee a better assurance as to what this clause means, qualified by paragraph *(d) (a)* and *(d) (b)*, I do not think we should lightly pass the proposition as it stands. The Minister can presently mix oats with nails and sulphuric acid and decide who gets what at the conclusion of the day's, as it were, reactions. I do not reckon that is a fair way to go about things.

The Hon. M.K. MAYES: I really have nothing more to add to what I said earlier other than that I think the member is his own worst enemy in regard to advocating his particular case on any issue. Frankly, if he cannot understand the answer I gave the member for Elizabeth and deduce from that what the implications are in relation to this clause then all hope and logic fail me in my ability to explain—

The Hon. E.R. Goldsworthy interjecting:

The Hon. M.K. MAYES: I understand the honourable member's point. I have answered the question on several occasions. Obviously the Deputy Leader was not here when I did so. I will answer the question again in relation to the identification of a major event. It will be signified and identified by the TAB as a single event. Within it there can be multiple calculations of various configurations for the event. For example, in relation to the Grand Prix we can look at what might occur in relation to the ability—

Mr Lewis: Why doesn't it say that in the legislation?

The Hon. M.K. MAYES: The legislation does encompass all of the points that I have referred to. If the honourable member wants to take an Acts Interpretation course he is free to do so as many of us have done and many members of the community have done and have enjoyed. I encourage him to do so because the business of the Committee might then proceed with greater speed.

Mr M.J. EVANS: I follow on from my previous request, which the Minister has answered. I refer to the formation of a pool in relation to a special event that is not particularly successful—and I am not referring to the Grand Prix, because I expect that that will be successful; it could be another event of lesser magnitude and significance. Is it possible, given the number of payments that have priority out of the pool, and given that the pool is limited to that event, to have a negative pay-out for winners of less than the amount they invested on their bets? Because the pool is not large, there might be a large number of winners and the administrative costs and pay-outs are substantial, as the member for Semaphore mentioned in relation to Sunday opening. Is it possible, therefore, to receive less on a pay-out than one invests, having won a particular bet with the TAB?

The Hon. M.K. MAYES: I think that question merits a very detailed answer. If the pool is not capable of meeting

the investment return, which is 80 per cent, it is taken from general fractions within the TAB reserves. If that is not the case, I understand that it comes from the dividends adjustment accounts, but that has never been the experience of the TAB. In doing this, we are assessing what the TAB has assessed in its economic analysis, that is, that it will not reach that situation. From past experience with events covered by the TAB, there has never been a situation where it has gone past touching the fractions account.

Clause passed.

Clause 5 passed.

Clause 6—'Functions and powers of the board.'

Mr INGERSON: I refer to clause 6 *(b)*, which inserts in subsection (1) new paragraph *(d)* where mention is made of major sporting events within or outside of Australia. Why are other events outside Australia included in this general context, and what are they?

The Hon. M.K. MAYES: Taking the converse, I imagine that many people in this State may wish to place bets with the South Australian TAB in relation to the Grand Prix. We are offering investors that service in our State. I say that from experience, because I was interviewed by members of a sporting radio program in Perth. They were very positive about it and asked whether or not Western Australians could have accounts with the South Australian TAB. We are offering betting facilities for World Series cricket, if it continues in the United Kingdom next year. I will not mention the name of the sponsors, but we can offer that facility in relation to that sporting event.

Mr D.S. BAKER: If that is the case, and knowing that there is a time difference, will the TAB open on Sundays so that people can place their bets for international sporting events held on Sunday nights on the other side of the world?

The Hon. M.K. MAYES: As I said in reply to a question from the member for Bragg, it is not for me to direct the TAB when to open. The TAB has powers under the existing Act to determine when it will open and has had that power since the inception of the Act. It obviously determines the most economic period for it to open. I imagine that it will give serious consideration to that matter if it puts to the Minister that it has the power under the provisions of the amendment to decide that there should be betting on the Grand Prix in, say, the United Kingdom, Austria, or wherever.

Mr LEWIS: I will put down my view about this clause along with other clauses of the Bill. Its effect is to reduce the amount of revenue available to the South Australian Jockey Club, and the Minister knows that. It does not matter what he says to the Jockey Club, or publicly: the Minister knows damn well that it will reduce the amount of revenue that they derived from betting, notwithstanding all the promises that were made when former Premier Dunstan introduced this agency and promised the racing codes that a Government-run totalizator would not reduce their income.

In fact, he and supporters of the legislation argued that it would increase revenue. It is now seen quite clearly by the Government of today that this measure, and the Totalizator Agency Board to which it relates, is an arm of revenue raising for this Government. It does not give a damn about horse racing, harness racing, or about the people who become addicted to gambling of one form or another. It is happy to let different forms of gambling proliferate. It wipes out with this clause, more than with any other clause in the Bill, the capacity for restricting gambling to particular codes or events.

Therefore, clause 6 is the death knell of the capacity of the South Australian Jockey Club to budget annually for a reliable amount of revenue indexed against the CPI, because the Government now has the power simply to expand the range of options which are available to it and on which it can say the public can gamble. That can be done without this Parliament considering the matter, and to hell with the consequences for the South Australian Jockey Club, the trots, or the dogs—so long as the Government gets the revenue it wants. This clause is all that matters, because it gives the Government that right.

It gives the lie to the things said to the simple, half witted fools in the South Australian Jockey Club and the other codes which allowed the establishment of the Totalizator Agency Board in the first place. They deserve the chickens that are now coming home to roost. The Government does not care about anything at all except the revenue that it can derive from the total amount that is gambled. I sometimes wonder, when I look at the economic analysis in the macro context, whether the Government has gone too far, because the amount of money that will be soaked up in meeting the overhead costs of the plethora of forms of gambling which are now possible will reduce the amount that any Government could otherwise have earnt by way of gambling tax to meet the welfare costs that will most certainly result from this kind of untrammelled expansion. There is no other way in which we can now prevent the Government from encouraging unthinking citizens—incompetent and unable to otherwise examine why they are doing what they are doing—to continue gambling more than they can afford.

The Government is literally encouraging those people who are not in control of their own destiny to destroy themselves, and it expects the taxpayers to pick up the cost of restoring those people or looking after the broken lives, broken families and broken homes. I think it is appalling that the Labor Party *en bloc*, without exception, already has voted to support that kind of approach. It does not care.

The Hon. M.K. MAYES: I could reply at length to those comments, which I really think do not deserve much attention—

The Hon. Ted Chapman interjecting:

The Hon. M.K. MAYES: I thank the member for Alexandra; I will not. I appreciate his need as well as everybody else's need. I think that the member for Murray-Mallee should remember the overtime that is being caused for the staff of this Parliament because of his utterances.

The Hon. E.R. Goldsworthy: That is completely out of order.

The Hon. M.K. MAYES: It is not out of order.

The Hon. E.R. Goldsworthy interjecting:

The Hon. M.K. MAYES: I would not want to learn it from you.

The CHAIRMAN: I ask the Minister to address the Chair.

The Hon. M.K. MAYES: Thank you, Mr Chairman, I will. In relation to turnover and whether this Government cares about the SAJC and those insulting remarks made by the member for Murray-Mallee about the committee of the SAJC, I totally disassociate myself, and I am sure that those sensible members on the other side of the House would disassociate themselves also from those comments. The Government is concerned about what is happening and has had ongoing discussions with the SAJC in relation to the impact of various factors regarding TAB turnover on those codes.

If we look at what has occurred in the industry, we see that, in the last year, particularly in relation to galloping, there has been an increase in turnover in the TAB of about 18 per cent. The return to galloping for 1986 was $8.23 million compared with $6.95 million in 1985, which is an

increase of $1.285 million, or 18.5 per cent. That represents a figure well above 10 per cent on inflation, so members can see that, when they look at what has happened with Footypunt which was $1.084 million, there has been a major increase in the turnover from the TAB. So, the utterances from the member for Murray-Mallee about the impact of this legislation and our not caring as a Government are ludicrous and do not even warrant my comment in relation to this Government's attitude and its commitment to racing and the other codes in this State.

Of course we are concerned. We believe that this area will in fact be new money and that it will be an opportunity for those people who support these sports—and I particularly refer to the Grand Prix—to do so. Discussions between the TAB and the South Australian Cricket Association are very much advanced, and I know, as does the shadow Minister from his discussions, that both organisations are very keen and positive to see it instituted. The Government, the TAB and sporting bodies believe that this gives an opportunity to those people who have not previously had an opportunity to support their codes. Also, a large proportion who may not be interested in racing will now have an opportunity to wager on their favourite sport.

Mr LEWIS: I simply rest my case by making the observation, despite the Minister's protests (and I see that the member for Brighton is out of her seat waving me down without remonstration from you, Mr Chairman), that the Minister stands there reminding me of that Dickensian figure, Uriah Heep, wringing his hands in glee.

Clause passed.

Clause 7—'Acceptance of and payment on totalizator bets.'

Mr INGERSON: Clause 7 (2) specifically mentions that winnings on bets should be paid as soon as practicable after completion of the race. What does that mean in relation to Grand Prix betting, and so forth? It seems to me that it is a different type of betting. How does that fall in with what is envisaged?

The Hon. M.K. MAYES: My response would be, having checked with the officers concerned, that it would be as soon as possible after the completion of the event, and that would be the next working day. That is my assessment.

Clause passed.

Clause 8—'Repeal of ss 84i and 84j and substitution of new headings and sections.'

The Hon. E.R. GOLDSWORTHY: I do not wish to canvass again the whole compass of the debate on the ministerial powers conferred in this Bill. To recap very briefly, I object strongly to 84i (1), which in no way sets out to define what is a major sporting event or what a combination of such events might comprise. So, I am certainly not happy with that provision. Clause 84i (2) states:

> Any such totalizator betting shall be governed by rules approved by the Minister.

We have been through that point exhaustively and I am certainly not persuaded by the only new point the Minister raised, and that was that it occurs somewhere else. I am not the slightest bit interested in what occurs somewhere else. If the Minister seeks to suggest that we in South Australia should not make our own rules and our own decisions in this Parliament, so be it, but I do not subscribe to the argument that because somewhere else they have this power, therefore it is appropriate to vest it in any Minister in this State. That was the only new point he raised, and I certainly will not swallow that. Subclause (4) states:

> The Subordinate Legislation Act 1978 does not apply in relation to rules approved under this section.

That ensures that it does not come before Parliament. Without debating this *ad nauseum*, I simply say that this is the clause that gives effect to what the Minister is on about, and I am totally opposed to it.

Mr INGERSON: In relation to the Grand Prix, has any decision been made by the Minister as to who is likely to get its share of the profit? Has it been suggested that it would go to the Grand Prix Board or to the organising body, which is CAMS Australia, or is it likely to go into the Sport and Recreation Fund?

The Hon. M.K. MAYES: At this point of time, discussions have not been completed with the Treasurer as to where the funds will actually go. It certainly is my intention that they will go into the Sport and Recreation Fund. The Treasurer may have some desire to have some portion of that fund, but I hope that we can negotiate a situation where the moneys come directly into the sports fund. It will not be going into the Grand Prix kitty. It is my intention to see that it is directed to sports in this State, and I would like to see it directed into development and junior sports in particular.

Mr INGERSON: Does the suggestion that it may go to Treasury mean in fact that Treasury would get more—

Mr Lewis interjecting:

Mr INGERSON: —than its 50 per cent take out of the fund, which has been the traditional take by Treasury out of Footy Punt and also all TAB as it relates to racing? Is that a suggestion by the Minister that the Treasury is in fact putting pressure on, and, perhaps in line with the comment by the member for Murray-Mallee, the Government or Treasury in particular is seeing these extra events run by TAB as being money makers for the Government?

The Hon. M.K. MAYES: Far be it from me to cast any aspersions on the activities of Treasury officers. All Ministers experience their advocacy skills concerning gathering money within their general ambit. My intention is to argue for the whole lot to go into Sport and Recreation: that is where I stand, that is what I want to see occur and that is my position. The Treasurer has not put any pressure on. We have had the opportunity for brief discussions relating to the funds that will come from it, and it has been a very amicable discussion.

The Hon. Ted Chapman: The share is already set out.

The Hon. M.K. MAYES: There is a share there, as the member for Alexandra states. I will be arguing that we should have it go to Sport and Recreation. There have been no detailed discussions with the Treasurer. I have made my point clear, and it was made clear in the Cabinet debate.

The ACTING CHAIRMAN (Ms Lenehan): I understand that both the member for Bragg and the member for Elizabeth have amendments on file. However, as the member for Elizabeth's amendment relates to an earlier part of the clause, that has been the deciding factor and I ask the member for Elizabeth to move his amendment.

Mr M.J. EVANS: I move:

> Page 3, lines 15 and 16—Leave out 'with the approval of the Minister' and insert 'in accordance with the regulations'.

I move this amendment for one reason alone. This Act constitutes a significant departure from the established routine of this Parliament concerning the extension of the gambling franchise. Up to now, when the Government of the day has decided to extend the practice from the traditional racing codes to include football and the like, it has brought in an amendment to Parliament and the Act has been amended accordingly.

It is now proposed that we should further extend the franchise to include major sporting events. Obviously, that includes some events with which we are fully familiar and

clear, and that obviously would be the Grand Prix. I have no objection to betting on that event. It seems perfectly reasonable to me in this context. Of course, it will also include a number of other major sporting events. There is no definition of 'major sporting event'. That matter is left to the interpretation and decision of the Minister. While that may be a reasonable practice given the fact that the area of extension is limited to 'major sporting event,' it is essential that some form of direct accountability to this Parliament is retained—apart from the Minister's traditional accountability under the Westminster system, which is a very general and vague matter which puts the whole credibility of the Government on the line when one is talking about one small amendment to an Act.

It is far more appropriate that Parliament should retain the right to debate in the normal course of events the way in which the Minister exercises his power to extend the gambling franchise within the limited and defined area to which Parliament is now extending it. It is a perfectly reasonable proposition to suggest that in this clause we should seek to have that accountability directly to this Parliament by means of requiring a regulation to define the specific events to which this Act is being extended.

In this way, on the specific occasions when the Minister considers it appropriate, he simply gazettes a regulation through Cabinet and Executive Council. That can be done without any significant inconvenience to the Minister, and certainly with no more inconvenience than is involved in defining or obtaining an instrument of approval for the TAB, and in that way the public are immediately advised through the medium of the *Government Gazette*. When Parliament next meets or when it is in session the relevant regulation will be laid by the Minister on the table of this House, as well as in another place, and it can be quite clear to members just what is taking place in this area. Should they wish to debate it and should someone wish to move a motion disallowing it, it can be debated in the normal forums in this place.

It is quite possible that those regulations would go through without any demur and Parliament would not express any opposition to that regulation. It may be that some members may wish to debate those regulations and such debate would take place in accordance with the normal forums of this Parliament. As the Bill is drafted at the moment, the Minister simply needs to give his approval and then make the rules under the provisions with almost none of that having to take place in a public forum. It certainly does not need to be tabled in this place and there is certainly not any established mechanism whereby that significant extension to the gambling franchise would be debated in this place.

I do not wish to put forward proposals to unnecessarily hamper or restrict the Minister in the way in which he administers the Act—I do not believe that that would be appropriate. He is certainly accountable and will be held so by the public in the long term. However, in order that this Parliament should continue to play at least a limited role in defining what constitutes a major sporting event, and in defining the directions in which this Act will continue to flow, it is not unreasonable that the Minister should bring a proposal before the public and the community in the form of a regulation which, of course, takes immediate effect but which is subsequently able to be debated and possibly disallowed by this Parliament if that were to be considered to be in the public interest. I move this amendment in a spirit of acknowledging the Minister's role in defining this area but also in reserving to the Parliament the right to comment in the normal forums of the Parliament on what actions the Minister has taken to date.

The Hon. E.R. GOLDSWORTHY: I support the amendment, although it is far from perfect in coming to terms with what the honourable member seeks to do. He obviously subscribes to the proposition put on several occasions during this debate that Parliament ought to be determining to what sporting events betting will be extended. I point out a weakness in the amendment. The Minister or the Government can promulgate regulations and make them operative and the sporting event can come and go before Parliament meets. Regulations operate until they are disallowed. If Parliament is not sitting, the Minister can declare a major sporting event, as his whim may dictate, and the betting will be instituted, the regulations gazetted and the event will be over before Parliament has a say.

I would have thought also that the amendment does not sit comfortably with subclause (4). Here we will have a set of rules to be governed by regulation, but the Subordinate Legislation Act will not apply. I see some conflict.

Mr M.J. Evans: That deals with rules, not regulation.

The Hon. E.R. GOLDSWORTHY: I hope that what the honourable member says is the case. I am happy to support the amendment as it does at least attempt to redress what I think is a gross extension of ministerial and executive authority over the rights and privileges of members of Parliament.

Mr PETERSON: The Deputy Leader seems to be saying, that, if we were not in session and there was an event coming up that needed the approval of Parliament for it to be placed on the TAB register, we could not do it anyway and the opportunity may be missed for a very worthwhile event on which the public should have been able to bet. I see nothing wrong with the system as long as somewhere along the line the Minister is directly answerable to this Parliament.

As this Parliament always has the power to disallow a regulation it seems to me that that is about the best way of dealing with the matter. As we cannot possibly pass any legislation when we are not here, the Minister would be ineffectual if he had to put anything forward at that stage. If there is a problem with what the Minister does by regulation, we can come back at a later date and disallow that regulation.

The Hon. E.R. Goldsworthy interjecting:

Mr PETERSON: It is better, because under the system as proposed, if we are not in session we cannot give the Minister permission to do it.

The Hon. E.R. Goldsworthy: No, the Minister—

The ACTING CHAIRMAN (Ms Lenehan): I call the House to come to order. Will the Deputy Leader address his questions through the Chair?

Mr PETERSON: If we are not in session we cannot give him permission, so it cannot happen.

The ACTING CHAIRMAN: This is not a debate across the floor.

Mr PETERSON: If we are not in session we cannot pass any legislation to allow the betting to take place. Take the example of this year. We have been off since March. If something had occurred during that time, we would not have found half the members of Parliament if we needed to call a session. As I understand it, they were spread pretty well all over the globe, so it would not have been possible for that to be passed.

The Hon. Ted Chapman: You speak for yourself.

Mr PETERSON: I did not leave the State; I barely left Semaphore. If something had come up in the previous four months the Minister could not have done anything. Under this system he can, but he is answerable to our ability to

deal with that regulation at a later date. I think that improves the Bill.

Mr LEWIS: I think what the member for Semaphore has said illustrates the log jam there is in his brain and in the brain of most other members, when I look at their vacant faces. If the Government wants to make it possible for the TAB to conduct a bet on an event, it ought to have the Parliament in session and it ought to pass the legislation to do so. This amendment, moved by the member for Elizabeth, would mean that the previous Minister of Recreation and Sport could have simply, last September, had this Bill as it now stands been an Act, brought in a proposition to allow TAB betting and there would not have been a darn thing any of us could have done about it because it was at that time, in October last year prior to the election, that private members time was cut out.

That is my first objection, because we need to have access to private members time to be able to debate whether or not the regulation should be disallowed, so it would have taken nine or ten months before we got to it. I remind the members for Semaphore and Elizabeth that there was no private members time at all during the nine days we had in February. There was no private members' time on which we could have moved the disallowance, argued it and taken a vote on it, so the Parliament is effectively disfranchised under this proposition, and the Minister at the time is entirely free to do as he or she pleases.

If we are sincere in our belief that Parliament, rather than the Minister, acting under whatever pressure there is on the Minister at the time, ought to be in control of the kind of things upon which gambling is possible, we ought not to support the amendment. We ought never to have moved and countenanced this proposition because it is nothing more or less than tokenism.

The Minister may decide to bring down regulations three days before the event. After midday on Thursday the Parliament would have no chance of doing anything about such a regulations and yet TAB betting could be possible on the following Sunday. Notwithstanding that the Minister could have said several weeks before that there would be TAB betting on such an event, the very fact that the Minister had not brought down the regulations until Thursday afternoon could mean quite simply that the opportunity of a member to move for disallowance would be completely denied. Bringing down a regulations on Thursday afternoon would give the Minister *carte blanche* to have TAB betting, to create the expectation that there will be TAB betting and to give the imprimatur to that.

To vote in support of such a proposition would be to completely abrogate our responsibilities as members of this place, if we really believe that Parliament ought to decide which events should be covered by TAB operations. It is for that reason, and no other, that I urge the member for Elizabeth and all members to reconsider their position in support of this proposition. They should oppose it. If they believe, as I do, that such decisions ought to be made by Parliament and not by the Minister, they should support the member for Bragg's proposition, as that would enable the Parliament to make the decision and not put the Minister in the unenviable position of being pressured into deciding what should or should not occur, knowing full well that he or she has no defence against the arguments that would be advanced.

The Hon. M.K. MAYES: I refer to the member for Elizabeth's amendment to lines 15 and 16 on page 3, concerning regulations. Previously, the former Minister of Recreation and Sport devoted some time in response to the same question that was considered at that time. In relation to the rules, the honourable member sought a clarification regarding paragraph (4) of proposed new section 84i which refers to the Subordinate Legislation Act. It is quite apparent that, within the Racing Act now rules can be made by the TAB on recommendation of the Minister in regard to the conduct of a gambling exercise, whether in relation to a major event cited in the current Racing Act or Footy Punt, for example. So, I think the rules are pretty clear cut, and they determine the configuration of betting that exists. The honourable member's answer to the Deputy Leader's question was quite true and accurate. In relation to the regulations, it is important to note the chronological order by which events might occur in terms of the Minister's role in approving betting to apply to a major sporting event. Absolute accountability to Parliament is retained under the Act, and if a Minister errs or makes an error of judgment in regard to a major sporting event he is held accountable to Parliament. I suppose that if the Minister sought to include a Little Athletic Association event in the proposal that could be seen by the Parliament as the Minister's erring in the exercise of that responsibility.

I believe there is an immediate avenue available for the Parliament to address that situation under the terms of this legislation. If the Parliament was not in session and a major international sporting event was added to the calendar and TAB believed it was important that its supporters be given the opportunity to invest, and if the Minister exercised that decision and recognised it under the Act and that event took place (and, it is hoped, was a success), then it would return to Parliament, the Subordinate Legislation Committee would consider the regulation, and it would be history—it would have passed. I agree with one of the points made by the member for Murray-Mallee but I do not agree with his general thrust, which is to oppose the overall point of the Bill.

The Hon. E.R. Goldsworthy interjecting:

The Hon. M.K. MAYES: Yes, the event has passed. In a sense, for the member for Murray-Mallee's comfort, the member for Bragg's amendment obviously covers that aspect where the event is not history: we would be looking at an actual event, and the Parliament would have authority in those circumstances to determine the matter. I do not believe that that is so. I have debated Executive Government with the Deputy Leader, and he plays a part in that Executive Government. However, I will not make any further comment on that. Certainly that is how we have operated.

The Hon. E.R. Goldsworthy interjecting:

The Hon. M.K. MAYES: I will pass up that opportunity at the moment, but I am happy to comment on it outside. I believe that the member for Elizabeth is endeavouring to develop Parliament's authority and make the Minister accountable to the Parliament in relation to the implementation of the Act. That is taking away the intention of the Bill. I suppose that I agree with the member for Murray-Mallee on whether or not we should actually have approval for gambling to take place on major sporting events. This really is being quite petty in bringing the matter to a level where it does not really involve the issue in question, that is, whether we should have the authority.

Basically this clause highlights the whole emphasis of the Bill, that is, with the approval of the Minister, conduct totalizator betting on a major sporting event or combination of events. That is really what the member for Murray-Mallee directed his attention to, and he opposes it. However, I am in favour of the proposition. The member for Elizabeth is attempting to draw in a net which would bring the Minister under greater accountability to the Parliament. I do not believe that is appropriate, because I think that

once the event is passed it is history and it is looking at the past. If another event comes up and Parliament is in session, I suppose that such a provision could be invoked in the circumstances. However, it is highly unlikely, given our situation, that that will occur. I think the member for Elizabeth is splitting hairs in this—

The Hon. Ted Chapman interjecting:

The Hon. M.K. MAYES: I am not provoking anyone. I am endeavouring to answer what I believe is a serious question from the member for Elizabeth. I believe that it is splitting hairs, and I think that the Minister is very much accountable to this Parliament on any aspect that he implements in regard to this clause.

The Hon. E.R. GOLDSWORTHY: I briefly indicate that the logic of the member for Murray-Mallee is inescapable. Out of courtesy, I indicate that I will not support the member for Elizabeth.

Mr M.J. EVANS: I think that the Deputy Leader should give it further consideration. I believe that both the Minister and in this respect his strange bedfellow the member for Murray-Mallee have completely misdirected their thoughts in relation to my amendment. The member for Murray-Mallee in his consideration needs to compare not only my amendment but what is currently in the Bill. Mine is the alternative between ministerial approval by administrative decision and with Government decision by Executive Council and regulation. In my view the distinction between those two forms of Government administration is substantial.

The member for Bragg has circulated amendments which go in another direction altogether. Were those amendments to be successful, they would replace what could be in the Bill in an amended form as suggested by my amendment or what is there in the Minister's original form. However, that debate is yet to come and it is not really relevant at the moment. We must weigh the alternative of an administrative decision for the extension of this gambling franchise as against a decision by regulation. If the Minister has so little respect for the process of regulation making, I suggest that he undertakes a major investigation into the Acts under his portfolios to review that process because his name appears in the *Government Gazette* more frequently than those of many other Ministers as the author of regulations.

Regulation making is a process that is well established in our parliamentary democracy to ensure that Parliament retains a role to play in these issues. Even if on some occasions I acknowledge that that role will be historical, it is the function of this Parliament to not only legislate but to hold the Government and the executive government accountable, necessarily on an historical basis because we cannot predict what it will do in advance on all occasions. For example, the Auditor-General's Report is a voluminous historical document, but the Minister would not suggest that Parliament should not consider that document simply because it is historical and it has gone. There may be subsequent sporting events in following years frequently taking on an annual characteristic. It may be that the Minister will move to regulate a particular sporting event. The first one may well come and go before Parliament makes a pronouncement on it, but the event will occur in the following year, and if no regular means of ensuring parliamentary scrutiny is provided, the Minister's administrative decision will continue into the future.

It may well be that the first instance of an annual event is historical when Parliament considers it, but the following events for the next 10 years will not be. They are the decisions that I would like to see Parliament play a role in. I invite the member for Murray-Mallee to consider the alternatives before him rather than pursuing his hypothetical view of what he would idealistically like to see contained in this proposal, which, I take it, is nothing. That does not look to be a terribly viable option at this stage. I think it is far better to seek to improve what is in the Bill rather than take a destructive attitude to it.

It is for that reason that I suggest a continuing role by Parliament in overseeing it. I believe that the Minister should place a higher priority on regulations since they permit him to proceed with the administration of the Act without any undue interference. They ensure that his decisions are given publicity through the *Government Gazette* and, therefore, make the public aware of his activities, and they also ensure that decisions come before this House in a regular, orderly and reasonable fashion for debate, if that is required. It seems to me that that process is far more reasonable for the conduct of Parliament's business. That is why it is so well entrenched in our history and pattern of working.

Mr LEWIS: Before I allow the proposition to be put to the Committee there are four substantive points that I need to make in answer to the assertions already placed before the Committee. They are, first, that notwithstanding the belief, which may well be true, advanced by the member for Elizabeth in a sermon directed to the Minister in which he said that if the Minister does not like the idea of having regulations to do things he should look at the number of regulations he puts through the *Gazette*—and that is the simple terminology of it—nonetheless the Minister has demonstrated to the Committee, to my pleasant surprise, the intellectual honesty with which he has assessed my appraisal and description of the real situation, whether the public expectation that the TAB could conduct betting on an event be created by publicity given to it several weeks in advance of the regulations and the proposition being put before the House in the event that the member for Elizabeth's amendment is successful.

I sincerely believe that, if the member for Elizabeth's proposition were successful it could be thwarted by any Minister, because the expectations will be there and the Minister announces after midday on Thursday, for example, that it is now possible for the TAB to conduct betting on that event. We, as private members, and as individual members of this place, will have no say in that matter. I accept the point made by the member for Elizabeth when he said that these things tend to be annual, but once something has been done for the first time it is difficult to reverse the situation, especially given the reluctance of this Government to provide information about its firsts: it simply tells you it costs too much to dig up the information and you have to go without it, so one is flying blind the next time one comes to make an assessment of the matter.

My third point is that—and I accept that the Minister does not want this to happen—as members what we need to do is not support the proposition put by the member for Elizabeth, which is really tokenism, but support the proposition that the Parliament ought to make this decision the way he wants it to be made: there is nothing wrong with that. If the Parliament is not in session it is the Government's responsibility to get the place in session. Why do we have to be standing out there in the netherlands incapable of making any decisions for five or six months on end?

Why can we not sit and address the business of policy propositions of the day and make those propositions? It does not seem to me at all logical to simply argue that because the Parliament is not in session we will not have a chance to do anything about it. It should be in session: that is what we are elected for and what we are paid for, and

we are in contempt of our electors and taxpayers who pay our salaries if we do not accept that as our reasonable responsibility. That is why I have put down the position that I have urged other members to support.

Amendment negatived.

Mr INGERSON: I move:

Page 3, after line 17—Insert new subsections as follows:

(1a) The approval of the Minster shall not be granted under subsection (1) except in pursuance of a resolution passed by both Houses of Parliament.

(1b) Notice of a motion for a resolution under subsection (1a) must be given at least 14 sitting days before the motion is passed.

I have moved this amendment because we believe, as has been said many times tonight, that there is a need for the Government, and particularly for the Minister, to report to the House in relation to such matters. There have been comments about the difficulty for the Minister to report to the House when it is not sitting. If one looks at the events we are talking of covering one sees that there was a Grand Prix in 1985. It is my understanding that the previous Minister had had discussions with the TAB about the provision of betting on the Grand Prix some 12 to 18 months ago.

Under this provision there is no reason why that instance could not have been reported to this Committee. In relation to its being the first event, it is very clear that we need a little forward planning. We have talked about cricket, but honourable members know (and the Minister has mentioned it) that that has been on for some time. I do not believe that there is any reason why my amendment cannot be carried by this Committee and put into motion to protect all members of the House.

The Hon. M.K. MAYES: I understand the thrust of the honourable member's amendment. I really believe that this would totally tie the operation of the TAB in particular to a situation where it would have to respond in the period of time that Parliament was sitting. I think that the member for Murray-Mallee has been through this whole situation. If we have major events scheduled which the TAB believes should receive the attention of the TAB commercially, and Parliament is not sitting and there is no likelihood (and I would be very surprised to see Parliament return knowing the commitments that some members have in their electorates) of—

Mr Ingerson interjecting:

The Hon. M.K. MAYES: I do not believe that it is a furphy, because I think it is important that the Government be able to respond quickly to those sorts of demands. As such, I cannot see this provision—

The Hon. H. Allison: There are no major functions that are not already on the calendar, and you know that.

The Hon. M.K. MAYES: There are. We do not know what the situation will be with the America's Cup. That is one example. Current discussions and negotiations—

Mr Ingerson interjecting:

The Hon. M.K. MAYES: No, that is not the point. The fact is that discussions and negotiations between the relevant authorities who are controlling the America's Cup may not have the same priority or emphasis in relation to facilities that South Australians would like to have with the TAB to enable them to invest on such an event. As a consequence, I believe that such an amendment will totally tie and restrict the operation of the Government. In a sense, that is not the main point. Rather, it relates to the TAB and its ability to respond.

The Committee divided on the amendment:

Ayes (15)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker, Becker, and Blacker, Ms Cashmore, Messrs Chapman, Eastick, S.G. Evans, Goldsworthy, Ingerson (teller), Lewis, Meier, and Oswald.

Noes (20)—Mr Abbott, Mrs Appleby, Messrs Crafter, De Laine, and M.J. Evans, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, and Klunder, Ms Lenehan, Messrs McRae, Mayes (teller), Payne, Peterson, Rann, Robertson, Trainer, and Tyler.

Majority of 5 for the Noes.

Amendment thus negatived.

Mr INGERSON: I move:

Page 3, line 21—Leave out 'a race or football match' and insert new paragraphs as follows:

(a) a race:

(b) a football match; or

(c) a sporting event restricted to competitors under the age of 20 years or in which all the competitors are in fact under that age.

Mr LEWIS: I wish to make the point in quite forceful terms that, although the Minister and other members have not been able to see the view which, I believe in the Minister's own terms, I have logically put to the Parliament, nonetheless there is logic in the view that is inherent behind the reasons for this proposition. The most important aspect of this is that we should not be betting on events in which young people and children are participating, and we ought to put that in law. We ought to reassure the adults of this community—the parents of these children—that under no circumstances does this House, this Government or any member of this Parliament believe that it is appropriate or legitimate to bet on a sporting event, no matter how major, in which youngsters are engaged.

I do not think that we ought to pass over this opportunity to indicate to the people of South Australia that we are quite responsible about this, that they should not be competing in an event on which bets are permitted and that there are no circumstances in which it will ever be possible for bets to be placed on any event in which a young person can be involved. I cannot imagine anything more repugnant than TAB on the intercollegiate football.

Mr PETERSON: This 20 year age limit seems to me to be an odd age.

Mr Lewis interjecting:

The CHAIRMAN: Order!

Mr PETERSON: At 18, one is an adult and is legally liable, and it seems to me that there could be a race with apprentices who could all be under 20. In the Bay Sheffield, all runners could be under 20 and you could not bet on it. It seems to me that the age is out of order in this clause. Eighteen is the legal age of adulthood, and that would seem to me to be more appropriate. The age of 20 has no relevance at all and makes the whole amendment worth nothing.

Amendment negatived; clause passed.

Title passed.

The Hon. M.K. MAYES (Minister of Recreation and Sport): I move:

That this Bill be now read a third time.

The House divided on the third reading:

Ayes (22)—Mr Abbott, Mrs Appleby, Messrs Becker, Crafter, De Laine, M.J. Evans, and Ferguson, Ms Gayler, Messrs Gregory, Groom, Hamilton, Hemmings, Ingerson, and Klunder, Ms Lenehan, Messrs McRae, Mayes (teller), Payne, Peterson, Rann, Robertson, and Tyler.

Noes (13)—Messrs Allison, P.B. Arnold, D.S. Baker, S.J. Baker, and Blacker, Ms Cashmore, Messrs Chapman, Eastick, S.G. Evans, Goldsworthy (teller), Lewis, Meier, and Oswald.

Pairs—Ayes—Messrs Bannon and Plunkett. Noes—Messrs L.M.F. Arnold and Wotton.

Majority of 9 for the Ayes.

Third reading thus carried.

ADJOURNMENT

At 11.55 p.m. the House adjourned until Wednesday 27 August at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 26 August

QUESTIONS ON NOTICE

BALCANOONA

32. **Mr GUNN** (on notice) asked the Minister for Environment and Planning: How much has the National Parks and Wildlife Service spent at Balcanoona during the past two financial years, and how much do they intend to spend this year?

The Hon. D.J. HOPGOOD: The reply is as follows:

1984-85— $93 445.19;

1985-86—$428 974.48;

1986-87—Subject to budget announcement.

The above amounts include funds for the Aboriginal Training Scheme which includes housing and excludes salaries, wages and related payment.

KINDERGARTEN UNION

34. **Hon. D.C. WOTTON** (on notice) asked the Minister of Education:

1. How many persons currently employed by the Children's Services Office were previously employed with the Kindergarten Union?

2. Why has the decrease in the number of Kindergarten Union personnel now employed with CSO occurred?

3. What is the cost of the first year of operation of the CSO, compared with the previous costs of child care during the final year of full Kindergarten Union operation?

4. What educational qualifications are now required for the positions of regional manager and regional adviser?

5. What educational qualification does each regional manager hold currently?

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

1. At 30 June 1986 persons employed by the CSO totalled 936.05 FTEs. Due primarily to the need to make extensive use of temporary staff to provide both planned and unplanned relief, together with the normal fluctuations in staffing turnover, it is not possible to readily identify those staff members who may have been employed on either a permanent or temporary basis with the Kindergarten Union. However, at 30 June 1986, 688.1 FTEs were directly engaged in preschool education. At 30 June 1985 staff employed by the Kindergarten Union engaged directly in preschool education totalled 678.3 FTEs.

2. See 1.

3. The cost of the first year of operation of the CSO is anticipated to amount to $34.896 million, subject to audit finalisation. Since the time of establishment the CSO has become responsible for a greater range of activities than was the Kindergarten Union; accordingly a direct dollar-for-dollar comparison is inappropriate.

The cost of the direct services provided by the Kindergarten Union during the 1984-85 financial year amounted to $18.910 million. The cost to the CSO of providing similar services, based on a comparative activity basis for the 1985-86 financial year amounted to $20.784 million. It is noteworthy that approximately 50 per cent of the increase relates to payroll tax, which the KU did not pay but for which the CSO is liable. The balance relates to the impact of national wage increases and annual salary increases for preschool staff, together with additional staffing in the preschool program.

4. An essential requirement for the positions of Regional Manager and Regional Adviser is the possession of an appropriate tertiary qualification in the human or social sciences including education, psychology, child development, child care, social work or the equivalent.

5. The qualifications of Regional Managers presently employed are as described above.

TARAGO VEHICLE

54. **Mr LEWIS** (on notice) asked the Minister of Transport:

1. To which Government department does a Tarago vehicle registered number UQE-956 belong and was it being used for private purposes on Sunday 13 July 1986?

2. What was the cost of the white lambswool front seat covers in the vehicle and is it standard practice for such Government vehicles to be fitted with those covers?

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

1. Government vehicle UQE-956 is allocated to the Department for Community Welfare. The Tarago is used exclusively in the day to day running of Stuart House Boys Hostel. The vehicle's log book indicates that the vehicle was used on three occasions on the day in question:

to take a resident and gear home for weekend leave,

later in the day, to collect other residents and return them to Stuart House,

to deliver belongings to a boy's new place of residence after discharge, then on to arrange overnight security for motor cycles donated by Waterloo Hire to be ridden on the Lonsdale Motor-cross track.

2. The seat covers were donated to Stuart House by a staff member to protect the upholstery on the two most used seats of the new van.

PRISONER OFFENCES

58. **Mr OSWALD** (on notice) asked the Minister of Correctional Services: What percentage of the total numbers of convicted male and female prisoners, respectively, are held in the following categories of offences:

(a) drug related;

(b) breaking and entering; and

(c) non-payment of fines?

The Hon. FRANK BLEVINS: On 30 June 1986 the percentages were as follows:

	Female Per cent	Male Per cent
Drug related	20.7	8.1
Breaking and Entering	13.8	28.6
Non payment of fines	13.8	9.3

Some offenders in the drug related and breaking and entering categories are also included in the non payment of fines category.

SMALL BUSINESS CORPORATION

60. **Mr OSWALD** (on notice) asked the Minister of State Development:

1. What was the average number of daily inquiries directed directed to the Small Business Corporation during the year 1985-86?

2. How many inquiries were received for the whole of the year 1985-86 and is it possible to categorise the numbers and types of inquiries and, if so, what are the details?

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

1. Average daily inquiries during 1985-86 were 114.

2. Total inquiries for 1985-86 were 28 277, 26 per cent being inquiries from people planning to start a business and 74 per cent being from existing businesses.

Inquiries concerned:

	Per cent
General Management	17
Finance and Accounting	31
Taxation	2
Marketing	9
Production	3
Education	1
Legislation	20
Computer Advice	17

POLICE MOTOR CYCLES

63. **Mr OSWALD** (on notice) asked the Chief Secretary:

1. How many motor cycles were purchased by the police during the year 1985-86 and how much did they cost?

2. How many motor cycles were sold during 1985-86, what were the proceeds of the sales and were these funds retained within the police budget?

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

1. Nil.

2. *(a)* 77
   (b) $61 019
   (c) No.

MONTESSORI SCHOOLS

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

1. What is the attitude of the Education Department towards the Montessori method of education?

2. Does the department have plans to set up any Montessori schools at either the pre-school, primary or high school level and, if not, why not?

3. Will the Government support the Federal application for formal recognition of the proposed private Montessori high school to enable it to receive funds?

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

1. In South Australia, junior primary education contains elements of the Montessori approach, and in the 1920s and 1930s was considerably influenced by Maria Montessori. However, the present curriculum for junior primary children reflects knowledge of children's development and new insights into children's learning since Montessori's death. The current Early Years of School Policy incorporates this new knowledge, as Maria Montessori, the scientist, would have expected and wished.

2. The Education Department's current position on the establishment of Montessori schools is that there will be no establishment of Montessori schools within the department, but that where an alternative approach, such as Montessori or Rudolph Steiner, is requested by parents, the feasibility of establishing classes within schools would be examined.

3. The process through which proposers of new non-Government schools seek funding is defined by the Schools Commission. The Commonwealth also refers the application to the Joint Planning Committee for new Government and non-Government schools in this State for a determination of funding priority according to the established criteria. Concurrent with the lodging of the application to the Commonwealth, the proposers are required to lodge an application for registration with the Non-Government Schools Registration Board, two years prior to its proposed commencement.

If a school does not receive registration it is ineligible for Commonwealth and State recurrent funding. Officers of the Non-Government Schools Secretariat are available to assist proposers of new schools in matters relating to registration, and Federal and State funding. The level of support given to an individual application by this Government to the Federal Government depends upon consideration of a number of factors, and the type of school is but one of these.

BORAL ALUMINIUM

99. **Mr S.J. BAKER** (on notice) asked the Minister of State Development: What will be the full cost of the Boral aluminium plant at Angaston, what are its expected commencement and completion dates and what will be its source of power?

The Hon. LYNN ARNOLD: At June 1986, the time of commencement of construction of the Boral Aluminium Extrusion Plant, this plant was valued at $12.8 million. Boral expects completion of the plant in early April 1987 and will commence production immediately thereafter. The extrusion facility uses gas for extrusion, annealing anodising and powder coating.

DISPUTES AND DISCIPLINARY COMMITTEE

105. **Mr S.J. BAKER** (on notice) asked the Minister of Labour: what are the details of the two cases mentioned in the 1984-85 Annual Report of the Industrial and Commercial Training Commission where the Minister intervened to have the Disputes and Disciplinary Committee review its decision?

The Hon. FRANK BLEVINS: Before proceeding to answer this question, I would point out that the responsibility for the Industrial and Commercial Training Act now comes under the jurisdiction of the Minister of Employment and Further Education. Subsection (4) of section 18 of the Act provides the means of appeal from decisions of the Disputes and Disciplinary Committee. This means of appeal is through a direction from the Minister to the Industrial and Commercial Training Commission that the Committee be requested to review its decision or order. The two cases referred to in the 1984-85 Annual Report of the Commission both resulted from one of the parties to the contracts of training in question asking that the Minister of Labour direct the Commission to request a review.

In one case the origin of the dispute was the abandonment of employment by the apprentice. The employer wanted the contract of employment and training continued. Following inquiry the Disputes and Disciplinary Committee determined that the contract should continue. The apprentice's parent, being a party to the contract, wrote to the Minister of Labour on behalf of the apprentice seeking to have him initiate the appeal process. This he did and the Committee subsequently reviewed the case. The Committee confirmed its earlier decision but directed that a conference of the parties be held to agree a code of conduct and behaviour to be observed by all during the remaining period of the contract. This was done, the training contract was continued and the apprentice subsequently received the Commission's Certificate of Competency on completion of training.

The origin of the other case was the action of an employer in dismissing an apprentice for alleged misconduct. Follow-

ing inquiry the Disputes and Disciplinary Committee determined that the contract of training should be cancelled on the grounds of irreconcilable breakdown of the relationship between the employer and the apprentice. The effective date of cancellation determined by the committee was several weeks after the date of dismissal by the employer. Because of this, the employer approached the Minister of Labour to initiate the appeal process. This he did, and the committee reconsidered the matter.

Whilst acknowledging that there was some disadvantage to the employer as a result of the decision, the committee, after again considering the interests of both parties fully, confirmed the earlier decision.

SOUTHEND FORESHORE

106. **Mr OSWALD** (on notice) asked the Minister for Environment and Planning:

1. What funds were expended during 1985-86 in carting sand to the Southend foreshore?

2. What is the budget for further sand carting during 1986-87?

3. Was the project carried out against the expressed wishes of the Millicent Council and if so, why?

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

1. $20 000.

2. The budget for 1986-87 coast protection work at Southend will be announced in due course.

3. No.

CHINESE CITRUS PLANTATIONS

125. **The Hon. E.R. GOLDSWORTHY** (on notice) asked the Premier:

1. Is the Premier or the Department of State Development aware that three years ago New South Wales authorities were cooperating with the Chinese in establishing citrus plantations in southern China?

2. Have any South Australian officers had discussions on establishing a citrus concentrating plant in China in view of the fact that the Chinese are currently investigating such a plant?

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

1. Yes. The New South Wales Department of Agriculture was involved in Australian Development Assistance Bureau (ADAB) funded project in Hunan Province. This project covered 10 particular projects, one of which involved a citrus demonstration farm. The project ran for three years between 1982-85.

2. The South Australian Department of Agriculture was involved in the Australian Development Assistance Bureau project in Hunan, as were growers from the Riverland. Officers from the department assisted from the tree culture stage to post harvesting. They were also involved in a feasibility study for the establishment of a processing plant in Hunan in 1984, as well as training of Chinese specialists.